

STATE OF TEXAS \*  
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 COUNTY OF HAYS \*

ON THIS THE 9TH DAY OF JANUARY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

G. DON RAINS	COUNTY JUDGE
WAYNE FORD	COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE	COMMISSIONER, PRECINCT #3
ORAN H. RIPPY	COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY	COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9546 APPROVE OFFICIALS BONDS

Official Bonds were presented for approval: Paul Hastings - Sheriff, Ruth G. Clayton - Tax Assessor-Collector, Craig D. Payne - Commissioner Pct. #3, Macel E. Sullivan - Justice of the Peace Pct. #1 Place #1, Lupe Cruz - Constable Pct. 1, James H. Kohler - Constable Pct. 2, Donald R. Amerson - Constable Pct. 3, C. E. Bankston - Constable Pct. 4, Billy H. Reeves - Constable Pct. 5 and Claude B. Lilly - Judge County Court at Law #2. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the Official Bonds as presented to the Court. All present voting "Aye".

9547 CALL FOR COUNTYWIDE AUCTION - SURPLUS COUNTY PROPERTY

Commissioner Payne spoke of various equipment, etc. that needs to be sold at county auction. Sheriff Paul Hastings spoke of being in the process of selling abandoned vehicles - firearms are being inventoried and owners need to be contacted before disposing of them. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to call for Countywide auction to be held March 15, 1989 at the Hays County Civic Center. All present voting "Aye".

REPORT ON NUMBER OF MILES OF ROADS IN EACH PRECINCT

Commissioners submitted their reports on number of miles of road in their precincts that are being maintained. Commissioner Ford stated that he had found duplication of road numbers and names in the County.

Precinct #2 = 185.3 miles + 27 miles that will be coming in  
 Precinct #3 = 124 miles  
 Precinct #4 = 254 miles (42 subdivisions w/134.4 miles)

9548 POKEY REHMET - REQUEST REIMBURSEMENT FOR WRONGFULLY SOLD PROPERTY AT SHERIFFS SALE

Pokey Rehmet appeared before the Court - his property was sold at a Sheriff's sale by mistake and he requested reimbursement for expenses. Mr. Rehmet felt like the Sheriff did not have the right to sell the property without a proper title search being done first. He stated that the taxing entities had been notified to change ownership from his mothers estate to him. Discussion was had on whether a Court had ordered the sale of the property. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to appoint District Attorney Charles Chapman and County Judge Don Rains to look into this matter. All present voting "Aye".

PRISONERS IN THE HAYS COUNTY LAW ENFORCEMENT CENTER

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the intergovernmental contract with the U.S. Marshal's Office for housing prisoners in the Hays County Law Enforcement Center. All present voting "Aye".

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INTERGOVERNMENTAL SERVICE AGREEMENT - HOUSING OF FEDERAL PRISONERS

Agreement Number J-D80-M-143  
Effective Date: 01/01/89  
Requisition/Purchaser/Request No. 0227-D80-88  
Issuing Office: United States Marshals Service  
Operations Support Directorate  
Prisoner Operations Division  
600 Army Navy Drive  
Arlington, Virginia 22202-4210

Government Entity: Hays County Jail  
1307 Uhland Road  
San Marcos, Texas 78666  
Contact Person: G. Don Rains  
Appropriation Data: 15X1020

Supplies/Services: This Agreement is for the housing, safekeeping and subsistence of adult male and female Federal prisoners including guard services in accordance with the contents set forth herein.  
Quantity: Estimated USMS Prisoner Days/Yr.: 30,416  
Estimated Guard Hours/Yr.: 500  
Unit Price: Fixed Rate \$40 (USMS Prisoner) \$10 (Guard)  
Amount: Estimated Annual Payment=\$1,216,640 (USMSO Prisoners)  
\$ 5,000 (Guards)

To the best of my knowledge and belief, data submitted in support of this agreement is true and correct, the document has been duly authorized by the governing body of the Department or Agency and the Department or Agency will comply with ALL PROVISIONS SET FORTH HEREIN.

s/ G. Don Rains Date: 1-9-89  
G. Don Rains, County Judge

s/ Paul Hastings Date: 1-9-89  
Paul Hastings, Sheriff

Type of Use: Regular Support  
Prisoner type to be included: Unsentenced Adult Male, Adult Female & Aliens - Sentenced Adult Male and Adult Female  
Level of Use: Major  
The Negotiated Agreement is hereby approved and accepted for  
THE UNITED STATES OF AMERICA  
BY DIRECTION OF THE DIRECTOR OF THE  
UNITED STATES MARSHALS SERVICE  
BY \_\_\_\_\_

Anticipated annual usage:  
No. of Prisoners- 750 unsentenced 200 sentenced 30 Aliens  
TOTAL = 980  
Prisoner Days- 27,375 " 18,250 " 100 " "  
TOTAL = 45,725  
Guard Hours - 500 "  
TOTAL = 500  
Name of Authorizing Official: Joseph B. Enders  
DATE: 12/06/88

CONTRACT SCHEDULE

ARTICLE I - PURPOSE  
The purpose of this Intergovernmental Service Agreement (IGA) is to establish a formal binding relationship between the U.S. Marshals Service and other federal user agencies (the Federal Government) and Hays County Jail (the Local Government) for the detention of persons charged with or convicted of violations of Federal law or held as material witnesses (federal prisoners) at the Hays County Jail (the facility).



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ARTICLE II - SUPPORT AND MEDICAL SERVICES

1. The Local Government agrees to accept and provide for the secure custody, care and safekeeping of federal prisoners in accordance with state and local laws, standards, policies, procedures, or court orders applicable to the operations of the facility.

2. The Local Government agrees to provide federal prisoners with the same level of medical care and services provided local prisoners including, payment for all prescription drugs, transportation and security for prisoners requiring removal from the facility for emergency medical services. All costs (with the exception of prescription drugs) associated with hospital or health care services provided outside the facility will be paid directly by the Federal Government.

3. The Local Government agrees to notify the U.S. Marshal as soon as possible of all emergency medical cases requiring removal of a prisoner from the facility and to obtain prior authorization for removal for all other medical services required.

ARTICLE III - RECEIVING AND DISCHARGE

1. The Local Government agrees to accept as federal prisoners those persons committed by federal law enforcement officers for violations of federal laws only upon presentation by the officer of proper law enforcement credentials.

2. The Local Government agrees to release federal prisoners only to law enforcement officers of agencies initially committing the prisoner (i.e. DEA, INS, etc.) or to a Deputy United States Marshal. Those prisoners who are remanded to custody by a U.S. Marshal may only be released to a U.S. Marshal or an agent specified by the U.S. Marshal of the Judicial District.

3. Federal prisoners may not be released from the facility or placed in the custody of state or local officials for any reason except for medical or emergency situations. Federal prisoners sought for a state or local court proceedings must be acquired through a Writ of Habeas Corpus or the Interstate Agreement of Detainers and then only with the concurrence of the District U. S. Marshal.

ARTICLE IV - PERIOD OF PERFORMANCE AND BEDSPACE GUARANTEE

1. This Agreement shall be in effect indefinitely until terminated in writing by either party. Should conditions of an unusual nature occur making it impractical or undesirable to continue to house prisoners, the Local Government may suspend or restrict the use of the facility, provided advance funds have been repaid in full, by giving written notice to the U. S. Marshal. Such notice will be provided 30 days in advance of the effective date of formal termination and at least two weeks in advance of a suspension or restriction of use unless an emergency situation requires the immediate relocation of prisoners.

2. The United States Marshals Service shall guarantee a monthly minimum Federal payment (which includes USMS, BOP, INS, utilization levels, etc.) based upon fifty (50) beds per day at the per diem rate specified on page 1 of the Agreement. The facility will notify the United States Marshal, at least ten (10) days prior to the availability of the guaranteed fifty (50) bedspaces. The guaranteed payment provision will take effect only after the facility makes available fifty (50) or more bedspaces to the U.S. Marshals Service and will remain in effect through September 30, 1989, at which time payment will be made for spaces used on an as need basis.

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3. Failure of the Hays County Jail to provide at least fifty (50) detention spaces for any reason during any day of any month during the guaranteed payment period will void the guarantee for that month and payments will be made based upon the actual number of detention days provided.

ARTICLE V - PER-DIEM RATE AND ECONOMIC PRICE ADJUSTMENT

1. A temporary jail day rate of \$40.00 will be in effect for period of eight (8) months pending receipt and approval of six (6) months of actual and allowable costs data associated with the operations of the facility during the initial period of operations. The jail day rate for the subsequent period will be adjusted based on the actual operational costs for the facility which could result in the rate decreasing, increasing, or remaining unchanged.

2. The Federal Government shall reimburse the Local Government at the fixed day rate identified on page one (1) of the Agreement. After a permanent rate has been negotiated, the rate may be renegotiated not more than once per year, after the agreement has been in effect for twelve month.

3. The rate covers One (1) person per "prisoner day". The Federal Government may not be billed for two days when a prisoner is admitted one evening and removed the following morning. The Local Government may bill for the day of arrival but not for the day of departure.

4. When a rate increase is desired, the Local Government shall submit a written request to the U.S. Marshal at least 60 days prior to the desired effective date of the rate adjustment. All such requests must contain a completed Cost and Pricing Data Sheet which can be obtained from the U.S. Marshal. The Local Government agrees to provide additional cost information to support the requested rate increase and to permit an audit of accounting records upon request of the U.S. Marshal.

5. Criteria used to evaluate the increase or decrease in the per-diem rate shall be those specified in the federal cost standards for contracts and grants with State and Local Governments issued by the Office of Management and Budget.

6. The effective date of the rate modification will be negotiated and specified on the IGA Modification form approved and signed by a Marshals Service Contracting Officer. The effective date will be established on the first day of a month for accounting purposes. Payments at the modified rate will be paid upon the return of the signed modification by the authorized local official to the U.S. Marshal.

7. Unless other justifiable reasons can be documented by the Local Government, per-diem rate increases shall not exceed the National Inflation rate as established by the U.S. Department of Labor, Bureau of Labor Statistics.

ARTICLE VI - BILLING AND FINANCIAL PROVISIONS

1. The Local Government shall prepare and submit original and separate invoices each month to the Federal Agencies listed below for certification and payment.

United States Marshal  
Western District of Texas  
655 East Durango Blvd.  
San Antonio, Texas 78206  
Phone: 512-730-6544

Bureau of Prisons, CPM  
4211 Cedar Spring Road,  
Suite 300  
Dallas, Texas 75219  
Phone: 214-767-9700

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Immigration and Naturalization Service  
 Assistant Regional Commissioner, PMP  
 Skyline Center, Bldg. C  
 311 North Stemmons Freeway  
 Dallas, Texas 75270

Phone: 214-767-0514

2. Expenses in connection with the release of BOP prisoners will be approved in advance by CPMI. Expenses may include all or part of the following: Public transportation (bus ticket); release clothing, and gratuity. Each billing must include the name and register number of prisoner or which of the charges were incurred and all receipts, invoices and/or adequate documentation or claimed expenses.

3. The Local Government shall review the actual total level of bedspaces utilized by all Federal user agencies for the month and shall bill the United States Marshals Service, when applicable, for any of the monthly guaranteed bedspaces not actually utilized. Guaranteed bedspace payments will take effect in accordance with Article IV of this Agreement. For each additional Federal prisoner space utilized per day beyond the monthly guaranteed level of space, the used Federal agency shall pay the rate identified on page one (1). Other user Federal agencies shall be billed directly by the Local Government at the rate identified on page one (1). Based upon the number of days in the billing month, the United States Marshals Service guarantees an overall Federal minimum monthly payment to the Local Government, as shown below:

<u>No. Days in Month</u>	<u>Rate</u>	<u>Minimum Federal Payment for the Month</u>
28	\$40.00	\$56,000.00
30	\$40.00	\$60,000.00
31	\$40.00	\$62,000.00

4. To constitute a proper monthly invoice, the name of each Federal prisoner, their specific dates of confinement, the total days to be reimbursed, the appropriate per-diem rate, and the total amount billed (total days multiplied by the rate per day shall be listed). The name, title, complete address and phone number of the Local Official responsible for invoice preparation should also be listed on the invoice.

5. The Prompt Payment Act, Public Law 97-177 (96 Stat. 85, 31 USC 1801) is applicable to payments under this agreement and requires the payment to the Local Government of interest on overdue payments. Determinations of interest due will be made in accordance with the provisions of the Prompt Payment Act and the Office of Management and Budget Circular A-125.

6. Payment under this agreement will be due on the thirtieth (30th) calendar day after receipt of a proper invoice, in the office designated to receive the invoice. The date of the check issued in payment shall be considered to be the date payment is made.

7. Requests for advance payments authorized under Article X of this Agreement, and requests for payment of bedspaces provided will be submitted to the Marshals Service under separate requests for payment.

ARTICLE VII - GOVERNMENT FURNISHED PROPERTY

1. It is the intention of the Marshals Service to furnish excess federal property to local governments for the specific purpose of improving jail conditions and services. Accountable excess property, such as furniture and equipment, remains titled to the Marshals Service and shall be returned to the custody of the Marshals Service upon termination of the agreement.

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2. The Local Government agrees to inventory, maintain, repair, assume liability for and manage all federally provided accountable as well as controlled excess property. Such property cannot be removed from the jail without the prior written approval of U.S. Marshals Headquarters. The loss or destruction of any such excess property shall be immediately reported to the U.S. Marshal and USMS Headquarters. Accountable and controlled excess property includes any property with a unit acquisition value of \$1,000.00 or more, all furniture, as well as equipment used for security and control, communication, photography, food service, medical care, inmate recreation, etc.

3. The suspension of use or restriction of bed space made available to the Marshals Service are agreed to be grounds for the recall and return of any or all government furnished property.

4. The dollar value of property provided each year will not exceed the annual dollar payment made by the Marshals Service for prisoner support.

#### ARTICLE VIII - MODIFICATIONS/DISPUTES

1. Either party may initiate a request for modification to this agreement in writing. All modifications negotiated will be written and approved by the U.S. Marshals Service contracting officer and submitted to the Local Government on Form USM 241a for approval.

2. Disputes, questions or concerns pertaining to this agreement (with the exception of advances) will be resolved between the U.S. Marshal and the appropriate local Government Official. Unresolved issues as well as questions on advances are to be directed to the Chief, Prisoner Support Division, U.S. Marshals Service Headquarters.

#### ARTICLE IX - INSPECTION AND TECHNICAL ASSISTANCE

1. The Local Government agrees to allow periodic inspections of the facility by U.S. Marshals Service Inspectors. Findings of the inspection will be shared with the facility administrator in order to promote improvements to facility operations, conditions of confinement and levels of services.

2. The Marshals Service will endeavor to provide or acquire technical training and management assistance from other federal, state or local agencies or national organizations upon the request of the facility administrator.

#### ARTICLE X - SPECIAL FINANCIAL PROVISIONS (ADVANCE PAYMENTS)

1. The United States Marshals Service will provide Hays County Jail with a cash advance, to cover start up costs discussed below, not to exceed a total of \$225,000.00. All "drawdowns" by the County against this advance will be issued by the U. S. Marshal in accordance with the following guidelines:

(a) Advance payments will cover actual start up expenses incurred by the facility for costs associated with jail staffing and training of jail personnel. Advance payments may be requested for expenses incurred, as early as sixty days (60) prior to the opening of the facility and during the first sixty (60) days of operation. There will be no advance payments for expenses incurred after the end of the first sixty (60) days of operation.

(b) Requests for advances for items other than those listed above must be approved in advance by the Chief Prisoner Support Division.

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(c) Requests for advance payments must be supported by a copy of a detailed invoice from vendor(s) requesting reimbursement from the facility or supported by other vouchers or documentation which support the amount of funds requested and indicates what specific goods or services were acquired. In any event, all requests for advances will be submitted and received by the U.S. Marshal within four (4) months of the effective date of this agreement.

(d) All advance payments must be approved in advance by the Contracting Officer prior to payment by the U.S. Marshal. Specific instructions and status report formats for the U.S. Marshal will be provided by the Contracting Officer under separate correspondence.

(e) Hays County Jail will take steps to ensure that no interest is earned on any funds received from the U.S. Marshal as advance payments. To ensure that interest is not accrued, advance payments should not be commingled with other County/Jail funds or monies received by the County/Jail from any source. Advance payments must be placed in a non-interest bearing account and disbursed to vendors within fifteen (15) days from receipt of advance.

(f) Any interest incurred on funds advanced under this agreement, will belong to the Federal Government and must be returned to the U.S. Marshals Service.

(g) Each advance payment made under this agreement will be approved in advance by the Contracting Officer and will be provided to the Facility by the U.S. Marshal who will issue a check marked "Advance Payment". All payments to the local government for regular jail bills will be made by separate check. Requests for advance funds will be submitted separately from regular jail bills.

(h) Repayment of advanced funds to the Marshals Service will be accomplished by a reduction of \$12,500 in the monthly jail bill, beginning with the third jail bill, until all advanced funds are recouped (estimated repayment time frame of 18 months).

(i) Suspension or restriction of use prior to full repayment of the advance is considered a breach of this agreement, which will require full repayment of the outstanding balance of the advance within 30 days upon the written demand of the Contracting Officer. Hays County agrees that it will also reimburse the government for all court and legal costs it may incur in the collection of advance payments.

#### ARTICLE X - GUARD SERVICES

1. The Local Government agrees, upon request of the federal agency in whose custody a prisoner is held, to provide:

a. Transportation and escort guard services for federal prisoners housed at their facility to and from a medical facility for outpatient care; and

b. Transportation and stationary guard services for federal prisoners committed to a medical facility

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2. Such services will be performed by qualified law enforcement or correctional officer personnel employed by the Local Government under their policies procedures and practices. The Local Government agrees to augment such practices as may be requested by the U.S. Marshal to enhance specific requirements for security, prisoner monitoring, visitation and contraband control.

3. The user government agency agrees to reimburse the Local Government for guard services at the rate established on page one (1) of this agreement.

9550 APPOINTMENTS TO THE HAYS COUNTY HISTORICAL COMMISSION

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve appointments to the Hays County Historical Commission: Mrs. Jack N. Stovall as Chairman, Mrs. Wm. A. Wyatt, Sr.-Emeritus, Mrs. Ross D. Compton, Mrs. D. J. Simon, Mr. Charles Haydon, MRs. Earle Younts, Mrs. John E. Woolsey, Mrs. Lewis A. Parr, Mrs. Lynn Storm, Mrs. Dorothy Kerbow, Mrs. Joe Nicola, Sr., Lt. Col. James Rogers, JoAnn Hearn, Mr. Albert S. McGehee, Mr. Al Lowman, Mr. Lee Swift, Mrs. Wm. Johnson and Mrs. Ed Shand. All present voting "Aye".

9551 BLUEBONNET ELECTRIC COOPERATIVE INC. - PROPOSAL FOR INSTALLATION OF UTILITY LINE ON COUNTY ROADWAY (COUNTY ROAD 234) PRECINCT 1

A notice of proposed installation of utility line on a county roadway was presented for approval - Bluebonnet Electric Cooperative, Inc. proposes to place a single phase electric line within the right-of-way of County Road 234. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve proposal of Bluebonnet Electric Coop. Inc. All present voting "Aye".

9552 PETITION AND ACCEPTANCE OF GRAVEL ROAD KNOWN AS "NORTHWEST HILLS ROAD" INTO COUNTY MAINTENANCE SYSTEM (4/10 MI.)

Commissioner Rippy presented petition signed by 14 property owners on Northwest Hill Road - the petition read as follows:

We, the undersigned property owners of Northwest Hills, a subdivision in Precinct #4, Hays County, Texas, make the following request.

As property owners of Northwest Hills, we have not been able to properly maintain the gravel road known as Northwest Hills road.

We are hereby requesting that the County of Hays provide us with the assistance needed to maintain the above mentioned road. We understand the road will not be paved at the Countys expense but only maintained to provide reasonable access to our homes.

Respectfully submitted, Property Owners of Northwest Hills:

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept gravel road known as "Northwest Hills Road" (4/10 mi.) into the County Maintenance System - road will not be paved, only maintained. All present voting "Aye".

HAYS COUNTY LAW ENFORCEMENT CENTER - CONSIDER CHANGE ORDER TO RUN CONDUIT AND PURCHASE/INSTALL ADDITIONAL TELEPHONE SYSTEM

Sheriff Hastings spoke of need to install an additional 6-line telephone. Patsy Greiner spoke of J.P. 1-1 wanting to install a 6-line telephone and conduit for a new jack. Judge Rains stated that he would like to pass on any action at this time until he has time to check into the necessity - Court agreed.

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LONGEVITY DISCUSSION

County Auditor Bill Herzog spoke of guidelines for determining who gets longevity. Commissioner Ford stated that Elected Officials are to be included - they are considered by law to be fulltime. Judge Rains objected to allowing Elected Officials to receive longevity. Commissioner Ford spoke of longevity for last year should have been calculated as a \$5.00 per month increase over the start up figure used last year (\$60 increase) - start up figure was to be figured at \$5.00 per month for the first four years of service plus \$1.00 per month for every year of service - not to exceed \$100 per month. Mr. Herzog to research the records and get back with the Court at a later date.

9553 DISTRICT CLERKS OFFICE - ADDITIONAL EQUIPMENT (TYPEWRITER & TERMINALS)

District Clerk W. H. Moore thanked the Court for the additional space he has acquired in his office (law library space). Mr. Moore stated that he needs a typewriter and two computer terminals. Data Processing Administrator Danny Dever spoke of having lent the District Attorneys office his own personal computers and he needs them back. Mr. Dever spoke of the status of computers at the jail - unified county package - 16 terminals are now on line at the jail. The previously used computer system - Jordan & Associates - is being checked out - does not feel like there was any sabotage by previous employees. Mr. Moore spoke of the rotary file in his office - repairs parts are obsolete and we need to address the issue of the files. He has checked on high density shelving on tracks - a new rotary file would cost approximately \$13,000. Commissioner Ford asked about getting a machine shop to replace parts - might be cheaper. Need to authorize the County Auditor to advertise for new equipment and retrofit existing equipment at next meeting. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve purchase of two computer terminals - not to exceed \$1000 - out of Data Processing Department line item. All present voting "Aye".

9554 APPROVE POSITIONS AND SALARIES - SHERIFF'S DEPT.

Sheriff Paul Hastings presented a list of changes in the salary account line item of the Sheriff's Dept. - no increase is involved.

Promotion:

Michael Cayce to Chief of Operations,	monthly salary	\$2218.81
Dan Gibson to Lt. in charge of CID,	" "	2000.00
Ron Waggoner to Lt. of Patrol,	" "	2000.00
Jesse Hernandez to Lt. of Patrol,	" "	2000.00
Michael Squires to Sgt/Inv CID	" "	1850.00

From part time to full time deputy		
Clarence Klekar	" "	1700.00
Gregg Gregory	" "	1600.00

New hires: (Replacement positions)		
Shelley Holmes, Admin. & Personnel,	" "	1500.00
Carol Drake, Support Services Supervisor	" "	1400.00
Belinda Moon, Lead Dispatcher	" "	1150.00
Marc Harrod, Part time dispatcher, hourly rate of	6.70	
Mary Ann DeLeon, clerk, half-time,	monthly salary	570.00
Manuel Duarte, Investigator	" "	1700.00
John Gruenbein, Jr., Deputy Sheriff	" "	1500.00
Roy Jacks	" "	1600.00
Mitchell Johnson	" "	1500.00
Al Alvarez	" "	1500.00
Mike Ashford	" "	1500.00
David Borque	" "	1500.00
Lonnie Haffelder	" "	1600.00
Duayne Moseley	" "	1600.00

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve positions and salaries for the Sheriff's Department as presented. All present voting "Aye".

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9555 APPROVE ADDITIONAL PERSONNEL FOR NEW JAIL AND SALARY ADJUSTMENTS FOR CURRENT SUPERVISORS

Sheriff Hastings requested approval to hire 20 additional corrections officers to begin training - salary at \$1400 per month. He also requested approval to hire a Maintenance Supervisor at a salary of \$2000.00 per month and a Food Services Manager at a salary of \$2000.00 per month and to adjust the salaries of current supervisors on staff:

Chief of Administration, from \$2053.75 per mo. to \$2,250.00  
 Assistant Administrator, from \$1712.00 per mo. to \$2,100.00  
 Lieutenant/Jail from \$1600.00 per mo. to \$1,900.00  
 Adjust all Sergeants salaries (6) which are now on average of \$1550.00 per month, to \$1,700.00 per month each.

Sheriff Hastings gave synopsis of opening phases of the Jail:

Phase #1	Employees: 69 Officers	14 Civilians =	83 total
	Maximum inmate population: 158		
	Total budget: \$1,696,674.28		
Phase #2	Employees: 101 Officers	14 Civilians =	115 total
	Maximum inmate population: 310		
	Total budget: \$2,177,683.53		
Phase #3	Employees: 121 Officers	14 Civilians =	135 total
	Maximum inmate population: 358		
	Total budget: \$2,870,734.53		

Judge Rains asked about utilizing the Reserve Deputies to help cut cost. Sheriff Hastings stated that they will be utilized as Corrections Officers, Patrol Deputies, Crime Prevention, etc.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize hiring of 20 additional Corrections Officers and approve positions and salaries in the Jail budget. All present voting "Aye".

9556 CONSTABLE PCT. 1 - AMEND BUDGET

Judge Rains reminded Court that they had previously set aside budget for Constable Pct. 1 to begin on January 1, 1989 when Constable Lupe Cruz took office. Budget to be set up as follows:

Salary	\$17,136.00
FICA	1,287.00
Retirement	1,200.00
Medical Insurance	540.00
Colonial	18.00
Dental	45.00
Life Insurance	14.00
Office Supplies	900.00
Fuel	2,500.00
Cont. Education	150.00
Miscellaneous	300.00
Vehicle Repair & Maintenance	2,000.00
Law Enforcement Equipment Repair&Mtc	900.00
Law Enforcement Equipment	350.00
Telephone	800.00
Office Equipment	1,400.00
Vehicle	3,500.00
Uniform Allowance	240.00
	<hr/>
	\$33,280.00

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of Constable Pct. #1 in the amount of \$33,280.00 out of contingencies to set up line items as presented. All present voting "Aye".




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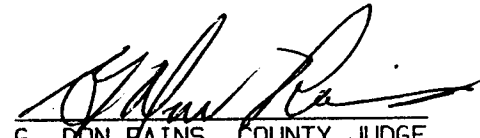
DOUBLE R SUBDIVISION - REQUEST ACCEPTANCE OF ROADS

This item was not on the agenda. Mr. Charles Smith appeared before the Court requesting acceptance of the Double R Subdivision Road into the County maintenance system so school buses and mail delivery is possible and so that the subdivision will qualify for Section 8 Housing. There are presently 37 duplexes and 8 or 9 houses in the subdivision and they are applying for Section 8 Housing/public housing - need 25mph speed limit on roadway - 60' dedicated frontage and 60' roadway does exist. Judge Rains asked about Section 8 Housing.

Mr. Smith stated that it is public housing - rent is based on family income which allows low income people to have homes - funded by HUD - Court would designate an Administrator. Commissioner Ford stated that he is not ready to accept the road - he is unable to maintain additional roads at this time.

Court was recessed until January 23, 1989 at 9:00 o'clock A.M.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
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 COUNTY OF HAYS \*

ON THIS THE 23RD DAY OF JANUARY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

G. DON RAINS	COUNTY JUDGE
RAFAEL GONZALES	COMMISSIONER, PRECINCT #1
WAYNE FORD	COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE	COMMISSIONER, PRECINCT #3
ORAN H. RIPPY	COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY	COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Payne was not present at the beginning of the meeting.

9557 PERMISSION FOR MARDI GRAS TO UTILIZE THE COURTHOUSE LAWN ON THE FIRST WEEKEND IN FEBRUARY

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to allow the use of the Courthouse lawn on the first weekend in February for the Mardi Gras. All present voting "Aye".

9558 CANVASS ELECTION RESULTS : COMMISSIONER PCT. 1 ELECTION  
 NORTHEAST HAYS COUNTY EMS DISTRICT #2 ELECTION  
 JUSTICE PCT. 4 BINGO ELECTION

Election Administrator Joyce Cowan presented election results from January 21, 1989:

JP4 Bingo Election	FOR = 187	AGAINST = 24
NHC EMS DIST#2 Election	FOR = 90	AGAINST = 32

County Commissioner Pct. #1 Election  
 Dan Sullivan VOTES = 1233  
 Rafael Gonzales VOTES = 1515

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve the results of the County Commissioner Pct. 1 Election, Northeast Hays County EMS District #2 Election and Justice Precinct 4 Bingo Election as presented by the Hays County Elections Administrator. All present voting "Aye"

-Jan. 23, 1989-

Order Declaring Results of Special Election

The State of Texas \*
County of Hays \*

On this the 23rd day of January, 1989, the Commissioners' Court of Hays County, Texas, convened in Regular session at the regular meeting place in the Court-house, San Marcos, Texas, with the following members present, to-wit:

G. Don Rains, County Judge; Rafael Gonzales, Commissioner Precinct #1; Wayne Ford, Commissioner Precinct #2; Oran H. Rippy, Commissioner Pct. #4 and Ronnie Dannelley, County Clerk - constituting a quorum, and among other proceedings, passed the following order:

There came on to be considered the returns of an election held on the 21st day of January, 1989, in Justice of the Peace Precinct #4, Hays County, Texas to vote on Legalizing Bingo Games for Charitable Purposes as Authorized by the Bingo Enabling Act.

It appearing to the satisfaction of the Court that said election was in all respects legally held, and that said returns were duly and legally made, and that there were cast at said election 211 valid and legal votes, of which number there were cast:

187 Votes FOR Legalizing Bingo Games for Charitable Purposes as authorized by the Bingo Enabling Act.
24 Votes AGAINST Act.

It is therefore, found and declared and so ordered by the Commissioners' Court of Hays County, Texas:

That a majority of the qualified voters in said named area voting at said election voted FOR Legalizing Bingo Games for Charitable Purposes as authorized by the Bingo Enabling Act.

It is further found and determined that written notice of the date, hour, place and subject of this meeting was posted on the bulletin board located at a place convenient and readily accessible to the general public at all times in the County Courthouse, San Marcos, Texas, at least 72 hours preceding the scheduled time of the meeting.

Thereupon, the question being called for, the following members of the Court voted AYE: County Judge G. Don Rains, Commissioner Pct. #1 Rafael Gonzales, Commissioner Pct. #2 Wayne Ford and Commissioner Pct. #4 Oran H. Rippy, and the following members voted NO: none

Passed, approved and adopted this the 23rd day of January, 1989.

s/ G. Don Rains
G. DON RAINS, COUNTY JUDGE

ORDER CANVASSING RETURNS AND DECLARING RESULTS OF ELECTION CREATING THE "NORTHEAST HAYS COUNTY EMS DISTRICT #2"

The State of Texas \*
County of Hays \*

Whereas, at an election duly and regularly held on the 21st day of January, 1989, within that portion of Hays County, State of Texas, described as:

All of Hays County Justice Precinct No. 5, and including that area of Hays County Justice Precinct No. 2, which is bound on the South by the North line of the Negley Ranch, and the North line of Mountain City Oaks Subdivision, on the West by the West line of the Morton M. McCarver Survey No. 4, and on the North and East by the South line of Justice Precinct No. 5

there was submitted to the legal voters thereof the question whether the above described territory shall be formed into an Emergency Services District under the provisions of the laws of this state; and

-Jan. 23, 1989-

Whereas, at such election 90 votes were cast IN FAVOR of formation of said district and 32 votes were cast AGAINST such formation; and

Whereas, the formation of such Emergency Services District received the affirmative vote of the majority of the votes cast at such election as provided by law;

Now, therefore, be it resolved, the Commissioners' Court of Hays County, Texas, do hereby find, declare and order that the tract hereinbefore described has been duly and legally formed into an emergency services district under the name of "Northeast Hays County Emergency Service Dist #2", under and pursuant to Article III, Section 48e, of the Texas Constitution, and with the powers vested in such district conferred by law.

Passed and approved this 23rd day of Jan, 1989.

s/G. Don Rains  
G. DON RAINS, COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANDELLEY, COUNTY  
CLERK, HAYS COUNTY, TEXAS

~~~~~  
CANVASS OF GENERAL ELECTION

I, G. Don Rains, County Judge of Hays County, Texas, met with the Commissioners Court sitting as the canvassing board to canvass the general election of January 21, 1989, on January 23, 1989 at San Marcos, Texas.

I certify that the figures on the tally sheets correspond with the figures on the returns.

Witness my hand this 23 day of January, 1989.

s/G. Don Rains  
Presiding Officer of  
Canvassing Authority

Commissioner Payne came to meeting at this time.

9559 WIMBERLEY RURAL FIRE PREVENTION DISTRICT - PRESENTATION OF ANNUAL REPORT AND APPOINTMENT OF TWO BOARD MEMBERS

Raymond Czichos appeared before the Court and presented the annual district report (see report in file). The volunteer fire dept. responded to over 105 fires and emergency calls in 1988: 14 structure fires, 12 vehicle fires, 21 wrecks and 40 grass fires. They operate with no paid staff/29 volunteers - fully supports the fire training program of expansion as needed - has a Class "A" rating status by the Texas Insurance Commission. Mr. Czichos requested reappointment of Ron Spangenberg and Norman Kudla as Fire Commissioners for another two year term.

A motion was made by Commissioner Payne, seconded by Commissioner Rippey to reappoint Ron Spangenberg and Norman Kudla as Wimberley Rural Fire Prevention District Fire Commissioners for two year terms. All voting "Aye".

HAYS COUNTY HISTORICAL COMMISSION - REQUEST SPACE IN THE COURTHOUSE ANNEX FOR A COUNTY ARCHIVES

Mrs. Frances Stovall appeared before the court and presented the Hays County Historical Commission Annual report. Mrs. Stovall spoke of space needed for a County archives at the Courthouse Annex to keep the old records and to provide space for researchers. Commissioner Gonzales felt like the Historical Commission deserves the space because of their involvement in the renovation project. The Court will allocate space when it is available.

-Jan. 23, 1989-

## 9560 POKEY REHMET - REIMBURSEMENT FOR EXPENSES COINCIDENTAL TO WRONGFULLY SOLD PROPERTY

District Attorney Charles Chapman spoke to this matter - Mr. Rehmet had made payment and sent a letter to the Tax office and the letter was misplaced - Mr. Chapman felt like the liability was on the County. A motion was made by Commissioner Payne, seconded by Commissioner Ford to reimburse Pokey Rehmet in the amount of \$360.00 out of the Misc. Fund. All voting "Aye".

## 9561 AUTHORIZE AUDITOR TO ADVERTISE FOR BIDS FOR A FILE SYSTEM FOR THE DISTRICT CLERK TO INCLUDE RETROFIT OF EXISTING FILE SYSTEM

District Clerk W. H. Moore appeared before the Court and spoke of need to advertise for a new file system. Commissioner Gonzales felt like the existing system could be repaired. Mr. Moore spoke of his concerns about down time - he must have files that are accessible at all times - would like to purchase a file system on tracks with no electrical parts involved - the specs have been prepared.

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize the County Auditor to advertise for bids for a new file system and for retrofit of existing file system in the District Clerks office. All voting "Aye".

## 9562 MAINTENANCE DEPARTMENT LINE ITEMS - BUDGET AMENDMENT

Maintenance Supervisor Bryan Hoot appeared before the Court requesting line item amendments in the Maintenance budget: budget needs to reflect landscaping donation = \$1770.00 (increase grounds line item), Sights & Sounds reimbursement for expenses \$590.29, rename truck repair line item to equipment repair line item, need a Misc. line item, and need approximately \$5,000 to remodel second floor offices.

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to authorize line item amendments in the Maintenance budget: increase ground supplies line item by \$1770.00, misc.maint. line item by \$1,500 and create misc. equipment maintenance & repair line item in the amount of \$2,000 - decrease truck supplies line item \$1,000.00, truck maintenance line item \$1,000.00, maintenance supplies line item \$1,000.00 and ground supplies line item \$500.00. All voting "Aye".

## PRECINCT 1 FLOODWAY VIOLATIONS - DISCUSSION

Dan Gibson, representing the City of San Marcos, appeared before the Court to discuss the building at the Precinct 1 barn that was built in the floodway - violating City of San Marcos Ordinance - city ordinance prevents any developments in the floodway. Mr. Gibson spoke of alternatives that the County could take: remove violations, conduct Engineering study or rechannel the creek. Commissioner Gonzales spoke of the FEMA study. The State Highway Department has recently installed new culverts upstream on Purgatory Creek that have not been taken into consideration of studies. Commissioner Gonzales spoke of obstructions on the purgatory that could be opened up for rechanneling - no onsite inspections are made by the people who draw up the maps. Mr. Gibson stated that the City must go by the maps supplied by FEMA - burden of proof is on the County to prove that the FEMA map is incorrect. Commissioner Gonzales stated that he wants to work with the City concerning this matter - District Attorney Charles Chapman will assist. Jeffrey Stefanoff, Hays County Green Democrats, spoke of the Post Road/Spring Road area of town - they are also opposed to the FEMA maps - City refuses to put Engineers on the sights - using maps only - felt like the City Engineers need to enter the floodway during the flooding to check out the facts - the maps do not follow the actual water channels.

## 9563 SALARY INCREASES - COUNTY COURT AT LAW COURT COORDINATOR &amp; ASSISTANT COURT COORDINATOR

County Court at Law Judge C. B. Lilly appeared before the Court requesting salary increases for the CCL Court Coordinator and Assistant Court Coordinator - spoke of increase in workload - Peggy Walsh = \$21,000 Rene Bohlmann = \$13,212. Judge Lilly spoke of the contingency fund that was set up in the County Court at Law #2 budget for a secretary. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize salary increases for the County Court at Law Court Coordinator and Assistant Coordinator. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

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## 9564 APPROVE SAN MARCOS-HAYS COUNTY HOME HEALTH BUDGET, AGENCY EVALUATION AND BY LAWS

Terry Ewald - Health Department - presented the Court with copies of the Hays County Home Health Budget, Agency Evaluation and By-Laws - these documents have already been approved by the Advisory Board - Total budget = \$80,550.

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve the San Marcos-Hays County Home Health budget, Agency evaluation and By-Laws as presented. All voting "Aye". (copy in resolution file)

## 9565 CALL FOR PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION (STOP SIGNS - CIMMARON PARK)(EAGLES NEST DRIVE &amp; EDGEWOOD STREET)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to call public hearing for February 13, 1989 at 10:00 A.M. to establish traffic regulation on Eagle Nest Drive and Edgewood Street (Cimmaron Park) - 2 stop signs. All voting "Aye".

## HAYS COUNTY OAK WILT COMMITTEE REPORT &amp; REQUEST TO ESTABLISH COUNTY PROGRAM

Commissioner Ford presented the Hays County Oak Wilt Committees plan for Oak Wilt control:

1. Make a widespread survey for diseased Red Oaks. Remove all infected Red Oak trees.
2. Educate public on purchasing, storing, and using firewood.
3. Train county crews and utility crews on tree pruning and proper time to prune.
4. Organize neighborhoods that are threatened by Oak Wilt.
5. Produce mailers or flyers to educate public on Oak Wilt. Be best if mailed by PEC. One mailer per month.
6. Recruit and Train Volunteers to help agent and forester go look at sick trees and identify Oak Wilt.
7. County purchase herbicide to use where trenching can't be used.
8. County assist with hauling diseased wood for disposal.
9. County take care of diseased trees in right of ways.

Need \$5000 from County to buy herbicide - pay for printing and hauling of diseased wood.

County Agent will continue to hold educational meetings on Oak Wilt and 7 step plan to control and prevent the disease.

Two video tapes are now available for loan from County Extension Office.

Commissioner Payne opposed to \$5000 funding for private property. Judge Rains was concerned about the County's liability (killing of trees). District Attorney Charles Chapman will contact Travis County (Re: liability factors) since they are presently initiating a plan.

## 9566 DISTRICT ATTORNEY'S OFFICE - APPROVE PURCHASE OF COMPUTER TERMINALS

District Attorney Charles Chapman spoke of presently using Data Processing Administrator Danny Dever's printer and two computer terminals which he would like to have back. Mr. Chapman stated that he would like for Mr. Dever to make selection of new equipment. Danny Dever spoke - the printer and one terminals belongs to the County and one terminal is his own personal equipment - the D.A.'s office needs 3 terminals (1 Misd. 1 Dist. 2 Hot Ch Div) and the printer can stay in that office - cost for 3 terminals would be approximately \$1200.00.

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve purchase of three computer terminals at \$1200.00 out of the Data Processing budget for the District Attorney's office. All voting "Aye".

## 9567 CONSTABLE PCT. 2 - APPROVE TWO RESERVE DEPUTY CONSTABLE POSITIONS

Commissioner Ford stated that Constable Pct. 2 James Kohler has requested approval for two Reserve Deputy Constables. Commissioner Payne asked Sheriff Hastings if Mr. Kohler was agreeable to serve civil process - Sheriff Hastings stated that he had met with all the Constables and that Mr. Kohler had stated that he did not wish to serve civil process - Sheriff Hastings stated that he has no objections to the appointment of Reserve Deputy Constables for Pct. 2 - Constable Kohler works school traffic and scholastic events in his precinct and serves papers out of Justice Pct. 2 court. Commissioner Ford stated that the

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public in Pct. 2 support Constable Kohler. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve two Reserve Deputy Constable positions for Pct. # 2. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

9568 TEXACO/AAA PETROLEUM DISTRIBUTING INC - VARIANCE TO MINIMUM LOT SIZE FOR WATER WELL & SEPTIC SYSTEM

Terry Ewald, Health Dept., spoke of Fast Stop convenience store to be located on IH35 corridor (access road) near Buda - 0.875 ac. - Buda will eventually provide water to the area. Mr. Ewald was in support of granting the variance. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to grant variance to Texaco as to minimum lot size for water well and septic system as requested. All voting "Aye".

9569 CONSIDER APPROVAL OF REIMBURSEMENT OF PENALTY & INTEREST ON DELINQUENT TAXES - TOM MCCUE (\$149.79)

County Tax Assessor Collector Ruth Clayton appeared before the Court - Mr. McCue did not pay his taxes since 1982 - problem started with CAD records - property was not picked up for the tax rolls, statements were not mailed and Mr. McCue did not attempt to pay his taxes - Mrs. Clayton stated that this does not excuse the taxpayer, he knows that he owes taxes and the responsibility to pay them is his. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to table the matter at this time. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne abstained.

9570 CONSTABLE PCT. 3 - BUDGET AMENDMENT

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize budget amendment for Constable Pct. 3 by setting up a fuel & lubricants line item = \$2,000 out of vehicle repair&maint. line item and increase vehicle line item \$1,000 out of vehicle supplies line item. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford voting "No".

9571 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR FOOD SERVICES FOR JAIL

Sheriff Hastings spoke of quality food services - commodities are bought through the County for a savings - service will hire local people to work in the kitchen. Commissioner Gonzales asked about problem with inmates receiving enough food - Sheriff Hastings felt like there would be no problems in this area - contract will require quality food - cost of meal would be approx. 95 cents per meal. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to advertise for food services for new jail facility. All voting "Aye".

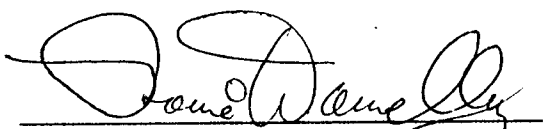
9572 APPROVE MINUTES OF DECEMBER 1988

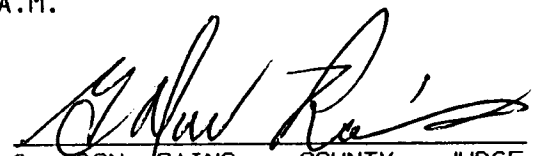
A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve minutes of Commissioners' Court for December 1988 as presented. All voting "Aye".

9573 AUTHORIZE PAYMENT OF PAYROLL FOR PRECINCT 1

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize full month of payroll for Precinct 1 Commissioner and employees. All voting "Aye".

Court adjourned until February 13, 1989 at 9:00 o'clock A.M.

  
 RONNIE DANDELLEY - COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS - COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 13TH DAY OF FEBRUARY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALEZ  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANIELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9574 AUTHORIZE SURVEY & PLAT MAP TO BE FILED, D.A. TO PREPARE QUITCLAIM DEED - PROPERTY ON JACOBS WELL ROAD PCT. 3

Commissioner Payne spoke of property located on Jacobs Well Road in Precinct #3 that the County has been using for approximately 30 years - approximately 4 acres - could be used to build a new County Barn - a deed was never filed and property is not presently included in the County inventory - cost for survey & plat will not exceed \$1,500.00 - would like to pay out of right-of-way monies (C.O.'s). Mrs. Franklin was original owner of the property. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize survey and plat be prepared on county property on Jacobs Well road in Precinct #3, District Attorney's office to prepare a quitclaim deed and payment of survey and plat to be paid out of Right-Of-Way funds. All voting "Aye".

DRIPPING SPRINGS CHAMBER OF COMMERCE - REQUEST TO LOCATE A "WELCOME TO DRIPPING SPRINGS" SIGN ON COUNTY PROPERTY

Dan McMann of the Dripping Springs Chamber of Commerce appeared before the Court in reference to placement of a "Welcome to Dripping Springs - Gateway to the Hill Country" sign on county property. Space needed would be approximately 8'X30' - would like to lease the property. Judge Rains suggested that they enter into an Interlocal Agreement with the City of Dripping Springs. Mr. McMann stated that they would need an agreement that could not be terminated - would need to discuss with the Chamber of Commerce and the Mayor of Dripping Springs. The Court agreed that they would allow placement of the sign - details to be worked out by the next meeting.

9575 AUTHORIZATION TO RETAIN KELLY KILBER FOR HYDROLOGICAL SURVEY FOR FEMA

County Surveyor Kelly Kilber spoke to the Court concerning the Precinct #1 barn situation (violation of San Marcos City Ordinance Re: Placement of structure in the floodway). Mr. Kilber has discussed the matter with Dan Gibson at the City of San Marcos - will need to make determination of how the channel is affected by the building - approximate cost (simplest method) = \$1500-2000. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize hydrological survey for FEMA by Kelly Kilber not to exceed \$2,000 to be paid out of Pct. 1 Road & Bridge line item. All voting "Aye".

9576 APPROVE OFFICIAL BOND OF COMMISSIONER PCT. #1

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve Official Bond of Commissioner Precinct #1. All voting "Aye".

9577 APPROVE MINUTES OF JANUARY 1989

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Minutes of January 1989 as presented. All voting "Aye".

-Feb. 13, 1989-

9578 COUNTY CLERK - AUTHORIZE PURCHASE OF NEW NUMBERING MACHINE

County Clerk Ronnie Dannelley requested authorization to purchase a new numbering machine out of the County Clerk equipment line item = \$1555.00.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the purchase of a new numbering machine for the County Clerk's office to be paid out of the County Clerk equipment line item (\$1555). All voting "Aye".

9579 REQUEST FOR COMPUTER TERMINALS - COUNTY CLERK & DISTRICT COURT REPORTER

Danny Dever, Data Processing Administrator, spoke of there presently being 55 terminals on line on the Central Processing Unit (maximum for the unit is 60) - County Clerk is requesting two terminals. Mr. Dever felt like one terminal is needed in Room 101 (Courts) - not necessarily in Room 102 - there is not enough terminal time being used to justify an additional terminal - need to reorganize the office and share one terminal. Mr. Dever spoke of jail - they have not come on line at this time and as more people utilize the system the slower it will operate. County Clerk Ronnie Dannelley spoke of the County Clerk, County Court at Law and the District Clerk paid to expand the computer memory. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to authorize purchase of two computer terminals for the County Clerk's office out of the Data Processing budget. All voting "Aye".

Danny Dever, DPA, spoke of request by District Court Reporter to purchase computer terminal and to amend the District Court budget for purchase. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve District Court budget amendment by transferring \$550 from Data Processing Maintenance into Data Processing Equipment. All voting "Aye".

9580 OPEN BIDS - DUMP TRUCKS, MOBILE SHELVING UNITS & REPAIR OF ROTARY FILE

County Auditor Bill Herzog opened bids for dump trucks:

- Longhorn International = \$50,506.00
- Hendrix GMC Trucks = \$52,022.00
- GMC Pickup Center = Unable to submit a bid at this time

Bids for mobile shelving units for District Clerk:

- Wayne Meyers = \$9,773.50 removal of existing unit = \$500
- Records System Inc = \$8,332.00 removal of existing unit = \$300

No bids were received on repair of rotary file in District Clerk's office.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to acknowledge receipt of bids on dump trucks and mobile shelving units. All voting "Aye".

9581 APPROVE REQUEST FOR PART-TIME HELP FOR AUTO MECHANIC FOR SHERIFF'S DEPT.

Sheriff Paul Hastings spoke of needing a part-time mechanic to assist Steve Cost in the Sheriff's Dept. - most of the fleet has 100,000 + miles on them - they are presently using a Community Service Restitution person (Tony Gonzales) and Sheriff Hastings would like to hire Mr. Gonzales part-time at \$500.00 per month. Discussion was had on Community Service Restitution - Commissioner Gonzales would like more details on CSR.

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippey to approve request for part-time help for the Sheriff's Department Auto Mechanic at \$500.00 per month. All voting "Aye".

9582 AUTHORIZATION FOR SHERIFF TO HIRE CLERICAL & MEDICAL PERSONNEL AS NEEDED FOR THE JAIL

Sheriff Hastings spoke of need to open the new jail facility by at least March 1st - request authorization to hire civilian personnel:

- Medical supervisor \$2,100.00 per month (immediate position)
- Paramedics - 3 @ \$1,800.00 per month (when jail opens)
- Clerical - 3 @ \$1,000.00 per month (when jail opens)

Judge Rains spoke of medical services - seems to much - personnel could be deputies or jailers as well as medical personnel. Sheriff Hastings stated that the law requires that medical attention is supplied 24 hours per day 7 days per week. Commissioner Ford asked the County Auditor to supply the Commissioners with a report on the Sheriff's budget and the jail budget. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize the Sheriff to hire Clerical and Medical Personnel as needed for the new jail. All voting "Aye".



-Feb. 13, 1989-

## 9583 INTERLOCAL AGREEMENT FOR DETENTION SERVICES WITH TRAVIS COUNTY

District Attorney Charles Chapman spoke of having reviewed the contract and made several changes: Pg.1 - added cap of 30 persons to be delivered by Travis Co. Pg. 2 - allows amendment or changes by agreement Pg. 2 - will notify Travis County to retrieve a prisoner if desired w/3 days to retrieve Pg. 3 Art. 4 - added paragraph to refuse prisoner for medical reasons Pg. 3 Art. 5 - added that Travis Co. will be liable for medical treatment. Changed agreement on page 1 art. 1 to read Hays County Law Enforcement Center jail facility instead of jail facilities. County Court at Law #1 Judge Howard Warner spoke of contract with Travis County - Hays County has many more people that need to be in jail and are waiting to serve their time - concerned about Juvenile detention. Mr. Chapman spoke of possible suits against Hays County & the Sheriff by Travis County prisoners - change in contract to have Travis County liable for legal counsel if a suit is brought against Hays County or the Hays County Sheriff.

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize the County Judge and the Sheriff to initiate and sign the Interlocal Agreement for Detention Services with Travis County. All voting "Aye".

STATE OF TEXAS  
COUNTY OF HAYS

INTERLOCAL COOPERATION AGREEMENT  
FOR DETENTION SERVICES

This Agreement is entered into between TRAVIS COUNTY, a political subdivision of the State of Texas, hereinafter referred to as TRAVIS and HAYS COUNTY, a political subdivision of the State of Texas, hereinafter referred to as COUNTY, both acting through their governing bodies pursuant to Article 4413(32c) VACS (the Interlocal Cooperation Act).

WITNESSETH:

WHEREAS, TRAVIS is desirous of obtaining the use and services of additional jail facilities in which to incarcerate persons committing offenses within its jurisdiction; and

WHEREAS, COUNTY owns and operates jail facilities and is desirous of furnishing the use of the same to TRAVIS; and

WHEREAS, said counties believe it is to their mutual benefit to enter into an Agreement for the provision of jail services.

NOW, THEREFORE, in consideration of the premises and of the terms, provisions, and mutual promises herein contained, it is mutually agreed as follows:

I. CONFINEMENT

COUNTY, through its Sheriff's Department, shall provide confinement, custody, care and subsistence, except as limited hereinafter, in its Hays County Law Enforcement Center jail facility for no more than thirty (30) persons delivered by TRAVIS Sheriff's personnel pursuant to authority as prescribed by the terms of this Agreement. Any person delivered to COUNTY shall have been ordered in writing by a Judge presiding in Travis County to be confined in a jail (said person being herein called "the" or "a prisoner").

COUNTY will process all TRAVIS prisoners through its identification procedures, and may, at its option, fingerprint and photograph all TRAVIS prisoners booked into the COUNTY jail.

COUNTY will hold a prisoner as long as the parties mutually agree is required. Should COUNTY, in its sole discretion, determine to no longer hold a prisoner for TRAVIS, it will notify the TRAVIS Sheriff's Department to retrieve and transport the prisoner to a Travis County jail facility. Within three (3) working days of such notification, TRAVIS shall retrieve its prisoner and transport such prisoners to another jail facility. TRAVIS need not deliver any prisoner or prisoners during the term of this Agreement. The purpose of this Agreement is to provide additional space for TRAVIS prisoners in exchange for reasonable monetary compensation for COUNTY. The service will be provided by COUNTY as TRAVIS requires them during the term of this Agreement.

-Feb. 13, 1989-

## II. TERM

This Agreement shall be in full force and effect for a period of one (1) year from the date of its execution and will be renewed automatically for an additional year each September 30th thereafter unless either party shall cancel this Agreement by giving written notice to the other party not less than thirty (30) days prior to the effective date of said cancellation. Prices for the renewal year's services may be negotiated during the thirty-day notice period. In any event, either party may cancel this Agreement at any time by providing the other party sixty (60) days written notice.

## III. PAYMENTS

TRAVIS shall pay for COUNTY services from current revenues available. The consideration to be paid by TRAVIS for the services provided by COUNTY shall be at a rate of \$40.00 per day, per prisoner. The rate shall be prorated to reflect partial days during which a prisoner is detained. COUNTY shall invoice TRAVIS monthly for the services. TRAVIS shall pay the approved services within forty-five (45) days of receipt of the invoice.

## IV. LIMITATION OF SERVICE

COUNTY reserves the right to refuse to accept for confinement any prisoner, pursuant to this Agreement, in the event that the jail facilities of COUNTY are then occupied to the extent of the designed capacity thereof, rendering confinement of TRAVIS' prisoners impracticable.

COUNTY further reserves the right to refuse to accept for confinement any prisoner, pursuant to this Agreement, who, because of medical reasons, determined at the sole discretion of COUNTY, may present a danger during such prisoner's confinement or care to other prisoners or personnel of COUNTY.

## V. SERVICES

COUNTY agrees to provide detention for TRAVIS prisoners according to the most recent version of the manual of the Travis Commission on Jail Standards (standards). COUNTY agrees to provide necessary medical treatment in accordance with such standards. TRAVIS agrees that it shall be solely liable for the expenses and costs of any and all such necessary medical treatment.

However, COUNTY shall make reasonable efforts to notify TRAVIS prior to incurring medical expenses greater than TWO-HUNDRED DOLLARS (\$250.00) for any one prisoners. For purposes of medical treatment to TRAVIS prisoners, notice may be by telephone with written confirmation hereunder within seventy-two (72) hours of telephone notification.

## VI. AMENDMENT OR CHANGE

Any alteration, addition or deletion to the terms of this Agreement shall be by amendment hereto in writing and executed by both parties hereto.

## VII. ENTIRETY

This Agreement constitutes the entire agreement between TRAVIS and COUNTY. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement shall be valid or binding.

## VIII. NOTICE

Notice to either party shall be in writing, and may be delivered, or sent postage paid by certified or registered mail, return receipt requested. Notice shall be deemed effective if sent to the parties and addresses designated herein, upon receipt in case of hand delivery and three (3) days after deposit in the U. S. Mail in case of mailing. The address of TRAVIS for all purposes under this Agreement and for all notices hereunder shall be:

-Feb. 13, 1989-

Honorable Bill Aleshire (or his successors in office)  
 Travis County Judge  
 P. O. Box 1748  
 Austin, Texas 78767  
 ATTN: Honorable Doyne Bailey (or his successors in office)  
 Travis County Sheriff

with a copy to:

Honorable Ken Oden (or his successors in office)  
 Travis County Attorney  
 P. O. Box 1748  
 Austin, Texas 78767

The address of COUNTY for all purposes under this Agreement and for all notices hereunder shall be:

Honorable Don Rains (or his successors in office)  
 Hays County Judge  
 Room 103, Courthouse  
 San Marcos, Texas 78666  
 ATTN: Honorable Paul Hastings (or his successors in office)

with a copy to:

Honorable Charles Chapman (or his successors in office)  
 Hays County District Attorney  
 Hays County Courthouse  
 San Marcos, Texas 78666

IX. SEVERABILITY

If any section, subsection, sentence, clause, or phase of this agreement is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Agreement shall not be affected thereby, it being the intent of the parties signing this Agreement that no portion hereof, or provision or regulation contained herein, shall become inoperative or fail by reason of unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, portion, provision, or regulation of this Agreement.

9584 PUBLIC HEARING - TRAFFIC REGULATIONS - ESTABLISH TWO STOP SIGNS ON EAGLE NEST DRIVE AND EDGEWOOD STREET

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to establish two (2) Stop Signs on Eagle Nest Drive and Edgewood Street (Cimmaron Park). All voting "Aye".

DISCUSSION - TRANSFER STATION FOR HAYS COUNTY RESIDENTS OR JOINTLY WITH THE CITY

Commissioner Gonzales spoke of need for local transfer station - possibly through an interlocal agreement. Commissioner Rippy spoke of need for one in the Dripping Springs area. Kelly Kilber, County Surveyor, spoke of solid waste disposal throughout the County. There are several locations available - cost to build a transfer station is approximately \$200,000 + - property needed would be 1-2 acres. Commissioner Gonzales spoke of the City of San Marcos being willing to join in on a transfer station - requested Mr. Kilber and Commissioner Payne to compile figures, etc. Commissioner Ford suggested that the Court define what they want and send out request for proposals for a feasibility study. Commissioners Gonzales and Rippy to check with their respective City Officials to see if they will participate.

9585 OETZEL SUBDIVISION, LOT 1 (89-002) PCT. 4

James Hurlbut appeared for first, second and third readings on Oetzel Subdivision located East of Dripping Springs on Hwy. 290 - City of Dripping Springs does not regulate this subdivision because it is less than 10 acres with no roads involved. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Oetzel Subdivision" on first, seconded and third readings. All voting "Aye".

-Feb. 13, 1989-

9586 EXECUTIVE SESSION - DISCUSSION OF OFFER TO PURCHASE REAL ESTATE

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to go into Executive Session. Executive Session was completed - Judge Rains reported that the Court had decided not to sell any county property.

Judge Rains left the meeting at this time.

REPORT FROM DISTRICT ATTORNEY REGARDING OAK WILT ACTIONS

District Attorney gave report on procedures for establishing Control/Eradication Zone for Oak Wilt Fungus & for funding the program.

9587 RESOLUTION REQUESTING A CENTER TURN LANE TO BE CONSTRUCTED ON RANCH ROAD 12 FROM THE BLANCO RIVER TO COUNTY ROAD 182 (JACOBS WELL ROAD)

Commissioner Payne spoke of State funded project.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt a resolution requesting a center turn lane to be constructed on Ranch Road 12 from the Blanco River to County Road 182 (Jacobs Well Road). All present voting "Aye".

CREATION OF A SPECIAL ROAD DISTRICT CALLED "OAK WOOD HILLS ROAD DISTRICT"

Commissioner Payne spoke of the Oak Wood Hills subdivision - an old subdivision - roads are in poor shape - approximately 2 miles of road with approximately 80 tracts in the subdivision. No action was taken at this time/postponed.

9588 BLUEBONNET ELECTRIC COOPERATIVE INC. - APPROVAL OF PROPOSED INSTALLATION OF UTILITY LINE ON COUNTY ROADWAY (CR270 & CR234)

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve proposal for installation of utility line on County Roadway (CR270 & CR234). All present voting "Aye".

9589 RESOLUTION APPROVING CLASS 2 RACETRACK LICENSE FOR LONGHORN DOWNS, INC.

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve resolution recommending to the Texas Racing Commission that the application of Longhorn Downs, Inc. for a Class 2 Pari-mutuel Wagering Horse Racetrack License be granted. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford abstained.

RESOLUTION

Upon motion of Commissioner Rippy, and seconded by Commissioner Payne, the following resolution was adopted:

RESOLVED by the Commissioners' Court of Hays County, Texas, that the Hays County Commissioners' Court recommends to the Texas Racing Commission that the application of LONGHORN DOWNS, INC. for a Class 2 Pari-mutuel Wagering Horse Racetrack License be granted.

9590 RAILROAD GRADE CROSSING/AUTOMATED FLASHING WARNING SIGNALS AT CENTERPOINT ROAD

A letter from the State Department of Highways and Public Transportation advised that the railroad grade crossing at Centerpoint Road in Pct. 1 has been approved for an automated flashing warning signal on October 28, 1988 Minute Order 88002. Estimated cost of the improvements is \$85,000.00 - federal funding will pay 90% and the Railroad Company and the County to contribute 5% each (\$4,250). A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve payment of \$4,250 for County's 5% share of automated flashing warning signals at Centerpoint Road railroad grade crossing. Discussion was had on whether the County was obligated to pay the 5%. A motion was made

-Feb. 13, 1989-

by Commissioner Payne, seconded by Commissioner Gonzales to withdraw their previous motions. All present voting "Aye". No additional action taken.

**RAILROAD GRADE CROSSING/AUTOMATED FLASHING WARNING SIGNALS AT POSEY ROAD**

A letter from the State Department of Highways and Public Transportation advised that the railroad grade crossing at Posey Road in Pct. 1 has been approved for an automated flashing warning signal on October 28, 1988 Minute Order 88002. Estimated cost of the improvements is \$80,000.00 - federal funding will pay 90% and the Railroad Company and the County to contribute 5% each (\$4,000). No action taken.

**9591 CLARIFY LONGEVITY PAY PROVIDED FOR EMPLOYEES**

Commissioner Ford spoke of longevity - Court compiled a start up monthly figure of \$5.00 per year for the first four years of service plus \$1.00 per year for each year of service after the first four - every year of service after the startup year should have been figured at \$5.00 more per month - recommended that a check be cut now to make up the amount shorted to each eligible employee (\$48) - maximum longevity for any employee would be \$100 per month (\$1200 per year). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to clarify longevity pay and to authorize additional longevity to be paid to eligible employees (\$48). All present voting "Aye".

**9592 HAYS COUNTY VETERANS LAND PROGRAM COMMITTEE - APPOINTMENTS**

Commissioner Ford spoke of need to appoint a Hays County Veterans Land Program Committee to sign off on the Texas Land Board applications. Commissioner Payne and Commissioner Gonzales stated that they would like to see the applications in their respective precincts. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to appoint Judge Rains, Ronnie Dannelley and Commissioner Ford to the Hays County Veterans Land Program Committee. All present voting "Aye".

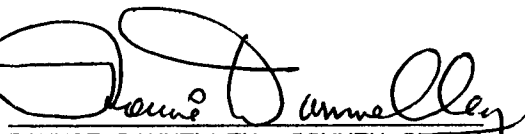
**9593 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS - HAULING FROM TRANSFER STATION/GAS, DIESEL & LUBRICANTS**

A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize the County Auditor to advertise for bids for hauling from the Transfer Station and for Gas, Diesel & Lubricants. All present voting "Aye".

**9594 AUTHORIZE PURCHASE OF CALCULATOR FOR COUNTY AUDITOR'S OFFICE**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the purchase of a calculator for the County Auditor's office. All present voting "Aye".

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to recess until February 27, 1989 at 9:00 A.M. All present voting "Aye".

  
 RONNIE DANDELLEY, COUNTY CLERK  
 H A Y S C O U N T Y, T E X A S

  
 G. DON RAINS, COUNTY JUDGE  
 H A Y S C O U N T Y, T E X A S

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 27TH DAY OF FEBRUARY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9595 CANCELLATION COUNTY OWNERSHIP/MAINTENANCE OF THREE CUL-DE-SACS IN HERITAGE OAKS AS REQUIRED BY COURT ORDER

Brian Oetzel, Member of the Heritage Oaks Land Owners Association, Inc., appeared before the Court - spoke of lawsuit in the Hays County District Courts (Case #14,251 & 14,387). Judgment in Case #14,251 orders the Commissioners' Court of Hays County to approve the application for the partial cancellation of Scarlet Ridge and Coach House Roads in the Heritage Oaks Subdivision - 3 cul-de-sacs - Judgment in Case #14,387 permanently enjoins the Commissioners' Court from approving any subdivision application or road application of any kind whatsoever which if granted would authorize the dedication of any road which connects by any means with those portions of Scarlet Ridge and Coach House Roads in the Heritage Oaks Subdivision of Hays County, Texas mandated to be cancelled by this Court's Order of even date in Case #14,251. The Court of Appeals rendered a Judgment on April 29, 1987 affirming the Judgment of the trial court. Commissioner Ford felt like roads being cut off from public access should become private roads.

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve cancellation of County ownership & maintenance of three cul-de-sacs on Scarlet Ridge and Coach House Road in the Heritage Oaks Subdivision as per order of the District Court of Hays County, Texas. All voting "Aye".

9596 AUTHORIZE AUDITOR TO ADVERTISE FOR COUNTY DEPOSITORY

County Treasurer Dottie Sims spoke of current Depository contract with First National Bank of San Marcos will expire in April 1989.

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize the County Auditor to advertise for County Depository. All voting "Aye".

SECTION 89 INSURANCE PLAN

Insurance Representative Jim Rotan appeared before the Court to explain Federal Law (IRS) Section 89 Insurance Plan - enacted to see that groups do not discriminate against employees. Qualification and nondiscrimination test must be performed - if the Group plan is not in compliance the IRS could require that the \$ amount of benefits received by an employee be counted as income. Part time employees will need to be covered by medical insurance - part time is considered to be employees working 17 hours to 30 hours per week.

EMPLOYEE BENEFITS FOR PART-TIME EMPLOYEES

County's Insurance Representative Jackie Jordan appeared - five county employees are presently part-time employees - County is contributing \$84.80 per full time employee for insurance at this time. Commissioner Payne stated that he is opposed to initiating coverage of part-time employees at this time - would like to wait until it is required by law. A motion was made by Commissioner Ford to authorize medical insurance coverage for part-time employees who work over 17 hours per week. Motion died for lack of a second. Jim Rotan spoke of Insurance Companies - do not favor coverage of part-time employees who join the plan without Employer contributions. No action taken.

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## 9597 OAK WILT - FUNDING

County Extension Agent Cliff Caskey and Mark White, Texas Forest Service, appeared before the Court - spoke of oak wilt control - meetings are being held in Hays County - money is needed for fliers to be put in the PEC mailings and for purchase of herbicides. Mr. White spoke of other Counties that have lost 50-75% of their Oak trees - Hays County is just beginning to experience losses. The Texas Forestry Service will supply some funding - 50% funding to neighborhoods, property owners, County's, etc. for programs to control the Oak Wilt - ditching is done by contractors - Travis, Hood & Kendall Counties are the primary counties in the program this year - Hays is a secondary county - we need to educate people as to firewood/purchase cured firewood so as not to spread the Oak Wilt and prevent new centers. Mr. Caskey stated that approximately 30% of his time is spent on Oak Wilt. Herbicide that can be used is called "Garlon". Texas Forestry Service cost sharing program has a limitation of \$5,000 per landowner per year. Oak Wilt Committee Member Mr. Peterson appeared - the County needs to act now - we need to educate the Public. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to provide \$5,000 in funding for educational purposes and herbicide to fight the Oak Wilt Fungus. All voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Rippy to fund the \$5,000 out of the Misc. line item. All voting "Aye".

## CONSTABLE PCT. 3 - REQUEST SALARY INCREASE

Constable Pct. 3 Don Amerson appeared requesting salary equivalent to the other Constables. Commissioner Payne spoke of activity in the Pct. 3 area - previous Constable did not ask for increase at budget time. Commissioner Payne asked Mr. Amerson to present a monthly report of activities. Commissioner Rippy spoke of variations in pay - need to raise some or lower some - need to address at budget time. Commissioner Payne stated that he would make consideration based on monthly reports. Constable Amerson requested approval of Reserve Deputy Constable position - need to place on the next Commissioners' Court agenda.

## 9598 DATA PROCESSING ADMINISTRATOR - BUDGET AMENDMENT(LINE ITEM TRANSFER)

Danny Dever, Data Processing Administrator, requested budget amendment - transfer \$2,000 out of consulting services line item into staff salary line item for part-time employee. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Data Processing Administrator budget amendment by transferring \$2,000 out of consulting services line item into staff salary line item. All voting "Aye".

## 9599 AUTHORIZE AUDITOR TO ADVERTISE FOR BIDS FOR USED DUMP TRUCKS

Commissioner Payne spoke of need to rebid for used dump trucks with new specs. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize the County Auditor to advertise for bids for used dump trucks. All voting "Aye".

## 9600 TAX ASSESSOR/COLLECTOR

Tax Assessor/Collector bonds = \$3,550 - not budgeted. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize expenditure of \$3,550 for the Tax Assessor Collector's bonds out of the Misc. line item. All voting "Aye".

## SALE OF HOSPITAL PROPERTY

Commissioner Payne stated that he would like to get an outside Appraiser to appraise the old Hospital site property. Commissioners Ford & Rippy suggested getting the appraisal from the Central Appraisal District. Commissioner Payne requested placement on the next Court agenda to authorize an appraisal.

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9601 WORD ALIVE OUTREACH - PERMISSION TO USE COUNTY PROPERTY IN DRIPPING SPRINGS FOR AN EASTER SCENE

Assistant District Attorney Bill Henry stated that use of county property for religious reasons could present a problem to the County. A motion was made by Commissioner Rippy, seconded by Judge Rains to allow use of county property in Dripping Springs for an Easter scene by the Word Alive Outreach. Judge Rains, Commissioner Gonzales, Commissioner Ford, Commissioner Rippy voting "Aye". Commissioner Payne abstained.

9602 COUNTY COURT AT LAW - AMEND BUDGET FOR SALARY INCREASES

Assistant County Auditor Paula Pond spoke of need to amend the budget of County Court at Law #1 from contingencies for salary increases previously authorized. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to amend budget of County Court at Law #1 Salary/Staff line item in the amount of \$3,880 out of Contingencies line item. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

9603 AWARD BID ON MOBILE SHELVING FOR DISTRICT CLERK'S OFFICE

District Clerk W. H. Moore spoke of two bids received - Records Systems bid does not show specs or pictures or references (low bidder) - Wayne Meyers supplied all information (high bidder). Mr. Moore recommended awarding bid to Wayne Meyers. Commissioner Payne stated that low bidder must have the opportunity to address the Court if high bidder is awarded the bid. Mr. Moore stated that the low bidder did not meet the specs because they did not give references. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to award bid for mobile shelving for the District Clerk's office to Wayne Meyers and finance purchase (\$9773.50). Judge Rains opposed to replacing equipment that is not broken. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Gonzales voting "No".

9604 AWARD CONTRACT FOR FOOD MANAGEMENT FOR THE LAW ENFORCEMENT CENTER

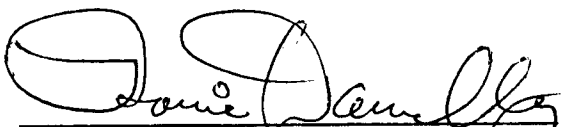
Assistant County Auditor Paula Pond gave names of bidders:

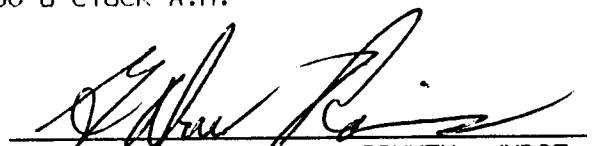
- Szapo Correctional Services - bid by phases \$1.27 to .84.5 cents
- Professional Food Serv. Management Inc. = \$1.40 per meal
- Service America Corporation = .94.88 cents per meal
- Canteen Company = .94.20 cents per meal

Sheriff Paul Hastings stated that the present cost is 96 cents per meal - references have been checked - recommendation is to go with Service America Corporation (not lowest bid) - conferred with several Counties who had used Canteen Company with unfavorable references - Service America had favorable references. Canteen Company Representative Daryl Lance spoke of bad reference checks. Sheriff Hastings supported reference checks done by his personnel. Commissioner Gonzales asked about commodities - Sheriff Hastings stated that commodities will be used and adjustments will be made in pricing. The meals will be prepared in the LEC kitchen - food service will provide their Supervisors and hire other personnel locally. Inmates will receive meals = 2700 calories per day.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award bid to Service America as per recommendation of Sheriff Paul Hastings. Service America Corp. Representative Paul Hagas spoke of complaints, meals served and kitchen personnel. Canteen Representative protested decision based on unfavorable references. All voting "Aye".

Court adjourned - next meeting March 13, 1989 at 9:00 o'clock A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS



STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 13TH DAY OF MARCH , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**9605 AUTHORIZE RESERVE DEPUTY CONSTABLE FOR PCT. 3**

Constable Pct. 3 Don Amerson appeared before the Court - requested two additional Reserve Deputy Constable positions - presently has only one position approved - would like to deputize Joseph Desmarais, Hugh Snellings and Frank Pennington. Sheriff Hastings stated that he would hate to lose these individuals as Reserve Deputy Sheriffs, however, he is not opposed to this request. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize one additional Reserve Deputy Constable for Precinct #3. All voting "Aye".

**9606 HAYS COUNTY SOIL & WATER CONSERVATION DISTRICT - AUTHORIZE CONTRACT & PAYMENT OF \$3000 IN FUNDS**

Clovis Barker and Marion Johnson appeared before the Court - spoke of HCS&WD projects in the County. Funding request was not received at budget time and funding under Social Services was not entered into the County budget. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve Hays County Soil & Water Conservation District Social Service Contract and authorize funding of \$3,000.00 to be paid out of Dam Maintenance line item. All voting "Aye". (see contract in Social Services file)

**PRESENTATION OF COMMISSIONS & CERTIFICATES**

County Clerk Ronnie Dannelley made presentation of Certificates and Commissions sent by the Secretary of State to the newly elected County Officials that were present.

**FLOOD IMPACT STUDY - PRECINCT 1 VEHICLE MAINTENANCE BUILDING**

Kelly Kilber presented his flood impact study of the effect of the pct. 1 vehicle maintenance building on the elevation of the 100 year storm flow on Purgatory Creek. The 34 square foot displacement by the building computes to cause an increase of 0.0293 feet (slightly less than 3/8 of an inch) in the elevation of the base flood when the velocity of the flow remains constant - this is strictly a mathematical computation. It was Mr. Kilbers opinion that the building has no measurable effect on the elevation of the 100 year storm flow on Purgatory Creek. Mr. Kilber will certify this study for the City of San Marcos.

**9607 TOM MCCUE - AUTHORIZE PAYMENT FOR PENALTY & INTEREST ON DELINQUENT TAXES**

Commissioner Payne spoke of letter from Central Appraisal District apologizing for not picking up Tom McCue's property on the tax roll - Commissioner Payne felt like the fault lies with the CAD, therefore, the taxpayer should be reimbursed. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize payment of approximately \$190,000 to Tom McCue for penalty and interest on delinquent taxes. All voting "Aye".

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9608 J.P. PCT. #5 - BUILDING MAINTENANCE

Justice of the Peace Pct. 5 Orlena Hehl spoke of not having had building maintenance since October 1, 1988. Commissioner Ford spoke of termination of previous maintenance person was based on complaints by Judge Hehl. Commissioner Ford spoke of fact that Maintenance Supervisor Bryan Hoot was suppose to supply a vacuum cleaner and supplies for the Buda building - suggested that office personnel clean their office - does not want to use his precinct personnel as in the past - they are needed on the roads - felt like the maintenance supervisor should be responsible for building maintenance throughout the county. J.P. 5 to be furnished a good vacuum cleaner and \$25 per week for cleaning to be placed in the J.P. budget.

A motion was made by Judge Rains, seconded by Commissioner Ford to authorize \$25.00 per week funding in J. P. Pct. 5 budget for cleaning of county building to be funded out of contingencies. All voting "Aye".

9609 MAXIMUM SECURITY STATE PRISON IN KARNES COUNTY

Judge Rains spoke of having received a letter requesting support for a maximum security state prison in Karnes County. Commissioner Payne and Commissioner Gonzales were concerned about whether the citizens of the community were in favor of such action - did not feel like Hays County should make such a commitment.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize letter of support for a maximum security state prison in Karnes County. Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Gonzales and Commissioner Payne voting "No".

9610 JAIL - AUTHORIZE HIRING OF PERSONNEL, BID EXEMPTION ON MEDICAL SERVICES & AUTHORIZE SHERIFF TO ENTER INTO CONTRACT FOR MEDICAL SERVICES

Judge Rains spoke of fine job by Sheriff's Dept. in transition from old jail to new jail - was impressed with the operation of the new jail - encouraged other members of the Court to visit the new facility in operation. Sheriff Hastings spoke - average of 90 prisoners per day in jail - 21 inmates are presently waiting to go to TDC - would like to skip Phase II and go straight to Phase III Full Capacity - food service contractor could be in full operation by March 27th - request permission to initiate the final hiring phase: 40 Corrections Officers @ \$1400 per mo., 1 Lieutenant @ \$1900 per mo., 1 Medical Technician Clerk @ \$1400 per mo. and 1 Maintenance Assistant @ \$1000 per mo. - also request a bid exemption on medical services (Sec.262.024 local government code). Sheriff Hastings spoke of wanting to contract with Dr. Don Connell of Driftwood and Dr. Tony Stanulonis of San Marcos - Dr. Connell is presently on staff at South Austin Hospital and Dr. Stanulonis is on staff at Brackenridge - both doctors have emergency room rights at Central Texas Medical Center - Dr. Connell is experienced in treating prisoners at the jail location - the cost would be \$45,000.00 per year -which would include 5 sick calls per week @ 2 hrs each and 24-hour on-call status at no extra charge - they would furnish their own insurance. Sheriff Hastings gave 12 month budget estimates for jail operation:

|                                      |                |
|--------------------------------------|----------------|
| 12 month budget estimate =           | \$3,270,074.48 |
| 12 month recovery fee estimate =     | \$2,990,400.00 |
| Less Federal pay back of \$187,500 = | \$2,802,900.00 |
| 12 month deficit =                   | \$ 467,175.48  |

125 bed spaces will be reserved for Hays County prisoners at all times - Federal prisoners 50 bed spaces and Travis County 50 bed spaces .

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the Sheriff to employ 40 corrections officers, 1 supervisor, 1 medical technician clerk, 1 maintenance personnel and authorize bid exemption on medical services and to authorize the Sheriff to contract for medical services. All voting "Aye".

9611 APPROVE MINUTES OF FEBRUARY 1989

County Auditor Bill Herzog requested change in Resolution #9600 N/25 Re: Tax Assessor/Collectors bond - not a budget amendment. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve the minutes of February 1989 with change in Resolution #9600. All voting "Aye".

-MAR. 13, 1989-

**9612 DISTRICT CLERK - AUTHORIZE LINE ITEM FOR PAYING TEMPORARY EMPLOYEE**

A District Clerk employee with medical problems has taken a leave of absence to have surgery and for recovery - need to create a line item to pay a temporary employee. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize creating a line item to pay salary of a temporary employee for the District Clerk's office contingent on submission of a payroll change notice - Re: leave without pay for regular employee - to the County Treasurer. All voting "Aye".

**RIGHT-OF-WAY REPORT BY PATSY GREINER**

County Administrator Patsy Greiner gave report on various right-of-way projects in the County: (1) Pct. 1 - railroad crossings (2) Pct. 2 - FM 1626 (3) Pct. 3 - Fisher Store Road Bridge (4) Pct. 4 - FM 1826 (5) Pct. 4 - RR 12 (6) All Pcts. - FM 110 (7) All Pcts. - CR Signs (8) All Pcts. - IH35 (9) All Pcts. - Landscape. Resident Engineer, Harold Cooner. Discussion was had on Appraisers fees - Barber & Assoc. fees are \$200 per parcel maximum. Commissioner Ford spoke of inconsistencies Re: negotiations.

**9613 ELECTION DEPARTMENT - AMEND BUDGET/LINE ITEM TRANSFER**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend the Election Department budget by transferring \$600.00 from Data Processing Maintenance to Data Processing Supplies. All voting "Aye".

**LAW LIBRARY - DISCUSS NEW PURCHASES**

County Auditor Bill Herzog spoke of receiving numerous calls to purchase new books - who will authorize purchases. Court advised Mr. Herzog that the Hays County Bar Association would make recommendations to the Court for approval.

**9614 AUTHORIZE COUNTY AUDITOR TO REQUEST PROPOSALS FOR NEW SOFTWARE FOR AUDITOR & TREASURERS OFFICES**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize County Auditor to request proposals for new software for the County Auditor and County Treasurers office. All voting "Aye".

**9615 APPRAISAL FOR COUNTY PROPERTY (OLD HOSPITAL SITE)**

Commissioner Payne made a motion to appoint Commissioner Payne to get appraisal of county property (old hospital site), not to exceed \$2,000. Commissioner Ford stated that he would like to obtain an appraisal from the Hays County Central Appraisal District - appraisal to be broken down into 2 parcels (IH 35 frontage & Thorpe Lane frontage). Commissioner Payne withdrew his motion. No additional action taken.

**AUTHORIZE KAIZER & ASSOCIATES TO BID R-O-W PROPERTIES (32) RR12 EXTENSION**

It was felt that appraisal fees were to high. Action was tabled at this time.

**CHAMPIONS BUSINESS PARK - ROAD ACCEPTANCE**

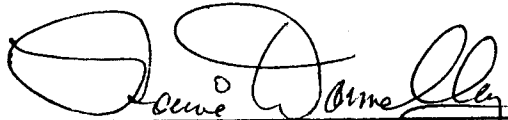
This item was inadvertently left off the agenda. Mr. McCrocklin appeared before the Court and spoke of testing that has been done - meets county specifications - will put acceptance of roads on the next Commissioners' Court agenda.

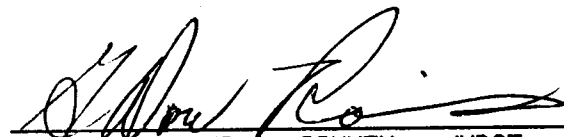
-MAR. 13, 1989-

89-006 RANCHO ENCINO - LOTS 1-222 (PCT. 3)

Greg Griffin appeared for first hearing on "Rancho Encino" subdivision located on the north side of RR12 - not in the San Marcos ETJ. Court was concerned about r-o-w along RR12 - need 50' additional right-of-way. Terry Ewald, Health Dept., stated that subdivision is located over the recharge zone - lots are over 5 acres - special type septic systems will be required - floodplain ordinance would require studies on each lot. Court took no action this date - need to resolve road frontage concerns and floodplain questions.

Court was recessed until March 27, 1989 at 9:00 o'clock A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

-----oOo-----

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 27th DAY OF MARCH , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

REPORT FROM CAD ON VALUE OF OLD HOSPITAL PROPERTY

Bill Backus, Chief Appraiser for Central Appraisal District appeared before the Court in reference to the old hospital property on IH 35/Thorpe Lane - property would be put on the tax roll at \$900,000.00 to \$1.5 million if it was not tax exempt - worth approximately \$1.2 million on the buyers market.

MAPPING REPORT

Patsy Greiner - County Administrator and Ryan Rudnicki - SWTSU gave report on mapping project - they are naming and numbering the roads in the County and adding subdivisions to existing map - need to "address range" the roads for 911 system - Ford spoke of records in his office that could assist in mapping.

TRANSPORTATION STUDY GRANT THROUGH GOODMAN & ASSOCIATES

Barry Goodman, Goodman & Associates, spoke of Loop around San Marcos - funding in the amount of \$200,000.00 in grants are available - \$75,000 could go go Hays County with matching funds from the City of San Marcos, Hays County and Southwest Texas State University - cash resources = \$50,000 in-kind services = \$45,000. Study would provided thoroughfare plan, mobility plan, parking & transportation plan. Funding could be divided as follows: City of San Marcos = \$25,000 Hays County = \$12,500.00 SWTSU = \$12,500.00 Commissioner Payne spoke in favor of funding the study - information is needed for the future. Commissioner Ford opposed - no funding was budgeted - State has a lot of this information available at no cost to the County. Judge Rains spoke of need to set goals for the County. This item was tabled until April 10, 1989 meeting.

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## 9616 AUTHORIZE COMPENSATION FOR SALARY &amp; EXPENSES IN COUNTY COURT AT LAW CASE

County Court at Law #1 Judge Howard Warner spoke of Statute (2.07) Re: Code of Criminal Procedure - Attorney Pro Tem. Judge Warner spoke of need to appoint a special prosecutor for a case to be filed - need to compensate the other County for use of their prosecutor. Commissioner Ford asked about assistance from the Attorney General's office - District Attorney Charles Chapman will check into getting an Assistant Atty. General for prosecution at no cost to the County. Commissioner Gonzales and Commissioner Rippey are opposed to hiring an Attorney that previously worked for Hays County. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize compensation for salary and expenses in County Court at Law Case if the Attorney General's office cannot supply a prosecutor. All voting "Aye".

## 9617 RESOLUTION AUTHORIZING SUBMISSION OF JUVENILE LAW ENFORCEMENT GRANT REQUEST

Deputy Sheriff Larry Soward - Juvenile Law Enforcement Officer - appeared before the Court. This grant request will be for the 3rd year funding - 40% funding needed (\$9,100 + \$684). A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve resolution authorizing submission of a grant request for funding of a Juvenile Law Enforcement Officer. All voting "AYE".

A RESOLUTION BY THE COUNTY COMMISSIONERS' OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, TEXAS, FOR A PROGRAM KNOWN AS

"JUVENILE LAW ENFORCEMENT OFFICER"

WHEREAS, THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, TEXAS, have the moral obligation to the citizens and taxpayers of the County of Hays, Texas, to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners feel the addition of the program known as 'JUVENILE LAW ENFORCEMENT OFFICER' will materially enhance the administration of Justice in the County of Hays, Texas, for all crime victims; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the County of Hays, Texas, that the County submit a grant request to the office of the Governor of Texas, Criminal Justice Division, to assist in the funding of the program of "JUVENILE LAW ENFORCEMENT OFFICER".

PASSED AND APPROVED, THIS THE 27TH DAY OF MARCH, 1989.

HAYS COUNTY COMMISSIONERS' COURT

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK

## PARKING REPORT BY PATSY GREINER

County Administrator Patsy Greiner gave report on the Courthouse parking situation - 49 meters and 36 reserved spaces presently designated around the Courthouse - decal cars cannot park at meters - City feels like the County had not done their share towards the parking problem. Commissioner Gonzales spoke of need to build a courthouse at the old hospital site - we are hurting our downtown businesses. Mrs. Greiner spoke of 40 parking

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spaces available from Lucky Tomblin on Hutchison Street for \$1800 rental. Court could have all meters removed from around the Courthouse and use spaces for Courthouse parking only.

9618 AUTHORIZE HIRING AN APPRAISER FOR FM12 RIGHT-OF-WAY PROJECT

Commissioner Rippe spoke of \$600 per parcel appraisal fee (Kaiser) - Barber Appraisers would charge \$200 per appraisal - there are 32 parcels in this project. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize Commissioner Rippe to hire an Appraiser at his discretion for the FM12 Right-of-Way project. All voting "Aye".

9619 RIGHT-OF-WAY ON BELL SPRINGS ROAD - APPRAISAL FEES

Commissioner Rippe spoke of sharing cost of improving County Road with John Byrum & Assoc. Appraisal was submitted to Commissioner Rippe on r-o-w from property owners land (Byrum) to Hamilton Pool Road - River Oaks/7 parcels.

A motion was made by Commissioner Ford, seconded by Commissioner Rippe to approve payment of \$15,300 to John Byrum & Assoc. for right-of-way improvements on Bell Springs Road. All voting "Aye".

A motion was made by Commissioner Rippe, seconded by Commissioner Payne to pay Curtis Jenkins \$200 per parcel for appraisals. All voting "Aye".

9620 OAK WOOD HILLS ROAD DISTRICT

Commissioner Payne spoke of "Oak Wood Hills" an unrecorded subdivision - roads are in bad condition - there is a single road that loops through the subdivision - 80 parcels in the subdivision. A motion was made by Commissioner Payne, seconded by Commissioner Rippe to approve creation of the Oak Wood Hills Road District. Judge Rains spoke of County being ultimately responsible for all road districts indebtedness. All voting "Aye".

9621 AUTHORIZE COUNTY AUDITOR TO BID FOR PURCHASE OF BACK-UP DEVICE FOR CENTRAL DATA PROCESSING SYSTEM

Data Processing Administrator Danny Dever spoke of need for back-up device for the central data processing system - would be housed in existing cabinet. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippe to authorize County Auditor to bid for purchase of back-up device for the Central Data Processing System. All voting "Aye".

9622 ADDITIONAL STAFF FOR DATA PROCESSING DEPT.

Data Processing Administrator Danny Dever spoke of needing additional personnel to train and assist - especially at the LEC. Commissioner Ford felt like position should be advertised. Commissioner Payne asked about the part-time position that had previously been increased - Mr. Dever spoke of duties of his part-time employee and stated that he would let this employee go if necessary to obtain a fulltime person. Judge Rains spoke of the demanding job of the DPA and suggested approval for hiring a person to assist Mr. Dever. District Clerk W. H. Moore spoke in support of Mr. Dever - the job he has is overwhelming. County Court at Law Judge Lilly spoke in favor of additional personnel for DPA - spoke of advantages of the computer system and the importance of Mr. Dever's job. County Clerk Ronnie Dannelley spoke in support of DPA - will be adding Probate Records to the system. Commissioner Ford felt that whoever you hire would become the DPA or they would have to teach their "new boss" when/if Mr. Dever was no longer with the County - the Court should make this personnel decision.

A motion was made by Judge Rains, seconded by Commissioner Payne to authorize an additional position for the Data Processing Administrator's Dept. to be hired by Danny Dever within the constraints of the budget - funds are available in the County Court at Law #2 staff contingency line item. County Auditor Bill Herzog spoke of possibility that the cost could be shared by the Federal Government if the person is used at the LEC. Commissioner Gonzales, Commissioner Payne, Commissioner Rippe and Judge Rains voting "Aye". Commissioner Ford voting "No".

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## 9623 CHAMPIONS BUSINESS PARK - ACCEPTANCE OF ROADS

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept roads in "Champions Business Park" subdivision for County maintenance. All voting "Aye".

## 9624 RANCH ENCINO (89-005) - PCT. 3

Greg Griffin appeared for first and second readings - Delbert Chance with the State Highway Dept. has approved driveways. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Ranch Encino" subdivision on first and second readings. All voting "Aye".

## 9625 SUNDANCE SECTION 1 REPLAT OF LOTS 12D-12F (89-006) - PCT. 4

Janet Weiss of Peerman Company appeared for first, second and third readings on the Resub of Sundance Section 1 Lots 12D, 12E & 12F (NKA Lots 12G & 12H) - has been approved by the Health Dept - This is a public hearing - notices were published. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Sundance Section 1 Replat of Lots 12D-12F" on first, second and third readings. All voting "Aye".

## 9626 TERRY SUBDIVISION (89-007) - PCT. 4

Bonnie Rose appeared for first, second and third reading on "Terry Subdivision" - located on Bonham Road. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Terry Subdivision" on first, second and third readings. All voting "Aye".

## 9627 ADOPT PROCLAMATION "WORLD HEALTH DAY" APRIL 7, 1989"

Judge Rains read Proclamation Re: World Health Day - April 7, 1989. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to adopt proclamation declaring April 7, 1989 as World Health Day in Hays County. All voting "Aye".

## PROCLAMATION

WHEREAS, one true measure of a nation or a County is the health of its people, and

WHEREAS, the health of Americans is inseparably linked with the health of peoples throughout the world, and

WHEREAS, all the nations of the world, acting through the World Health Organization, of which the United States is an active member, are pledged to the goal of Health For All by the Year 2000, and

WHEREAS, the World Health Organization has established April 7 of each year as World Health Day, an occasion to celebrate advancements in health and rededicate ourselves to further achievements, and

WHEREAS, the theme for World Health Day 1989 "Health For All - Pass it Along" reflects the growing importance of communication, at all levels, in the promotion of health through both personal and collective responsibility.

THEREFORE, we the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, do hereby declare April 7, 1989, as World Health Day and urge all our citizens to take part in observances and activities designed to increase awareness of the health needs of all people and advance the cause of "Health For All" through communication throughout our County, Nation, and the World.

ADOPTED this the 27th day of MARCH, 1989.

COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

-MAR. 27, 1989-

ATTEST:

s/ Ronnie Dannelley  
 RONNIE DANDELLEY  
 HAYS COUNTY CLERK

9628 AUTHORIZE COUNTY CLERK TO PURCHASE 2 LATERAL FILES & AMEND BUDGET

County Clerk Ronnie Dannelley spoke of need for additional file space for Criminal Records. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Clerk to purchase two lateral files for Criminal records and to amend County Clerk budget by transferring \$300 out of Misc. into Office Equipment. All voting "Aye".

9629 AMEND BUDGET FOR AMDRO PURCHASED

Patsy Greiner, County Administrator, spoke of Amdro purchased - invoice was for \$14,000.00. County Extension Agent Cliff Caskey spoke of needing to go to other products - Amdro is not as effective as some newer products on the market such as "Logic". Patsy will notify Mr. Caskey when Amdro supplies gets low. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to amend budget \$6500.00 out of contingencies to pay for AMDRO purchased. All voting "Aye".

9630 AMEND BUDGET FOR PUBLIC WORKS

County Auditor Bill Herzog spoke of need to enter amounts in the budget to reflect correct figures for balances brought forward for Public Works Projects:

|              |            |
|--------------|------------|
| Pct. #1      | + \$20,662 |
| Pct. #2      | no change  |
| Pct. #3      | - \$14,885 |
| Pct. #4      | - \$97,047 |
| R-O-W ACQ.   | + \$39,831 |
| WATER DEVEL. | + \$11,959 |

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to amend budget to reflect correct figures for balances brought forward for Public Works. All voting "Aye".

9631 BID SPECIFICATION FOR ANNUAL BIDS

County Auditor Bill Herzog spoke of annual bids - were any changes needed to specs. Commissioner Payne spoke of hauling of solid waste/transfer station - need to contract for one year with 1 year extension option instead of present three year contract. A motion was made by Commissioner Payne, seconded by Commissioner Ford to bid for hauling solid waste on a one year w/one year extension contract. All voting "Aye".

9632 CALL FOR PUBLIC HEARING ON TRAFFIC REGULATION ON COUNTY ROAD 124 (STOP SIGN)

Commissioner Ford spoke of need for STOP SIGN on County Road #124 at Windy Hollow Lane. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to call public hearing for traffic regulation on County Road #124 at Windy Hollow Lane - Stop Sign - for April 10, 1989 at 10:00 A.M. All voting "Aye".

DISCUSS ESTABLISHMENT OF A HAYS COUNTY ETHICS POLICY

Commissioner Ford spoke of Travis County having an Ethics Policy - Hays County needs to adopt one. Commissioner Payne stated that he would like to review a policy for consideration. No action taken at this time.



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## FM 1626 RIGHT-OF-WAY ACQUISITION PROCEDURES

Commissioner Ford spoke of confusion in the FM 1626 right-of-way acquisition procedures - would like for Court to have letters sent to all property owners to advise them that negotiation is possible - concerned about negotiating with some property owners and not with others. Patsy Greiner, County Administrator, stated that appraised values are being paid - negotiations have been on fencing - Lindsay property was re-appraised as commercial property instead of residential. Commissioner Ford spoke of Kahlbau's property - Mrs. Greiner stated that the Kahlbau's request was submitted for approval by the Court and could be denied - felt like this property was unique in comparison with other properties in this project. Judge Rains felt like they were fair with all the property owners - they were all made aware of procedures involved. A motion was made by Commissioner Ford to send letters to property owners letting them know that the Court is willing to negotiate further - motion died for lack of a second.


## DISCUSSION - HAYS COUNTY WATER DEVELOPMENT BOARD EXPENDITURES

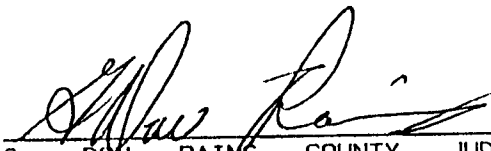
Commissioner Ford spoke of Auditor advising that HCWDB expenditures will overrun the budgeted amount of \$200,000.00 - HDR contract will be \$214,000.00. Commissioner Ford and Commissioner Payne spoke - Court was led to believe that \$50,000 would be left over to be used on the Annex Project. Judge Rains spoke - this savings was a projection in the beginning - HDR has now gone over and are spending their own money.

## COURTHOUSE ANNEX - SECURITY OF BUILDING

Tax Assessor-Collector Ruth Clayton appeared before the Court - spoke of security at Courthouse Annex - the new front doors were not secured over the holidays and she is concerned about equipment, etc. in her office. She was advised that problem would be taken care of.

Court adjourned until April 10, 1989 at 9:00 A.M.

  
 RONNIE DANDELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

-000-

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 10TH DAY OF APRIL , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- G. DON RAINS COUNTY JUDGE
RAFAEL GONZALES COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9633 ADOPT JOINT RESOLUTIONS/HAYS COUNTY EMERGENCY PLAN & INTERLOCAL AGREEMENTS FOR COUNTY FIRE MARSHAL SERVICES WITH CITIES OF BUDA, HAYS, MOUNTAIN CITY, NIEDERWALD AND UHLAND

A. D. Carroll appeared before the Court - each Incorporated City must by law have an emergency management plan - presented joint resolutions and interlocal agreements signed by the cities of Buda, Hays, Mountain City, Niederwald and Uhland for approval by the Court. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt joint resolutions for Hays County Emergency Plan and interlocal agreements for County Fire Marshal services with the cities of Buda, Hays, Mountain City, Niederwald and Uhland. All voting "Aye".

CITY OF BUDA/HAYS COUNTY
JOINT RESOLUTION

WHEREAS, the City of Buda by City Ordinance No. 890404-1, and Hays County by Commissioners Court Order dated April 10, 1989, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County fund that vulnerability to many potential hazards is shared by residents of the City of Buda and the unincorporated portions of Hays County; and

WHEREAS, the City and County further finds that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned Ordinance and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the Hays County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a joint emergency management plan, together with such organized volunteer groups as that plan may specify.

RESOLVED this the 4th day of April, 1989.

s/ H. David Dickens
Mayor, City of Buda
s/ Annette Chambers
City Clerk

s/ G. Don Rains
County Judge, Hays County
s/ Ronnie Dannelley
County Clerk

\*\*\*\*\*

ORDINANCE NO. 890321

THE STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

This AGREEMENT, dated this 21st day of March, 1989, by and between the County of Hays, hereinafter called the "County"; and the City of Buda, Hays County, Texas acting by

-APRIL 10, 1989-

and through its duly authorized officers under Ordinance passed the 21st day of March, 1989, hereinafter called the "City", is made effective when fully executed by both parties.

## WITNESSETH

WHEREAS, the City has a need for services for a professional fire marshal for the compilation and filing of monthly and annual reports required by the State Fire Marshal, State of Texas, and the Texas State Insurance Board, for fire safety inspections pursuant to the fire safety ordinance of the city, and for arson investigations in the City on behalf of the City; and

WHEREAS, the City has no such professional fire marshal at this time; and

WHEREAS, the County has a County Fire Marshal under the authority of Section 352.011 of the Texas Local Government Code; and

WHEREAS, Section 352.019 of the Texas Local Government Code permits the County Fire Marshal to act in a cooperative and advisory capacity to a municipality upon request;

## AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereafter set forth, it is agreed as follows:

1. County Performance: The County shall have its County Fire Marshal render such services as are necessary to accomplish the purposes of this Agreement. Such services shall include, but not necessarily be limited to, the following enumerated tasks:

- a. The compilation and filing of monthly and annual reports required by the State of Texas Fire Marshal and the State of Texas Insurance Board.
- b. Any and all safety inspections pursuant to the fire safety ordinance of the City; and
- c. Any and all arson investigations within the City on behalf of the City, with the subsequent arson reports to be submitted to the City.

2. City Performance: Subject to the County's continuing full and satisfactory performance of the terms of this Agreement, the City shall pay to County the total sum of \$0.00, as follows:

Services to consist of 2-3 hours per month free of charge

The total of all payments and any other obligations made or incurred by the city hereunder shall not exceed the sum of \$0.00. The County shall be solely responsible and obligated for any expenses incurred by its County Fire Marshal in his performance under this Agreement.

3. Agreement Period: This Agreement shall commence May 1, 1989 and shall terminate April 30, 1992.

4. Early Termination of Agreement: Either party to this Agreement shall have the right, in such party's sole discretion and at such party's sole option, to terminate and bring to an end all performances to be rendered under this Agreement by notifying the other party in writing of such termination at least 30 days prior to the effective date of termination.

5. Liability: Under Section 352.020 of the Texas Local Government Code, the County Fire Marshal and the assistants and employees of the office are not liable in damages for any acts or omissions in the performance of these duties except in cases of gross negligence or willful misfeasance.

6. Amendments and Changes: Any alteration, addition or delegation to the terms of this Agreement shall be by amendment hereto in writing and executed by both parties hereto.

7. Oral and Written Agreements: All oral and written agreements, relating to the subject matter of this Agreement and which are made prior to writing and are contained herein.

-APRIL 10, 1989-

8. Records: The County Fire Marshall shall submit such records, information, and reports in such form and at such times as may be required by the City.

WITNESS OUR HANDS this the 10th day of April, 1989.

ATTEST: COUNTY OF HAYS, TEXAS  
s/ Ronnie Dannelley County Clerk s/ G. Don Rains County Judge

(COMM. COURT SEAL)

ATTEST: CITY OF BUDA  
s/ Annette Chambers City Secretary s/H. David Dickens Mayor

(CITY SEAL)

JOINT RESOLUTION

WHEREAS, the City of HAYS CITY by City Ordinance No. 19, and Hays County by Commissioners Court Order dated April 10, 1989, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County fund that vulnerability to many potential hazards is shared by residents of HAYS CITY and the unincorporated portions of Hays County; and

WHEREAS, the City and County further finds that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned Ordinance and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the Hays County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a joint emergency management plan, together with such organized volunteer groups as that plan may specify.

BE IT FURTHER RESOLVED that the Mayor of HAYS CITY and the HAYS County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the HAYS CITY/HAYS County program of comprehensive emergency management, including the preparation and maintenance of a joint emergency management plan for HAYS CITY and HAYS COUNTY in accordance with this resolution.

RESOLVED this the 4th day of April, 1989.

s/ D. Lamont Ramage Mayor, City of Hays s/ G. Don Rains County Judge, Hays County  
s/ Josephine Burdette City Clerk s/ Ronnie Dannelley County Clerk

-----x-----

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

This AGREEMENT, dated this 4th day of April, 1989, by and between the County of Hays, hereinafter called the "County"; and the City of HAYS, Hays County, Texas acting by and through its duly authorized officers under Ordinance/Resolution passed the 4th day of April, 1989, hereinafter called the "City", is made effective when fully executed by both parties.

WITNESSETH

-APRIL 10, 1989-

WHEREAS, the City has a need for services for a professional fire marshal for the compilation and filing of monthly and annual reports required by the State Fire Marshal, State of Texas, and the Texas State Insurance Board, for fire safety inspections pursuant to the fire safety ordinance of the city, and for arson investigations in the City on behalf of the City; and

WHEREAS, the City has no such professional fire marshal at this time; and

WHEREAS, the County has a County Fire Marshal under the authority of Section 352.011 of the Texas Local Government Code; and

WHEREAS, Section 352.019 of the Texas Local Government Code permits the County Fire Marshal to act in a cooperative and advisory capacity to a municipality upon request;

#### AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereafter set forth, it is agreed as follows:

1. County Performance: The County shall have its County Fire Marshal render such services as are necessary to accomplish the purposes of this Agreement. Such services shall include, but not necessarily be limited to, the following enumerated tasks:

- a. The compilation and filing of monthly and annual reports required by the State of Texas Fire Marshal and the State of Texas Insurance Board.
- b. Any and all safety inspections pursuant to the fire safety ordinance of the City; and
- c. Any and all arson investigations within the City on behalf of the City, with the subsequent arson reports to be submitted to the City.

2. City Performance: Subject to the County's continuing full and satisfactory performance of the terms of this Agreement, the City shall pay to County the total sum of \$-0-, as follows:

The total of all payments and any other obligations made or incurred by the city hereunder shall not exceed the sum of \$ -0-. The County shall be solely responsible and obligated for any expenses incurred by its County Fire Marshal in his performance under this Agreement.

3. Agreement Period: This Agreement shall commence April 4, 1989 and shall be automatically renewed each year subject to termination of agreement.

4. Early Termination of Agreement: Either party to this Agreement shall have the right, in such party's sole discretion and at such party's sole option, to terminate and bring to an end all performances to be rendered under this Agreement by notifying the other party in writing of such termination at least 30 days prior to the effective date of termination.

5. Liability: Under Section 353.020 of the Texas Local Government Code, the County Fire Marshal and the assistants and employees of the office are not liable in damages for any acts or omissions in the performance of these duties except in cases of gross negligence or willful misfeasance.

6. Amendments and Changes: Any alteration, addition or delegation to the terms of this Agreement shall be by amendment hereto in writing and executed by both parties hereto.

7. Oral and Written Agreements: All oral and written agreements, relating to the subject matter of this Agreement and which are made prior to writing and are contained herein.

8. Records: The County Fire Marshall shall submit such records, information, and reports in such form and at such times as may be required by the City.

WITNESS OUR HANDS this the 10th day of April, 1989.

ATTEST:

COUNTY OF HAYS, TEXAS

s/ Ronnie Dannelley

s/ G. Don Rains

-APRIL 10, 1989-

County Clerk

County Judge

(COMM. COURT SEAL)

ATTEST:

CITY OF HAYS

s/ Josephine Burdette  
City Sec'y  
CITY OF HAYS ORD# 120

s/O. Lamont Ramage  
Mayor

\*\*\*\*\*

JOINT RESOLUTION

WHEREAS, the City of Mountain City by City Ordinance No. , and Hays County by Commissioners Court Order dated April 10, 1989, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County fund that vulnerability to many potential hazards is shared by residents of Mountain City and the unincorporated portions of Hays County; and

WHEREAS, the City and County further finds that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned Ordinance and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the Hays County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a joint emergency management plan, together with such organized volunteer groups as that plan may specify.

BE IT FURTHER RESOLVED that the Mayor of Mt. City and the Hays County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the Mt. City/Hays County program of comprehensive emergency management, including the preparation and maintenance of a joint emergency management plan for Mountain City and Hays County in accordance with this resolution.

RESOLVED this the 7th day of February , 1989.

s/ Beth H. Smith  
Mayor, City of Mountain City

s/ G. Don Rains  
County Judge, Hays County

s/ Evelyn F. Renish  
City Clerk

s/ Ronnie Dannelley  
County Clerk

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JOINT RESOLUTION

WHEREAS, the City of NIEDERWALD by City Ordinance No. 4389-A, and Hays County by Commissioners Court Order dated April 10, 1989, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County fund that vulnerability to many potential hazards is shared by residents of NIEDERWALD and the unincorporated portions of Hays County; and

WHEREAS, the City and County further finds that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned Ordinance and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the Hays County

-APRIL 10, 1989-

Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a joint emergency management plan, together with such organized volunteer groups as that plan may specify.

BE IT FURTHER RESOLVED that the Mayor of NIEDERWALD and the HAYS County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the NIEDERWALD/HAYS County program of comprehensive emergency management, including the preparation and maintenance of a joint emergency management plan for NIEDERWALD and HAYS COUNTY in accordance with this resolution.

RESOLVED this the 3RD day of APRIL, 1989.

s/ Jack Clay Hodges  
Mayor, City of Niederwald

s/ G. Don Rains  
County Judge, Hays County

s/ Connie Youngs  
City Clerk

s/ Ronnie Dannelley  
County Clerk

-----x-----

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

This AGREEMENT, dated this 3rd day of April, 1989, by and between the County of Hays, hereinafter called the "County"; and the City of NIEDERWALD, Hays County, Texas acting by and through its duly authorized officers under Ordinance/Resolution passed the 3rd day of April, 1989, hereinafter called the "City", is made effective when fully executed by both parties.

WITNESSETH

WHEREAS, the City has a need for services for a professional fire marshal for the compilation and filing of monthly and annual reports required by the State Fire Marshal, State of Texas, and the Texas State Insurance Board, for fire safety inspections pursuant to the fire safety ordinance of the city, and for arson investigations in the City on behalf of the City; and

WHEREAS, the City has no such professional fire marshal at this time; and

WHEREAS, the County has a County Fire Marshal under the authority of Section 352.011 of the Texas Local Government Code; and

WHEREAS, Section 353.019 of the Texas Local Government Code permits the County Fire Marshal to act in a cooperative and advisory capacity to a municipality upon request;

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto be by them respectively kept and performed, as hereafter set forth, it is agreed as follows:

1. County Performance: The County shall have its County Fire Marshal render such services as are necessary to accomplish the purposes of this Agreement. Such services shall include, but not necessarily be limited to, the following enumerated tasks:

- a. The compilation and filing of monthly and annual reports required by the State of Texas Fire Marshal and the State of Texas Insurance Board.
- b. Any and all safety inspections pursuant to the fire safety ordinance of the City; and
- c. Any and all arson investigations within the City on behalf of the City, with the subsequent arson reports to be submitted to the City.

2. City Performance: Subject to the County's continuing full and satisfactory performance of the terms of this Agreement, the City shall pay to County the total sum of \$-0-, as follows:

The total of all payments and any other obligations made or incurred by the city hereunder shall not exceed the sum of \$ -0-. The County shall be solely responsible and

-APRIL 10, 1989-

OBLIGATED for any expenses incurred by its County Fire Marshal in his performance under this Agreement.

3. Agreement Period: This Agreement shall commence on 3rd of April and shall be automatically renewed each year subject to termination of agreement.

4. Early Termination of Agreement: Either party to this Agreement shall have the right, in such party's sole discretion and at such party's sole option, to terminate and bring to an end all performances to be rendered under this Agreement by notifying the other party in writing of such termination at least 30 days prior to the effective date of termination.

5. Liability: Under Section 353.020 of the Texas Local Government Code, the County Fire Marshal and the assistants and employees of the office are not liable in damages for any acts or omissions in the performance of these duties except in cases of gross negligence or willful misfeasance.

6. Amendments and Changes: Any alteration, addition or delegation to the terms of this Agreement shall be by amendment hereto in writing and executed by both parties hereto.

7. Oral and Written Agreements: All oral and written agreements, relating to the subject matter of this Agreement and which are made prior to writing and are contained herein.

8. Records: The County Fire Marshall shall submit such records, information, and reports in such form and at such times as may be required by the City.

WITNESS OUR HANDS this the 3rd day of April, 1989.

ATTEST:

COUNTY OF HAYS, TEXAS

s/ Ronnie Dannelley  
County Clerk

s/ G. Don Rains  
County Judge

(COMM. COURT SEAL)

ATTEST:

CITY OF NIEDERWALD

s/ Connie Youngs  
City Sec'y

s/Jack Clay Hodges  
Mayor

CITY OF UHLAND/HAYS COUNTY  
JOINT RESOLUTION

WHEREAS, the City of UHLAND by City Ordinance No. , and Hays County by Commissioners Court Order dated April 10, 1989, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County fund that vulnerability to many potential hazards is shared by residents of CITY OF UHLAND and the unincorporated portions of Hays County; and

WHEREAS, the City and County further finds that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned Ordinance and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the Hays County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a joint emergency management plan, together with such organized volunteer groups as that plan may specify.

BE IT FURTHER RESOLVED that the Mayor of UHLAND and the HAYS County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the CITY



-APRIL 10, 1989-

UHLAND/HAYS County program of comprehensive emergency management, including the preparation and maintenance of a joint emergency management plan for CITY OF UHLAND and HAYS COUNTY in accordance with this resolution.

RESOLVED this the 5th day of April, 1989.

s/ Dan Sorrells  
Mayor, City of Uhlend

s/ G. Don Rains  
County Judge, Hays County

s/ Vicki Hunter  
City Clerk

s/ Ronnie Dannelley  
County Clerk

-----x-----

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

This AGREEMENT, dated this 5th day of April, 1989, by and between the County of Hays, hereinafter called the "County"; and the City of UHLAND, Hays County, Texas, acting by and through its duly authorized officers under Ordinance/Resolution passed the 5th day of April, 1989, hereinafter called the "City", is made effective when fully executed by both parties.

WITNESSETH

WHEREAS, the City has a need for services for a professional fire marshal for the compilation and filing of monthly and annual reports required by the State Fire Marshal, State of Texas, and the Texas State Insurance Board, for fire safety inspections pursuant to the fire safety ordinance of the city, and for arson investigations in the City on behalf of the City; and

WHEREAS, the City has no such professional fire marshal at this time; and

WHEREAS, the County has a County Fire Marshal under the authority of Section 352.011 of the Texas Local Government Code; and

WHEREAS, Section 353.019 of the Texas Local Government Code permits the County Fire Marshal to act in a cooperative and advisory capacity to a municipality upon request;

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereafter set forth, it is agreed as follows:

1. County Performance: The County shall have its County Fire Marshal render such services as are necessary to accomplish the purposes of this Agreement. Such services shall include, but not necessarily be limited to, the following enumerated tasks:

- a. The compilation and filing of monthly and annual reports required by the State of Texas Fire Marshal and the State of Texas Insurance Board.
- b. Any and all safety inspections pursuant to the fire safety ordinance of the City; and
- c. Any and all arson investigations within the City on behalf of the City, with the subsequent arson reports to be submitted to the City.

2. City Performance: Subject to the County's continuing full and satisfactory performance of the terms of this Agreement, the City shall pay to County the total sum of \$-0-, as follows:

The total of all payments and any other obligations made or incurred by the city hereunder shall not exceed the sum of \$ -0-. The County shall be solely responsible and obligated for any expenses incurred by its County Fire Marshal in his performance under this Agreement.

3. Agreement Period: This Agreement shall commence April 4, 1989 and shall be automatically renewed each year subject to termination of agreement.

-APRIL 10, 1989-

4. Early Termination of Agreement: Either party to this Agreement shall have the right, in such party's sole discretion and at such party's sole option, to terminate and bring to an end all performances to be rendered under this Agreement by notifying the other party in writing of such termination at least 30 days prior to the effective date of termination.

5. Liability: Under Section 353.020 of the Texas Local Government Code, the County Fire Marshal and the assistants and employees of the office are not liable in damages for any acts or omissions in the performance of these duties except in cases of gross negligence or willful misfeasance.

6. Amendments and Changes: Any alteration, addition or delegation to the terms of this Agreement shall be by amendment hereto in writing and executed by both parties hereto.

7. Oral and Written Agreements: All oral and written agreements, relating to the subject matter of this Agreement and which are made prior to writing and are contained herein.

8. Records: The County Fire Marshall shall submit such records, information, and reports in such form and at such times as may be required by the City.

WITNESS OUR HANDS this the 5th day of April, 1989.

|                            |                        |
|----------------------------|------------------------|
| ATTEST:                    | COUNTY OF HAYS, TEXAS  |
| <u>s/ Ronnie Dannelley</u> | <u>s/ G. Don Rains</u> |
| County Clerk               | County Judge           |

(COMM. COURT SEAL)

|                        |                       |
|------------------------|-----------------------|
| ATTEST:                | CITY OF UHLAND        |
| <u>s/ Vicki Hunter</u> | <u>s/Dan Sorrells</u> |
| City Sec'y             | Mayor                 |

\*\*\*\*\*

HAYS COUNTY ETHICS POLICY - CONSIDER ESTABLISHING

Commissioner Ford spoke - had previously supplied members of the court with copies of proposed ethics policy for adoption - purpose of the policy would be to gain public confidence in government. Commissioner Rippe asked about customers in his business - would they be eliminated from bidding on county business - concerned about discouraging business men from running for public office. Commissioner Gonzales stated that he would like more time to review the policy - Commissioner Payne and Commissioner Rippe agreed. No action taken at this time.

OLD HOSPITAL PROPERTY

Judge Rains spoke of potential sale pending - he is in favor of sale - we need to remove the building to eliminate potential liability. Commissioner Gonzales spoke of need to build a new Courthouse at this property. Commissioner Ford asked to have bidders appear before the Court. No action taken.

9634 AUTHORIZE INTERLOCAL AGREEMENT WITH CITY OF SAN MARCOS & SWTSU FOR TRANSPORTATION STUDY GRANT THROUGH GOODMAN AND ASSOCIATES

Judge Rains spoke - City of San Marcos has approved funding for 1/2 of study grant - SWTSU has not to date. Commissioner Gonzales spoke of importance for county to appropriate their share - there is a need for emergency traffic routes because of railroad tracks separating the community from the Hospital. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to authorize interlocal agreement for Transportation Study Grant through Goodman and Associates and funding of \$12,500 out of contingencies. Commissioner Ford spoke of his previous reservations - he now feels more comfortable after obtaining more information and supports fully. Commissioner Rippe spoke of funding - not in favor of "studies". All voting "Aye".

-APRIL 10, 1989-

9635 LADIES AUXILIARY OF FRATERNAL ORDER OF POLICE - OFFICER MEMORIAL SERVICE -  
AUTHORIZE USE OF COURTHOUSE LAWN -FRIDAY/MAY 19, 1989

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize use of courthouse lawn on May 19, 1989 by the Ladies Auxiliary of Fraternal Order of Police to hold an Officer Memorial Service. All voting "Aye".

9636 CINCO DE MAYO CELEBRATION - FIRST WEEKEND IN MAY - AUTHORIZE USE OF COURTHOUSE  
LAWN

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize use of courthouse lawn the first weekend in May (Thursday, Friday & Saturday) for Cinco De Mayo Celebration. All voting "Aye".

9637 "TAKE BACK THE NIGHT" - HAYS COUNTY WOMEN'S CENTER - AUTHORIZE USE OF COURTHOUSE  
LAWN ON APRIL 18, 1989 (8 PM)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize use of courthouse lawn on April 18, 1989 for "Take Back the Night" sponsored by the Hays County Women's Center. All voting "Aye".

9638 AUTHORIZATION TO PAY FENCING AND ATTORNEY'S FEES IN RELATION TO TEMPORARY EASEMENT  
ON FM 1826 (J. B. HAWKINS)

Patsy Greiner, County Administrator, spoke of three low water crossing that are to be raised on FM 1826 - lease of property would be \$442.52 - Mr. Hawkins will donate the land, however, he will need to be reimbursed for fencing = \$1200 and Attorney fees = \$250. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize payment of \$1,450 for fencing and attorney fees to J. B. Hawkins out of the Public Works R-O-W line item. All voting "Aye".

9639 FM1826 - AUTHORIZATION TO HIRE APPRAISER FOR TWO ADDITIONAL PARCELS REQUIRED FOR  
RECONSTRUCTION OF LOW WATER CROSSING BY THE STATE

Patsy Greiner, Co. Adm., spoke of letter from State Highway Dept. - it has been determined that 2 additional parcels are needed to accommodate the detour road during bridge construction - temporary easements. Barber & Associates will appraise these parcels for a fee of \$450.00. It was felt that this fee was too high - should be able to get appraisals for \$200. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize \$200.00 for appraisals needed on FM1826 project. All voting "Aye".

9640 AUTHORIZE SALARY ADJUSTMENTS FOR TAX ASSESSOR-COLLECTOR'S OFFICE

Ruth Clayton, TAC, appeared before the Court - spoke of tax collections being up for this time of the year. Mrs. Clayton spoke of one of her longtime employees having quit and she would like to use that employees salary to give other employees raises - 4@ \$30 3@ \$25 4@ \$20 2pt@40cents ph 1pt@20cents ph. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize salary adjustments in the Tax Assessor-Collectors budget to be effective May 1, 1989. All voting "Aye".

9641 COPIER FOR COUNTY JUDGE/ADMINISTRATOR/COURT OFFICE - AUTHORIZE AUDITOR TO GO OUT  
FOR BIDS

County Administrator Patsy Greiner spoke of her previous request for a new copy machine - the repairman comes once a week - problem is too many copies for size of copier - old copier could be used by Fire Marshal, Constable Pct. 5 or Pct. 1 Commissioner. Mrs. Greiner has received proposals for two machines: 3M = \$4,440 + \$425 mtc.agreement/mtc. charge Xerox = \$4700 w/mtc. agreement or lease to purchase \$4900 w/3yr warranty.

-APRIL 10, 1989-

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Auditor to go out for bids for a copy machine for the County Judge/Administrator/Court office. All voting "Aye".

9642 CALL PUBLIC HEARING TO SET TRAFFIC REGULATION (SPEED LIMIT) ON CR136

Commissioner Ford spoke of need to set 35MPH speed limit on County Road 136 and establish advisory traffic signs/warning signs. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to call public hearing to set traffic regulations(speed limit 35MPH & warning signs) on County Road 136 to be held April 24, 1989 at 10:00 o'clock A.M. All voting "Aye".

9643 PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION (STOP SIGN) ON CR 124

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to establish traffic regulation - stop sign - on County Road 124 at Windy Hollow Lane. All voting "Aye".

9644 GROUP HEALTH/MEDICAL AND DENTAL INSURANCE COVERAGE - AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR PROPOSALS

Commissioner Ford spoke of Section 89 IRS law that will require notification to employees. County Treasurer Dottie Sims spoke of needing to get a headstart this year - Section 125 was implemented prior to employees knowing what their insurance premiums would cost - need to open and award insurance in July. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to advertise for proposals for group health/medical and dental insurance coverage. All voting "Aye".

9645 MEADOW OAKS SUBDIVISION - ROAD ACCEPTANCE (PCT. 4)

Commissioner Rippy spoke of roads being built to county specifications. 12,236.56 lin.ft. of roadway in subdivision - roads are: Meadow Oaks Drive, Shadywood Lane, Glenn Valley Drive, Meadows Lane, Misty Slope Lane, Hillside Drive, Greenridge Lane and Morgan Hill Drive. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept roads in "Meadow Oaks" subdivision for county maintenance (12,236.56 lin. ft)and to release letter of credit. All voting "Aye".

9646 FEAGANS SUBDIVISION (89-009) PCT. 3

Terry Ewald, Health Dept. - one lot is only .6 ac - will be ok if city water is supplied to this lot. Commissioner Payne concerned about highway department ingress/egress. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Feagans subdivision" on first and second readings. All voting "Aye".

9647 APACHE SPRINGS (89-010) PCT. 4

Commissioner Payne spoke of need for a cul-de-sac on the easement and a property owners association. A motion was made by Commissioner Payne, seconded by Commissioner Payne to approve "Apache Springs" subdivision on first reading. All voting "Aye".

9648 OPEN BIDS - FUEL, LUBRICANTS, DEPOSITORY CONTRACT, DUMP TRUCK PCT. 2, DUMP TRUCK PCT. 3, HAULING SOLID WASTE , AND METAL PIPE

County Auditor Bill Herzog requested extension on depository contract. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to extend opening of bids for depository contract until Monday, April 24, 1989 at 10:00 o'clock A.M. All voting "Aye".

-APRIL 10, 1989-

|              |                          |                            |                             |
|--------------|--------------------------|----------------------------|-----------------------------|
| BIDS OPENED: | DUMP TRUCK               | BARRETT WHITE GMC          | = \$25,170.                 |
|              | 6-8 YARD:                | HENDRIX GMC                | = \$26,946.57 (DIESEL)      |
|              |                          |                            | \$22,641.69 (GAS)           |
|              |                          | LONGHORN INTERNATL EQUIP   | = \$25,995.00               |
|              |                          |                            | \$11,850.00 (USED 1984)     |
|              | 12-14 YARD:              | AUSTIN TRUCK & MACH. CO    | = \$52,698.00               |
|              |                          | BARRETT WHITE GMC          | = \$47,783.00               |
|              |                          | HENDRIX GMC                | = \$50,895.20               |
|              |                          |                            | \$38,910.00 (USED)          |
|              |                          | LONGHORN INTERNATL EQUIP   | = \$50,506.00               |
|              |                          |                            | \$19,500.00 (USED 1983)     |
|              |                          |                            | \$16,500.00 (USED 1979)     |
|              | GASOLINE/DIESEL:         | FLOYD LACKEY & SONS        | SEE BID SHEETS              |
|              |                          | J. P. JONES OIL CO.        | SEE BID SHEETS              |
|              |                          | MARSHALL DIST. CO.         | SEE BID SHEETS              |
|              |                          | TEX-CON OIL CO.            | SEE BID SHEETS              |
|              |                          | TRI COUNTY OIL CO.         | SEE BID SHEETS              |
|              | HAULING-TRANSFER STATION | TEXAS DISPOSAL SYSTEMS     | \$235.00 40-42 CY COMPACTOR |
|              |                          |                            | \$233.00 40 CY OPEN TOP     |
|              | LUBRICANTS:              | ALLIED SALES CO.           | SEE BID SHEET               |
|              |                          | ARNOLD OIL CO.             | SEE BID SHEET               |
|              |                          | FLOYD LACKEY & SONS        | SEE BID SHEET               |
|              |                          | HAYS CITY CORP/TEX CON OIL | SEE BID SHEET               |
|              |                          | J. P. JONES OIL CO.        | SEE BID SHEET               |
|              |                          | TRI COUNTY OIL CO.         | SEE BID SHEET               |
|              | METAL PIPE:              | CALDWELL CULVERT CO.       | SEE BID SHEET               |
|              |                          | TEXAS CORRUGATORS          | SEE BID SHEET               |
|              |                          | WILSON CULVERTS            | SEE BID SHEET               |

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to acknowledge receipt of bids. All voting "Aye".

#### HIRING OF TEMPORARY HELP FOR COUNTY AUDITOR'S OFFICE

County Auditor Bill Herzog spoke of accounts payable position is open - would like to hire temporary help. No action taken.

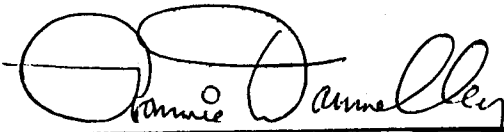
#### 9649 HILL COUNTRY ESTATES (89-011) - PCT. 1

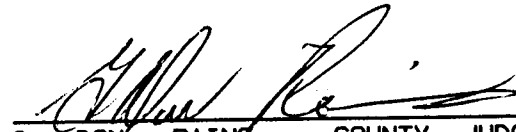
Ray Kotowski presented "Hill Country Estates" subdivision on first reading - located on RR12 & Hugo Road - all lots are over 5 acres - 4 1/2 miles of roads - State Highway Dept. has been notified of RR12 access and compromises have been made - 10' additional r-o-w on Hugo Road is reflected on plat - could give 10' on RR12 if required. Terry Ewald, Health Dept. spoke of floodplain study - Mr. Kotowski stated that a study would cost approx. \$93,000. and he felt like it was not necessary - 3 water courses on the property, one being sink springs. Mr. Ewald felt like it is important to get a study in this area - FEMA did not get a study. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve "Hill Country Estates" subdivision on first reading. All voting "Aye".

#### MARTINDALE - PIPELINE UNDER SAN MARCOS RIVER

This item was not on the agenda - Judge Rains spoke of pipeline that is to run under the San Marcos river in the Martindale area - 14-16" line. Dianne Hannusch, Martindale area resident, spoke to the Court and requested that the Hays County Commissioners Court support Caldwell County, Martindale & Lockhart in asking the Texas Railroad Commission to call a public hearing on the matter - there are no permits regulating pipelines - the public is not being informed - residents are concerned about shallow wells and other sources of water supplies being harmed by the pipeline.

Court was recessed until April 24, 1989 at 10:00 o'clock A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 14TH DAY OF APRIL, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                   |                           |
|-------------------|---------------------------|
| G. DON RAINS      | COUNTY JUDGE              |
| WAYNE FORD        | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY     | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCHÉ | DEPUTY COUNTY CLERK       |

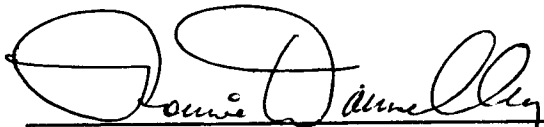
WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

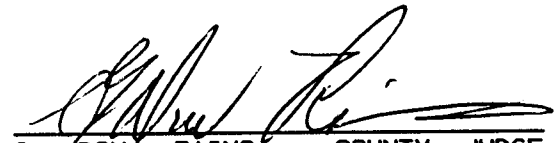
9650 RIGHT-OF-WAY ACQUISITIONS ON FM1626

A motion was made by Commissioner Ford, seconded by Commissioner Rippey to authorize payments for right-of-way on FM 1626 on Parcel #2 = \$45,120.00 Parcel #11 = \$75,810 and Parcel #16 = \$4,950. All present voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Rippey to authorize the County Judge to implement condemnation proceedings on remaining parcels. All present voting "Aye".

Court was recessed until April 24, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 24th DAY OF APRIL, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9651 APPROVE CONSTRUCTION BY WIMBERLEY ISD OF A SIDEWALK ON CR 278

Discussion was had on construction of a sidewalk on county road #278 right-of-way by the Wimberley Independent School District. A motion was made by Commissioner Payne, seconded by Commissioner Rippey to approve construction of a sidewalk within the r-o-w of CR278 (Carney Lane) adjacent to the Wimberley ISD Danforth Campus. All voting "Aye".

-April 24, 1989-

## AGREEMENT

STATE OF TEXAS  
COUNTY OF HAYS

This Agreement is entered into this 24th day of April, 1989, by and between Hays County, acting herein by and through the Hays County Commissioners' Court, and the Wimberley Independent School District.

The Wimberley Independent School District has requested permission to construct a sidewalk within the right-of-way of Carney Lane adjacent to and along the District's property, known as the Danforth Campus, and the Hays County Commissioners' Court has agreed to grant such request subject to the following conditions:

1. That the sidewalk shall be located within an area being five (5') adjacent to and contingent with the District's property line along Carney Lane, directly behind the baseball stands and shall not extend outside said ten (10') foot area.

2. That the District hereby agrees to indemnify and hold Hays County and its Commissioners' Court free and harmless from and against any claims, demands or causes of action of whatever nature arising out of any injuries to any person or persons or any damages to any property caused by the sidewalk or its location in the right-of-way.

3. In the event that it becomes necessary to remove the sidewalk at the request of the Commissioners' Court for any reason, such removal shall be at the District's expense.

EXECUTED this 24th day of APRIL, 1989.

WIMBERLEY INDEPENDENT SCHOOL DISTRICT

By: s/ Emitt L. Herod, Ass't. Supt.

HAYS COUNTY COMMISSIONERS COURT

By: s/ G. Don Rains  
Don Rains, County Judges/ Craig Payne  
Craig Payne, Commissioners/ Rafael Gonzales  
Rafael Gonzales, Commissioners/ O. H. Rippy  
Oran Rippy, Commissioners/ Wayne Ford  
Wayne Ford, Commissioner

## 9652 CHILYMPIAD - APPROVE WAIVER OF CIVIC CENTER RENTAL FOR 1988 &amp; 1989

Larry Burrus appeared before the Court in reference to Chilympiad - rent paid for the civic center: 1981 = \$14,284.21 1982 = \$17,290.77 1983 = \$18,101.77 1984 = \$25,895.00 1985 = \$18,398.00 1986 = \$11,993.00 1987 = \$8,987.25 - rental fee for 1988 (\$7,500.00) has not been paid and request is to waive this fee - Chilympaid's losses for 1988 = \$30,000.00 - donations have been as follows: 1981 = \$30,586.30 1982 = \$26,800.00 1983 = \$16,500.00 1984 = \$15,283.00 1985 = \$21,527.00 1986 = \$10,566.13 1987 = \$6,250.00 1988 = \$6,250.00. Commissioner Payne spoke of concerns about receipts for the Civic Center - Commissioner Ford approves of waiving fees for this year, however, not necessarily for last years (1988) debt. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve waiving rental fees of Chilympaid for 1988 and 1989. Commissioner Gonzales, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Ford and Commissioner Payne abstained.

-April 24, 1989-

## PRESENTATION REGARDING DUMPSTERS, TRANSFER STATIONS &amp; RECYCLING

Dwayne Tegrotenuish (Texas River Cleanup) appeared before the Court - spoke of various type of garbage being removed from the river - tires, refrigerators, household garbage - this is a tri-county/city problem - people are unable to pay dumping fees - need to supply free dumpsters - spoke of recycling. Joe Ptak spoke of recycling of cans, bottles, newspapers - new items being recycled are plastics, yard waste (compost), building materials, clothing, books, games, white items, and hazardous household waste. There is a new organization locally "Hays County Community Recycling Program" that consist of approximately 50 people. Commissioner Gonzales asked about funding a recycling station. Mr. Ptak spoke of how the system works: Government Entity/Public Works handles transporting, Non-profit Organization handles education and management, Businessmen supply the marketing. Commissioner Ford spoke of liability concerns. Judge Rains spoke in favor of recycling. Public meeting to be held April 26 @ 7PM at the San Marcos City Library.

## 9653 CALL PUBLIC HEARING TO HEAR APPLICATION FOR JIM WINN'S SALVAGE YARD

Jim Winn has made application with the Hays County Health Department for a salvage yard permit which is proposed to be located near the corner of Ranch Road 12 and Ranch Road 32. Approval from the Texas Water Commission for this project which is over the Edwards Recharge Zone has been obtained. Salvage yard to be known as "Sheffield Salvage". Mr. Winn appeared and spoke of purpose of salvage yard to sell used automobile parts. A motion was made by Commissioner Payne, seconded by Commissioner Ford to call public hearing on application for salvage yard permit - "Sheffield Salvage" - to be held May 8, 1989 at 10:00 a.m.. All voting "Aye".

## JUVENILE DETENTION CENTER - DISCUSSION

County Court at Law #1 Judge Howard Warner appeared before the Court - spoke of renovation project - renovating old jail into a juvenile detention center - need to detain more juveniles - presently housing juveniles in Guadalupe County. Chief Juvenile Probation Officer Ed Cooper spoke of growth in his department - problems are becoming more serious in nature - need more probation officers - we will be able to house juveniles for other counties - asked if Court is ready to proceed with the project. Cost for housing juveniles has been running approximately \$15,000 per year - there are only 38 certified facilities in the State - average cost for housing a juvenile is \$78 per day - there are currently 64 juveniles on probation in Hays County - juvenile detention center will require a 12 person staff - 10 beds could be used by Hays County and 10 could be rented out. Court stated that they are ready to proceed - would like to meet with Architect(Gondeck) and see plans for renovation.

## 9654 AUTHORIZE AUCTION/LEASE OF REAL PROPERTY (LOT 8 BLK 4 D. S. COMBS ADD.)

Margie Hernandez, Youth Services Bureau, appeared before the Court - Youth Shelter has relocated and will not be needing the county property previously leased for that purpose - the YSB would like to lease this property so that they can apply for grant to provide counseling and tutoring services for youth 18 years of age and under - their present space is inadequate. Commissioner Payne spoke of liability - need an established amount. Commissioner Ford spoke of considering lease as partial payment on yearly funding making auction of property not necessary. District Attorney Charles Chapman referred to Local Government Code (263.01) that directs the Court on leasing - must appoint a Commissioner to handle auction. Court needs to proceed so that grants could be submitted.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to appoint Commissioner Rafael Gonzales to lease County real property - lot 8 block 4 D. S. Combs Addition in the City of San Marcos - at public auction for a period of 25 years at the rate of \$1.00 per year with a \$10 option fee for continuation after 25 year period and further orders Commissioner Gonzales to assure that such lease is for the sole purpose of providing adequate space for counseling and tutoring those youths ages 18 and under who are economically disadvantaged and come from dysfunctional families. All voting "Aye".



-April 24, 1989-

STATE OF TEXAS \*  
 COUNTY OF HAYS \*

WHEREAS, the Hays County Commissioners' Court hereby finds that it is a public problem in Hays County, Texas that there is currently inadequate space for the San Marcos Youth Services Bureau to provide counseling and tutoring services for youths 18 years of age and under within Hays County who are considered at "High Risk" of becoming involved with alcohol and drug abuse; and

WHEREAS, the Hays County Commissioners' Court further finds that it is a public necessity that this problem be addressed as soon as possible by Hays County and that it is within the authority of the County to do so.

NOW, THEREFORE, BE IT ORDERED by the Commissioners' Court that County Commissioner Rafael Gonzales of County Precinct No. 1 be appointed to lease the real estate owned by the County at Lot 8, Block 4 of the D. S. Combs Addition in the City of San Marcos, Texas located on the corner at the intersection of Herndon Street and Center Street. The Commissioners' Court further orders Commissioner Gonzales to take care that the appropriate notice to the public be provided and that he conduct the public auction at which the lease will be let on the real estate.

The Commissioners' Court further orders Commissioner Gonzales to assure that such lease is for 25 years and for the amount of 25 dollars, which is at the rate of one dollar per year, with the total of \$25.00 to be paid no later than September 1, 1989, and that the lessee have an option for an additional 25 years at the termination of the initial 25-year lease, so long as such lessee shall pay within one month of such termination a \$10.00 option fee to the County of Hays for such continuation of the lease.

The Commissioners' Court further orders Commissioner Gonzales to assure that such lease is for the sole purpose of providing real estate for meeting the public need for adequate space for counseling and tutoring those youths ages 18 and under and that the sole objective is to provide such counseling and tutoring for those youths who are economically disadvantaged and come from dysfunctional families. If such purpose and objective is not met, the lease shall terminate within thirty (30) days of notice to the lessee from the County.

The Commissioners' Court further orders Commissioner Gonzales to assure that the lease require that the lessee carry liability insurance which is satisfactory to Commissioner Gonzales to protect the County from liability for any personal or property injuries or damages which may occur at the leased premises.

THIS ORDER IS ISSUED this the 24th day of April, 1989.

s/ G. Don Rains  
 G. DON RAINS, County Judge

ATTEST:

s/ Ronnie Dannelley  
 RONNIE DANDELLEY  
 County Clerk

9655 TRAFFIC REGULATION ESTABLISHED - CO. RD #136 (35 MPH W/WARNING SIGNS @ CURVES)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to establish 35MPH speed limit along entire length of County Road #136 with advisory warning signs at curves. All voting "Aye".

9656 OPEN BIDS - ROAD MATERIALS  
 AWARD BIDS & CONTRACTS: DUMP TRUCKS, GAS/DIESEL, LUBRICANTS, DEPOSITORY CONTRACT, METAL PIPE, ROAD MATERIALS AND HAULING SOLID WASTE FROM TRANSFER STATION

6-8 YARD DUMP TRUCK PCT. #3 - A motion was made by Commissioner Payne, seconded by Commissioner Rippey to authorize Commissioner Payne to purchase a used dumptruck for Pct. #3 = \$11,850.00 All voting "Aye".

DEPOSITORY CONTRACT - A motion was made by Commissioner Payne, seconded by

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Commissioner Gonzales to award Depository Contract to First National Bank of San Marcos as recommended by County Treasurer Dottie Sims. All voting "Aye".

METAL PIPES - A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to award metal pipe bid to Caldwell Culverts Company. All voting "Aye".

GAS/DIESEL - A motion was made by Commissioner Payne, seconded by Commissioner Ford to award bid for gasoline and diesel to Tri-County Oil Co. Commissioner Gonzales concerned about delivery service/response time. All voting "Aye".

HAULING - A motion was made by Commissioner Payne, seconded by Commissioner Ford to award hauling solid waste from transfer station to Texas Disposal Systems for a one year contract. All voting "Aye".

ROAD MATERIALS - County Auditor Bill Herzog stated that bids were received from:

|                                 |                               |
|---------------------------------|-------------------------------|
| 4-G Materials, Inc.             | Centex Materials, Inc.        |
| Colorado Materials Co., Inc.    | Elf Asphalt                   |
| Hays County Gravel Co., Inc.    | Ingram Readymix, Inc.         |
| Pioneer Concrete of Texas, Inc. | Rogers Material Company, Inc. |
| SST Transport, Inc.             |                               |

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to acknowledge receipt of bids for road materials. All voting "Aye".

9657 AUTHORIZE SALE OF OLD HOSPITAL PROPERTY

Judge Rains spoke of 8.2 acres (old hospital property) on IH35 and Thorpe Lane - CAD appraisal = \$1.2 to 1.5 million - potential buyer would like to build a hotel - would benefit the community - \$1,000,000.00 would generate approximately \$198,000 per year interest - hotel would generate 129 jobs - suggested provisions of sale: minimum bid of \$1,000,000.00 cash with conditional sale requiring hotel to be built in a specified time period - Court has the right to reject any bids. Commissioner Payne stated that he would like to get more than \$1 million. Commissioner Gonzales spoke of potential buyer wanting only 1/2 of the property (IH 35 frontage only) - spoke of new Courthouse site. Bill Coddington spoke of opportunity for County to rid itself of this burden--convention center might be built on part of this property as a cooperative effort by the developer, City and County - Certificate of Participation. Mike Zimmerman, San Marcos News, spoke in favor of the sale - further delay could evaporate the sale all together. Jim Gandy, Executive Vice President of the San Marcos Chamber of Commerce, spoke in support of sale for a hotel - would also like to see a convention center at this site. Lupe Carbajal spoke in support of sale - jobs are needed. John Diaz, President of Tourist Council, spoke in support of sale. A motion was made by Commissioner Ford to authorize sale of county property (old hospital site) at auction for a minimum bid of \$1 million with stipulations. Discussion was had to try and determine stipulations, etc. Commissioner Ford withdrew his motion. Jim Gandy suggested that County require \$75,000.00 fee up front and if project does not transpire this fee would remove the existing building. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to appoint Commissioner Rippy to sale county property located at IH35 & Thorpe Lane at public auction on May 18, 1989 at 10:00 o'clock A.M. in the Commissioners' Courtroom, San Marcos, Texas, with minimum price of \$1 million plus \$45,000 and other conditions to be stipulated by the Court and with conditions to be available from the County Administrator prior to submission of bids. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

9658 SHERIFF/RECLASSIFICATION OF PART-TIME DISPATCHER POSITION TO FULL-TIME AND RECLASSIFYING DISPATCHER PAY SCALE

Sheriff Paul Hastings appeared before the Court - part-time dispatcher is being paid \$800 per month approx. - could reclassify to fulltime and pay salary of \$1,000 per month - spoke of fulltime dispatchers working without breaks and receiving approximately 450 calls per day (11AM-7PM Mon-Fri) - request parttime position to fulltime (cost of \$1400) and create a level three dispatcher position at a monthly salary of \$1200 per month in order to compete with other agencies in retaining experienced dispatchers. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize reclassification of part-time dispatcher to full-time at \$1,000 per month salary. All voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize creation of Level III Dispatcher position at \$1,200.00 per month salary. All voting "Aye". Court will wait until line item needs adjusted before allocating where money will come from.

-April 24, 1989-

## 9659 APPROVAL TO ENGAGE ENGINEER FOR INSPECTION OF PCT. 1 BUILDING

The Texas State Board of Registration for Professional Engineers has informed the County that a Texas registered professional engineer is required by statute in connection with the Pct. 1 vehicle maintenance building. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to request an estimate from Beicker Engineering - Seguin - to certify the Pct. 1 vehicle maintenance building. All voting "Aye".

## SIGMA PHI EPSILON FRATERNITY - ADOPTION OF CO. RD. 266 &amp; WAIVER OF LANDFILL FEES FOR SAME

Terry Ewald, Health Department, spoke of Sigma Phi Epsilon Fraternity wanting to adopt Co. Rd. 266 to remove trash if hauling fees are waived. Commissioner Gonzales stated that the citizens of that area are concerned about the Fraternity taking over trash removal - it is felt that the canoers are creating the problem. Commissioner Gonzales requested that the Court table this matter .

## 89-005 RANCHO ENCINO (PCT. 3)

Greg Griffin appeared requesting variance of floodplain regulation - base flood study - for the "Rancho Encino" subdivision. The developer is allowing large drainage easements - no structures can be built in the drainage easements - the buyer will be made aware of the easements and restrictions. Commissioner Gonzales spoke of his concerns with having only one entrance and one exit to the subdivision. Need to obtain a letter from FEMA. No action taken.

## 9660 89-008 BUTTERCUP MOUNTAIN (PCT. 3)

Pokey Rehment presented "Buttercup Mountain" subdivision on first reading - 60' r-o-w with private roads and locked gate. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Buttercup Mountain" subdivision on first reading. All voting "Aye".

## 9661 89-009 FEAGANS SUBDIVISION (PCT. 3)

Craig Hollmig presented "Feagan's Subdivision" on third reading - Lot 1 is less than one acre, however, water will be supplied by the Wimberley Water Supply Co. (letter filed). A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Feagan's Subdivision" on third reading. All voting "Aye".

## 9662 APPROVE MINUTES OF MARCH 1989

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Minutes of the Commissioners' Court for March 1989 as presented by the County Clerk. All voting "Aye".

## 9663 AUTHORIZE INTERLOCAL AGREEMENT BETWEEN CITY OF DRIPPING SPRINGS &amp; HAYS COUNTY RE: SIGN ON COUNTY PROPERTY

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize interlocal agreement between the City of Dripping Springs and Hays County allowing the City of Dripping Springs to erect a sign welcoming visitors to Dripping Springs on county property in an eight foot by thirty foot area. All voting "Aye".

-April 24, 1989-

STATE OF TEXAS \*  
COUNTY OF HAYS \*

INTERLOCAL AGREEMENT

WHEREAS, the City of Dripping Springs has obtained a grant of funds from the Dripping Springs Chamber of Commerce to build and erect a sign welcoming visitors Dripping Springs; and

WHEREAS, the best location for such a sign is on Hays County property; and

WHEREAS, Hays County has an interest in having visitors in Hays County knowing what Hays County community they are in and that such community is the "Gateway to the Hill Country"; and

WHEREAS, Article 4413(32c), the Interlocal Cooperation Act, Vernon's Texas Revised Civil Statutes, authorized intergovernmental contracting between counties and cities to perform governmental functions, which includes the erection of signs informing the public of geographical locations and other public matters;

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereinafter set forth, it is agreed as follows:

- 1. County Performance: The County shall have its County Commissioner render such service as necessary to accomplish the purpose of this Agreement. Such service shall include, but not necessarily be limited to, the following enumerated task:

Allow the City to erect its sign on the County property in Dripping Springs in an eight foot by thirty foot area, such County property being in the vicinity of the Fire Station building, County Maintenance facility, and the Dripping Springs Water Supply Corporation.

- 2. City Performance: The City will provide the sign and erect the sign and will maintain it, keeping the sign in good repair and appearance during the term of this Agreement.
- 3. Agreement Period: This Agreement shall commence April 12, 1989 and shall terminate upon 30 days notice by either party to agreement.
- 4. Liability: The County Commissioner and the assistants and employees of the office shall not be liable in damages to the City for any acts or omissions in the performance of duties described herein, except in cases of gross negligence or willful misfeasance, or as otherwise provided by law.
- 5. Amendments and Changes: Any alteration, addition or deletion to the terms of this Agreement shall be by amendment hereto in writing and executed by both parties hereto.
- 6. Oral and Written Agreements: All oral and written agreements, relating to the subject matter of this Agreement and which are made prior to the date of the commencement of the Agreement have been reduced to writing and are contained herein.

WITNESS OUR HANDS this the 12th day of April, 1989.

COUNTY OF HAYS  
  
s/ G. Don Rains  
G. Don Rains, County Judge

CITY OF DRIPPING SPRINGS, TEXAS  
  
s/Bob Burke  
Bob Burke, Mayor

ATTEST: (SEAL)  
  
s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

ATTEST: (SEAL)  
  
s/Patty Hastings  
Patty Hastings  
City Secretary

-April 24, 1989-

9664 ACCEPT DEDICATION OF R-O-W ON ROADWAY FROM HIGHWAY 290 TO YOUTH SPORTS ASSOCIATION PROPERTY

Commissioner Rippy spoke of right-of-way on roadway to the Little League complex - would like to accept dedication of roadway but no maintenance at this time. Commissioner Payne felt like court should not accept dedication of a public road whose access is through a private road. Commissioner Ford felt like you cannot accept a road without accepting maintenance. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept dedication of r-o-w on roadway from Hwy. 290 to Youth Sports Association with county maintaining. After discussion motions were withdrawn - it was decided that a deed of dedication is needed for the roadway.

9665 AUTHORIZE PURCHASE OF COPIER FOR COUNTY ADMINISTRATION OFFICE

County Administrator Patsy Greiner spoke of copier needed - \$200 for trade-in - four proposals were received - recommends purchasing Xerox for \$4,900.00. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize purchase of copier from Xerox (\$4900) for the County Administration office and to finance for three years. All voting "Aye".

9666 APPROVAL OF AMENDMENT OF COUNTY CONTRACT WITH STATE DEPARTMENT OF HEALTH TO SHOW RECENT INCREASES

Terry Ewald, Health Department, appeared before the Court - State has amended contract for the Maternal and Child Health Program: Increase is to fund case management capabilities as well as expansion of needed services (nurse practitioner, 1/2 LVN, clerk to be funded) - State will now pickup fringe benefits for one Sanitarian - Director of Nursing position will no longer be a State paid position, will be converted to a grant reimbursed position. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize the County Judge to sign Texas Department of Health Contract Change Notice No. 1: Revised contract for local public health services. Att. No. 3a-Revised budget for maternal and child health services. All voting "Aye".

9667 APPROVAL OF RESOLUTION URGING CONGRESS TO EXEMPT STATE AND LOCAL GOVERNMENTS FROM THE PROVISIONS OF SECTION 89 OF THE INTERNAL REVENUE CODE TAX REFORM ACT OF 1986

Commissioner Wayne Ford spoke of Section 89 IRS Code Tax Reform Act of 1986 imposing a burden on the insurance provider. KPMG Peat Marwick, CPA, Section 89 Seminar Guide was presented to the Court. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt a resolution urging Congress to exempt State and Local Governments from the provisions of Section 89 of the Internal Revenue Code Tax Reform Act of 1986. All voting "Aye".

9668 FM 1826 PROJECT - AUTHORIZE PAYMENT TO BEN PARTEN FOR FENCING

Commissioner Rippy spoke of needing to pay Ben Parten for fencing on the FM 1826 project - amount needed is \$3700-4000. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize payment to Ben Parten for fencing on the FM 1826 project. All voting "Aye".

9669 ASSIGN COUNTY ROAD NUMBER TO COUNTY MAINTAINED ROADWAY LOCATED OFF RM12

Commissioner Rippy spoke of county maintained roadway located off RM12 - road easement recorded in Volume 372 Page 835 from James R. Hall to Hays County - 50' deadend r-o-w. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to assign county road number 193 to the James R. Hall county maintained roadway located off RM12. All voting "Aye".

-April 24, 1989-

9670 SAN MARCOS TELEPHONE COMPANY - APPROVE PROPOSED INSTALLATION OF UTILITY LINE ON COUNTY ROADWAY (CR213 & RR12)

Notice of proposed installation of utility line on county roadway was submitted from the San Marcos Telephone Company - buried telephone cable beginning at intersection of RR12 and County Road 213, then heading north along the eastern side of said county road for 10,939 feet ending at the Freeman Ranch entrance. This cable will be buried with a minimum of 12 inches of cover in rock and a minimum of 24 inches of cover in dirt, and will be 4 feet or less off of the existing R.O.W. of said county road. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve proposal for installation of telephone cable on County Road 213 as submitted by the San Marcos Telephone Co. All voting "Aye".

PENDING LITIGATION REGARDING FORMER HAYS COUNTY DEPUTY STEVE HICKMAN

Commissioner Payne spoke of occurrence that happened while Steve Hickman was performing his duties as a Deputy Sheriff with Hays County - Kent Keith, Plaintiff. No action was taken.

Commissioner Gonzales had to leave the meeting at this time for a prior commitment.

9671 AUTHORIZE TRANSFER OF FUNDS - PERMANENT IMPROVEMENT TO CONTINGENCIES

County Auditor Bill Herzog spoke of \$5,500 left in the Permanent Improvement funds - would like to move these funds into contingencies. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize transfer of permanent improvement funds into contingency funds. All present voting "Aye".

DATA PROCESSING DEPT. - SALARY & FRINGES OF NEW POSITION

County Auditor Bill Herzog spoke of need to amend budget of Data Processing Department to allow salary and fringes of new position previously authorized by the Court = \$1125 per month salary/\$8,070 amendment needed. Commissioner Payne spoke of Court's agreement was for Mr. Dever to let his part-time employee go in order to have the new full-time position. No action taken at this time - postponed.

PAYMENT OF ALL COUNTY INVOICES

County Auditor Bill Herzog spoke of Law regarding approving of County invoices - the Commissioners' Court must approve invoices not just the County Judge - law says you cannot delegate this authority - Auditor will present a list to the Court for approval at each Court meeting.

9672 AUTHORIZE UPGRADING OF COUNTY AUDITOR'S COMPUTER

County Auditor Bill Herzog spoke of his computer system is out of space - need to upgrade. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize upgrading of County Auditor's computer by purchasing additional memory (\$4,150). All present voting "Aye".

9673 APPROVE EXEMPTION FROM BID PROCESS LAW LIBRARY PURCHASES (LEC)

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize County Auditor to go out for bids for used law books for the Law Enforcement Center. All present voting "Aye".

9674 ADOPT PROCLAMATION - NATIONAL 75TH ANNIVERSARY OF COOPERATIVE EXTENSION SYSTEM DAY

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt proclamation "National 75th Anniversary of Cooperative Extension System Day". All present voting "Aye".

-April 24, 1989-

R E S O L U T I O N

WHEREAS, the United States Congress established the Cooperative Extension Service in 1914 with the passage of the Smith-Lever Act to help farmers and ranchers, rural communities and families with a multitude of problems, and the Texas Legislature created the Texas Agricultural Extension Service the following year; and

WHEREAS, the Texas Agricultural Extension Service was assigned administratively as the educational agency of The Texas A&M University System to conduct informal educational programs in agriculture, home economics, youth leadership development, community resource development and related areas as part of the nationwide system pursuant to the cooperative agreement between the federal government, the state government and county government; and

WHEREAS, the Texas Agricultural Extension Service has a cooperative relationship with county commissioners courts through its network of county offices which enables rapid response to citizens' needs; and

WHEREAS, the Texas Agricultural Extension Service had demonstrated a positive force during the past 75 years, improving the quality of life for all citizens of Texas; and

WHEREAS, the Texas Agricultural Extension Service has continued to stay abreast of the needs and concerns of the state's citizens and is helping rural and urban citizens of this county to become more knowledgeable about issues and to make informed decisions; and

WHEREAS, the Texas Agricultural Extension Service of The Texas A&M University System is observing the 75th Anniversary of the initiation of this partnership in education as part of a national celebration;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners' Court of Hays County, Texas, convened in Regular Term this the 24th day of April, 1989, that the members of this Court hereby officially recognize and commend the Texas Agricultural Extension Service for its timely and in-depth educational programs aimed at helping the citizens of this county to solve everyday problems and thereby improving their overall quality of life.

RESOLVED that the 8th day of May, 1989 be proclaimed as National 75th Anniversary of Cooperative Extension System Day in this county.

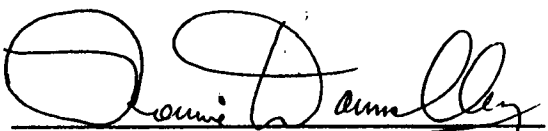
RESOLVED that all citizens of this county are encouraged to join in this observance by attending open house to be held at the county Extension office serving this county in recognition of and in appreciation for our unique education partnership.

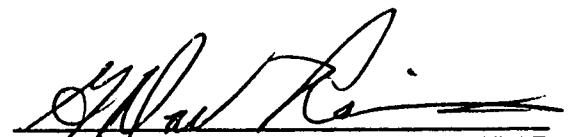
IT IS FURTHER RESOLVED that this Resolution be spread upon the minutes of the Commissioners court and that the original thereof be transmitted by the Clerk to the Director, Texas Agricultural Extension Service, Texas A&M University, College Station, Texas 77843-7101, as an expression of highest esteem and respect from this county.

s/ G. Don Rains, County Judge  
Absent, Commissioner Pct. #1  
s/Wayne Ford, Commissioner Pct. #2  
s/ Craig Payne, Commissioner Pct. #3  
s/ Oran H. Rippey, Commissioner Pct. #4

ATTEST:

s/Ronnie Dannelley  
 COUNTY CLERK, HAYS COUNTY, TEXAS

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 5TH DAY OF MAY, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

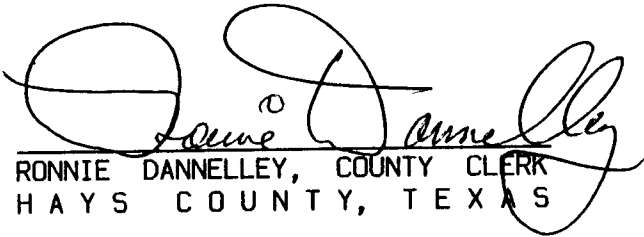
|                  |                           |
|------------------|---------------------------|
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK       |

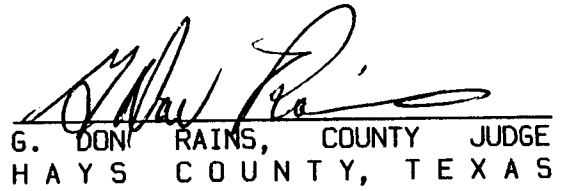
WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9675 AUTHORIZE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize payment of county invoices as presented by the County Auditor and as required by law. All present voting "Aye".

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to recess until Monday May 8, 1989. All present voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 8TH DAY OF MAY, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9676 AUTHORIZE STATEMENT OF SUPPORT FOR CAPCO GRANT REGARDING PEBBLE PROJECT CHILD ABUSE PREVENTION PROGRAMS (HAYS, WILLIAMSON & TRAVIS COUNTIES)

Roxanne McKimney of Project Reach in San Marcos (a child abuse prevention program) appeared before the Court. Carol May of the Pebble Project out of Austin appeared and spoke of work in the Hays Consolidated Ind. School District - obtaining services for abused children - film presentations will be given to children and counseling - the goals of this project are 150 educational presentation to 3,000 children with 36 child victims receiving therapy/support - provide prevention information to the homes through a brochure - Project REACH in Hays County, Williamson County Child Abuse Prevention Coalition and the Pebble Project in Travis County would work with each of the counties to recruit volunteers from their local areas to help implement and continue this effort past the life of the grant. Part of the process is already in place through Project REACH in San Marcos - Commissioner Gonzales spoke of limited funds for social services - Mrs. McKimney stated that they will try to get grants to fund their programs and volunteers - they will not be requesting county funds. Grant is for \$30,000 - \$5,000 will stay in Hays County.

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize the County Judge to sign a letter of support for CAPCO grant regarding the Pebble Project Child Abuse Prevention programs. All present voting "Aye".



-May 8, 1989-

## 9677 AUTHORIZE CONDITIONS TO SALE OF OLD HOSPITAL PROPERTY

County Judge Don Rains spoke of removal of existing building - Camp Gary requires an on-sit asbestos inspection before they will remove the building. County Administrator Patsy Greiner spoke of their being no salvagable materials left - would be an approximate \$85,000 expense to the developer to have building removed. Judge Rains read off the proposed conditions for sale:

1. County agrees to clear the property of existing structures.
2. Bidder will provide to Hays County a Cashier's Check in the amount of \$45,000.00 for escrow at the time of acceptance on May 18, 1989.
3. Ninety (90) calendar days from the public bidding, purchaser will provide to Hays County a Cashier's Check in the amount of the balance of the purchase price.
4. Property being conveyed will be zoned and land use designated as Commercial by Hays County.
5. Property being conveyed will be platted by Hays County.
6. Bidder will construct a hotel facility with a minimum of 150 guest facilities with said construction beginning on or before six (6) months from date of closing.
7. Hays County will convey a \$500.00 credit for each of 94.8 wastewater LUE's at time of sale.
8. Bidder enters into an agreement to finance and construct a build-to-suit convention center facility on the site with right of ingress and egress by both parties. Terms and conditions of lease and/or purchase shall be negotiated at a future date.

\$45,000 would be forfeited if sale does not proceed - #5 to be taken out - District Attorney Charles Chapman spoke - it might be difficult to enforce use of property "150 room hotel". Commissioner Payne spoke of putting restrictions into the deed. Condition #4 - Court will apply for rezoning to commercial - Mr. Coddington suggested PUD (planned unit development) zoning. Deed restrictions to require "150 room hotel/restaurant/convention center facility". Discussion was had with various people in the audience opposed to placing too many restrictions on the property. Take out #1 & #8. Changes to be made in #2: add \$45,000 to be forfeited if sale is not closed in 90 days, #4: Hays County to petition City of San Marcos #6: deed restriction "150 guest hotel facility" but not limited to just a hotel facility and delete construction time. Judge Rains suggested that bidder will negotiate with County, City and School District to build a convention center - property to be conveyed "as is".

Conditions for Sale:

- #1 - taken out
- #2 - Bidder will provide to Hays County a Cashier's Check in the amount of \$45,000 at the time of acceptance on May 18, 1989 - to be forfeited if sale is not closed in 90 days.
- #3 - Ninety (90) calendar days from the public bidding, purchaser will provide to Hays County a cashier's check in the amount of the balance of the purchase price.
- #4 - Hays County will petition the City for property being conveyed to be zoned and land use designated as Commercial.
- #5 - taken out
- #6 - Bidder will construct a hotel facility with a minimum of 150 guest facilities - but not limited to just a hotel facility - to be put in deed form of deed restriction.
- #7 - Hays County will convey a \$500.00 credit for each of 94.8 wastewater LUE's at time of sale.
- #8 - taken out

A motion was made by Commissioner Payne, seconded by Commissioner Rippey to approve conditions for sale of old hospital property. All present voting "Aye".

## 9678 PUBLIC HEARING - APPLICATION FOR JIM WINN'S SALVAGE YARD PERMIT

Terry Ewald, Health Department, appeared before the Court - spoke of this being the first application that has been received by the Health Department since adoption of the Junkyard Auto Wrecking/Salvage Yard Ordinance - was concerned about fluids disposal - some screening will be required and drainage setbacks. Jim Winn appeared - drinking water will be supplied by adjoining property owner - will take cars for free to help property owners get rid of their junk cars. Perry Sheffield will be operating salvage yard to be known as "Sheffield Salvage" - spoke of intent: scrap metal, sell auto parts, batteries and oils

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will be picked upon on a regular basis by licensed companies. David Walsh, area resident living in 1000 feet of salvage yard - had petitioned residents of the area who do not want salvage yard located on the main highway. Jeff Hill, Atty. representing Mr. Loper (adjoining property owner) spoke of "litter abatement act" restricts junkyards within 1000 feet of a public highway - affects value of adjoining properties. Jim Winn stated that he would not have made application if he knew Mr. Loper was opposed to it - he was not aware of opposition. Lee Warden, hotel owners, spoke of concerns about someone else taking over the property from Mr. Winn - would they be as honorable as Mr. Winn. Commissioner Gonzales spoke of applicants having abided by the laws - meets requirements. Commissioner Payne spoke of intent of property when purchased was for commercial business - need to make sure that no violations are committed. Commissioner Rippy spoke - junkyards are needed and supports application as long as laws are abided by. Judge Rains spoke of mixed emotions - Wimberley does not lend itself to a junkyard - opposes as to location. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve application for Jim Winn's Salvage Yard (Sheffield Salvage) and grant permit for same. Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Gonzales abstained. Judge Rains voting "No". Resolution PASSED.

#### SIGMA PHI EPSILON FRATERNITY - REQUEST TO ADOPT COUNTY ROAD 266 & WAIVER OF LANDFILL FEES FOR SAME

Terry Ewald, Health Department, spoke - Sigma Phi Epsilon Fraternity will clean county right-of-way on County Road 266 and haul trash to the landfill once a month. Commissioner Gonzales spoke of need to see in writing protection for County from liabilities - surrounding land owners are concerned about project being performed by Fraternity. District Attorney Charles Chapman stated that this is a service fraternity not a social fraternity. Mr. Ewald stated that area to be adopted would be from Hwy. 80 to the old San Marcos site/curve. Need to draw up an agreement.

#### COURTHOUSE ANNEX FIRST FLOOR PROJECT

Judge Rains requested that this item be put on the next agenda as "request for proposals for remodeling of first floor courthouse annex".

#### 9679 SAN MARCOS AREA CHAPTER OF SWT ALUMNI ASSOCIATION - APPROVE USE OF COURTHOUSE LAWN ON SATURDAY, NOVEMBER 4, 1989

RUDOLF SANDOVAL, PRESIDENT OF THE SAN MARCOS AREA CHAPTER OF SWT ALUMNI ASSOCIATION, appeared before the Court - second annual homecoming affair will be held - proceeds to go for scholarships - there will be food booths and music. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve use of courthouse lawn on Saturday, November 4, 1989 by the San Marcos Area Chapter of SWT Alumni Association for the second annual homecoming affair. All present voting "Aye".

#### REPLACEMENT OF WATER FOUNTAINS IN THE COURTHOUSE

County Administrator Patsy Greiner, spoke of complaints about the water fountain on the second floor - does not cool the water - first floor water fountain also does not work properly - cost to replace one water fountain = \$500. Commissioner Gonzales spoke of their being one at the Pct. #1 barn that might be useable - was removed from the old hospital.

#### 9680 AUTHORIZE REMOVAL OF PARKING METERS AROUND THE COURTHOUSE

County Administrator Patsy Greiner, spoke of courthouse parking - meters could be removed and used elsewhere by the City - could restrict courthouse parking to employees and visitors only - need to terminate agreement with the City of San Marcos and authorize removal of meters. Judge Rains spoke of concerns about taking parking away from downtown merchants customers. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize removal of meters around the Courthouse. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye".

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ESTIMATE FROM DAVE BEICKER ENGINEER FOR INSPECTION OF PCT. 1 BUILDING

Estimate obtained from Dave Beicker, Engineer, for inspection of the Pct. #1 vehicle maintenance building was as follows:

|                                                                                                          |          |
|----------------------------------------------------------------------------------------------------------|----------|
| Floodplain question in relation to structural soundness of the building - to be answered by Kelly Kilber | \$500.00 |
| Structure testing by lab to do a concrete bore and test                                                  | \$800.00 |
| Engineering workup regarding building                                                                    | \$800.00 |

Total estimate = \$2,100.00 District Attorney Charles Chapman stated that Dan Gibson, City of San Marcos, did not approve of report from Kelly Kilber. No action taken.

9681 ADOPT RESOLUTION - PROPERTY EXCHANGE ON FM 1626 PROJECT (STATE OF TEXAS TO JACK AND GAY DAHLSTROM)

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt resolution requesting State to quitclaim surplus land to Jack and Gay Dahlstrom as part or full consideration for new right-of-way conveyed to the State (FM 1626) and authorizing the County Judge to execute any documents necessary to the abandonment. All present voting "Aye".

STATE OF TEXAS

BEFORE THE COMMISSIONERS COURT

COUNTY OF HAYS

OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, the State Department of Highways and Public Transportation proposes to dispose of a tract of land owned by the State and formerly used for highway purposes as part of FM 967 and made surplus for highway purposes by the reconstruction of FM 1626 on a new location, said surplus land being more particularly described in Exhibit A attached hereto and made part hereof; and

WHEREAS, Due to the State's relocation of the highway and the dedication of other land to public use by Jack and Gay Dahlstrom, that portion of FM 967 described in the attached Exhibit A will no longer be needed for use of citizens for road purposes and Jack and Gay Dahlstrom, the sole abutting landowners, have agreed to convey to the State other land needed for State Highway purposes and have that portion described in Exhibit A quitclaimed by the State in exchange for needed right-of-way;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that the surplus land described in the attached Exhibit A is no longer needed by citizens of Hays County for road or public park purposes and it is requested that the State quitclaim said surplus land to Jack and Gay Dahlstrom as part or full consideration for new rights-of-way conveyed to the State.

The County Judge or his designee is hereby authorized to execute any and all documents reasonable deemed necessary by the State of Texas to further evidence the County's consent to the abandonment.

RESOLUTION PASSED AND ADOPTED ON THIS 8th DAY OF MAY, 1989 TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

(absent) \_\_\_\_\_  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ O. H. Rippy  
Oran Rippy, Pct. 4

ATTEST:  
s/ Ronnie Dannelley

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## "EXHIBIT A"

## FIELD NOTES FOR PARCEL

BEING 1.140 acres or 49,661 square feet, more or less, out of and a part of that certain 2.886 acre tract of land out of and a part of the Phillip J. Allen Survey No. 5, Abstract 1, in Hays County, Texas, conveyed to the STATE OF TEXAS by deed recorded in Volume 146, Pages 103-105 of the Deed Records of Hays County, Texas, said 1.140 acres or 49,661 square foot tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the North right of way line of existing F.M. 967 with the North right of way line of proposed F.M. 967, said point of intersection being the most Westerly corner of the herein described 1.140 acre tract of land and being the following courses and distances from the Southwest corner of that certain 154.15 acre tract of land, more or less, conveyed to Jack H. Dahlstrom by deed recorded in Volume 170, Page 251 of the deed records of Hays County, Texas;

COMMENCING at the Southwest corner of said Jack H. Dahlstrom tract, NORTH 88 24' 46" EAST, a distance of 1,112.14 feet, along the North right of way line of existing F.M. 967 to a point of intersection with the North right of way line of proposed F.M. 967;

THENCE, along said North right of way line of proposed F.M. 967, NORTH 79 07' 04" EAST, a distance of 123.83 feet to a point in said line;

THENCE, along a curve to the left in said proposed North right of way line, whose radius equals 1,849.86 feet, an arc distance of 828.15 feet, and whose chord bears NORTH 75 25' 37" EAST a distance of 828.15 feet to the point of Beginning, said point of Beginning further identified as being NORTH 27 27' 24" WEST, a distance of 60.00 feet from proposed F.M. 967 Centerline Station 169+15.49;

- 1) THENCE along a curve to the left in said North right of way line of existing F.M. 967, whose radius equals 914.93 feet, an arc distance of 565.93 feet, and whose chord bears NORTH 31 25' 05" EAST a distance of 556.95 feet to a point of curvature in said line;
- 2) THENCE, NORTH 13 41' 53" EAST along said North right of way line of existing F.M. 967, a distance of 261.08 feet to a point of tangency in said line;
- 3) THENCE, along a curve to the right in said North right of way line of existing F.M. 967, whose radius equals 756.20 feet, an arc distance of 52.90 feet, and whose chord bears NORTH 15 42' 08" EAST a distance of 52.89 feet, to point in said line;
- 4) THENCE, crossing existing F.M. 967, along the West right of way line of proposed F.M. 1626, South 01 42' 09" EAST, a distance of 292.03 feet to a point of intersection of the South right of way line of existing F.M. 967 with said West right of way line of proposed F.M. 1626;
- 5) THENCE, along a curve to the right in said South right of way line of existing F.M. 967, whose radius equals 994.93 feet, an arc distance of 380.49 feet, and whose chord bears SOUTH 22 50' 34" WEST a distance of 378.17 feet to a point of intersection of said South right of way line of existing F.M. 967 with the North right of way line of proposed F.M. 967;
- 6) THENCE, SOUTH 56 20' 36" WEST, along said North right of way line of proposed F.M. 967, a distance of 70.74 feet, to a point of tangency in said line;
- 7) THENCE, along a curve to the right in said North right of way line of proposed F.M. 967, whose radius equals 1,849.86 feet, an arc distance of 196.98 feet, and whose chord bears SOUTH 59 23' 37" WEST a distance of 196.88 feet, to the point of BEGINNING containing an area of 1.140 acres or 49,661 square feet, more or less.

9682 APPROVE USE OF COURTHOUSE LAWN FOR JAYCEE GUMBO COOKOFF (SAT. JULY 15)

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve use of courthouse lawn for "Jaycee Gumbo Cookoff - July 15, 1989". All present voting "Aye".

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## 9683 ADOPT RESOLUTION IN SUPPORT OF JUVENILE PROBATION GRANT APPLICATION

Chief Juvenile Probation Officer Ed Cooper appeared before the Court requesting authorization for submission of a grant request for funding program known as "Purchase of Juvenile Services" - no cost to the County - grant = \$7,099.00. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt resolution in support of Juvenile Probation Grant Application for "Purchase of Juvenile Services". All present voting "AYE".

A RESOLUTION BY THE HAYS COUNTY COMMISSIONERS' COURT, SAN MARCOS, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE HAYS COUNTY JUVENILE PROBATION DEPARTMENT, FOR A PROGRAM KNOWN AS "PURCHASE OF JUVENILE SERVICES".

WHEREAS, THE COMMISSIONERS OF HAYS COUNTY, Texas has the moral obligation to the citizens and taxpayers of Hays County, Texas to ensure that the juvenile justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners are aware there are limited special services available to or provided to juveniles in Hays County, Texas; and

WHEREAS, the Commissioners feel the addition of the program known as Purchase of Juvenile Services will materially enhance the administration of Juvenile Justice in Hays County, Texas, by making more resources available; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of Hays County, Texas, that the County submit a grant request to the office of the Governor of Texas Criminal Justice division, to assist in the funding of the program of Purchase of Juvenile Services at the Juvenile Probation Department of Hays County, Texas; and

BE IT FURTHER RESOLVED, that the Chief Juvenile Probation Officer be appointed Project Director of this Program and Bill Herzog, County Auditor, be appointed Fiscal Officer of this Program, and Honorable Judge G. Don Rains, County Judge of Hays County, Texas, be and is hereby authorized to sign on behalf of the Commissioners of Hays County any documents, requests, or other instruments in his opinion necessary to support the application and continuation of this program.

PASSED AND APPROVED, this 8th day of May, 1989.

HAYS COUNTY, TEXAS

s/ G. Don Rains  
COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley  
COUNTY CLERK

## 9684 AUTHORIZE SHERIFF TO SUBMIT GRANT APPLICATION FOR FUNDING TRI-COUNTY MULTI-AGENCY SPECIAL LAW ENFORCEMENT UNIT AND APPROVE TERMS AND CONDITIONS OF A MUTUAL AID LAW ENFORCEMENT AGREEMENT BETWEEN COMAL, GUADALUPE AND HAYS COUNTIES AND THE CITIES OF NEW BRAUNFELS AND SAN MARCOS &amp; AUTHORIZING COUNTY JUDGE TO EXECUTE THE AGREEMENT

Chief Deputy Sheriff Brodbeck appeared before the Court requesting approval to submit grant application for funding a Tri-County Multi-Agency Special Law Enforcement Unit - \$2,775 County contribution will be paid out of the Sheriff's drug money account - approval is also needed on the terms and conditions of a mutual aid law enforcement agreement between the Counties of Comal, Guadalupe and Hays County and the Cities of New Braunfels and San Marcos. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to adopt resolutions approving submission of a Grant application for funding of a Tri-County Multi-Agency Special Law Enforcement Unit and approving the terms and conditions of a mutual aid law enforcement agreement. All present voting "Aye".

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A RESOLUTION OF THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE IN CONJUNCTION WITH THE COUNTIES OF COMAL, AND GUADALUPE AND THE CITIES OF SAN MARCOS AND NEW BRAUNFELS, APPROVING A COMMITMENT OF \$2,775.00 AS HAYS COUNTY'S CONTRIBUTION TO THE GRANT AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the counties of Comal, Guadalupe and Hays and the cities of New Braunfels, and San Marcos desire to join together to submit an application for funding of a Tri-County Multi-County Special Law Enforcement Unit to the Criminal Justice Division of the Governor's Office; and,

WHEREAS, said Tri-County Multi-Agency Special Law Enforcement Unit will operate to detect and apprehend criminal offenders; increase the efficiency of law enforcement investigation; combat the traveling career criminal; target major crimes, including burglary, robbery, child abuse, the fencing of stolen property and narcotics related crime; and target career criminals generally; now, therefore,

BE IT RESOLVED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS:

PART 1. That the Commissioners Court supports and approves of an application to the Criminal Justice Division of the Governor's Office seeking funding for a Tri-County Multi-Agency Special Law Enforcement Unit, a copy of which application is attached hereto and incorporated herein for all purposes.

PART 2. That the commitment of \$2,775.00 is hereby approved as the County's contribution to the grant which will be administered by the County of Comal, by and through its County of Comal, by and through its County Judge, Fred Clark.

PART 3. That the County Judge of Hays County, G. Don Rains, is authorized to take any appropriate actions to facilitate the grant application, its submission and approval by the Criminal Justice Division of the Governor's office.

PART 4. That this Resolution shall be in full force and effect from and after its passage.

ADOPTED this 8th day of May, 1989.

\_\_\_\_\_  
Paul Hastings  
Hays County Sheriff

s/ G. Don Rains  
G. Don Rains  
County Judge

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk  
Hays County, Texas

A RESOLUTION OF THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A MUTUAL AID LAW ENFORCEMENT AGREEMENT BETWEEN THE COUNTIES OF COMAL, GUADALUPE AND HAYS AND THE CITIES OF NEW BRAUNFELS AND SAN MARCOS, AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE AGREEMENT AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Chapter 362 of the Local Government Code, V.T.C.A., authorizes the formation of mutual aid law enforcement task forces to cooperate in criminal investigations and law enforcement, providing for the investigation of criminal activity and enforcement of the laws of the State of Texas by and through cooperative agreements; and,

WHEREAS, the counties of Comal, Guadalupe and Hays and the cities of New Braunfels and San Marcos have applied for grant funds to establish a mutual aid law enforcement task force to be known as the Tri-County Multi-Agency Special law

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Enforcement Unit to implement and improve services to the respective jurisdictions by collecting information, investigating, detecting, apprehending and prosecuting individuals involved in major crimes and narcotics related crimes; and,

WHEREAS, the Commissioners Court of Hays County, Texas desires to participate in this joint effort; now, therefore,

BE IT RESOLVED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS:

PART 1. That the terms and conditions of a mutual aid law enforcement agreement between the counties of Comal, Guadalupe and Hays and the cities of New Braunfels and San Marcos, a copy of which is attached hereto and incorporated herein for all purposes, are accepted and approved.

PART 2. That the County Judge of Hays County, G. Don Rains, is authorized to execute the agreement and any other documents related to the application for grant funding for this project.

PART 3. That this Resolution shall be in full force and effect from and after its passage.

ADOPTED this 8th day of May, 1989.

\_\_\_\_\_  
Paul Hastings  
Hays County Sheriff

\_\_\_\_\_  
s/ G. Don Rains  
G. Don Rains  
County Judge

ATTEST:

\_\_\_\_\_  
s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk  
Hays County, Texas

STATE OF TEXAS \* MUTUAL AID LAW ENFORCEMENT AGREEMENT  
\* BETWEEN THE COUNTIES OF COMAL, GUADALUPE  
COUNTIES OF COMAL, \* AND HAYS AND THE CITIES OF NEW BRAUNFELS  
GUADALUPE AND HAYS \* AND SAN MARCOS

This Mutual Aid Law Enforcement Agreement (this "Agreement"), is entered into by and between the County of Comal, the County of Guadalupe, the County of Hays, the City of New Braunfels, and the City of San Marcos, counties and home-rule municipalities, respectively, of the State of Texas, duly acting herein by and through their County Commissioners Court and City Councils, respectively, to carry out the intent and purposes of this Agreement.

WITNESSETH:

WHEREAS, pursuant to Chapter 362 of the Local Government Code, V.T.C.A., the State Legislature has authorized the formation of mutual aid law enforcement task forces to cooperate in criminal investigations and law enforcement, providing for the investigation of criminal activity and enforcement of the laws of the State of Texas by and through cooperative agreements; and,

WHEREAS, the Counties of Comal, Guadalupe and Hays and the cities of New Braunfels and San Marcos have applied for grant funds to establish a mutual aid law enforcement task force to be known as the Tri-County Multi-Agency Special Law Enforcement Unit to implement and improve services to the respective jurisdictions by collecting information, investigating, detecting, apprehending and prosecuting individuals involved in major crimes and narcotics related crimes; and,

WHEREAS, as a condition to the grant each of the above-referenced local governments desire to enter into this Agreement to provide for the various terms and conditions necessary to the use of the grant funds and implementation of the objectives of the task force; and,

WHEREAS, these aforementioned governmental entities desire to join together as participants in the Tri-County Multi-Agency Special Law Enforcement Unit;

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NOW, THEREFORE, for and in consideration of the mutual promises hereinafter expressed and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the parties do hereby covenant and agree as follows:

ARTICLE 1. GRANT FUNDS. That the Tri-County Multi-Agency Special Law Enforcement Unit shall be administered by the County of Comal by and through its authorized representative, Fred Clark, County Judge, or his designee. As the administrative agent for the Grantee, the County of Comal shall disburse any grant monies which are awarded and approved for allocation in accordance with the grant application, a copy of which is attached to this agreement as Exhibit A and included herein for all intents and purposes, and in accord with the Statement of Grant Award which is expected to be issued to the Tri-County Multi-Agency Special Law Enforcement Unit.

ARTICLE 2. BUDGET. The parties to this agreement agree that the budget categories and the budget amounts allocated to the Tri-County Multi-Agency Law Enforcement Unit by the terms of the Statement of Grant Award shall control the distribution of funds to carry out the intent and purposes of this Agreement. No other representation pertaining to the distribution of funds and disbursements made to carry out the intent and purposes of this Agreement, whether written or oral, shall be valid unless approved as an amendment to the grant by the Office of the Governor, Criminal Justice Division, in accordance with the rules governing amendments to said grants.

ARTICLE 3. REIMBURSEMENT. In consideration and recognition of the participation of the County of Comal as the administrative representative of the Tri-County Multi-Agency Special Law Enforcement Unit, it is agreed that no county or municipality participating in this Agreement shall request from the County of Comal reimbursement for any services performed in furtherance of, or pursuant to this Agreement. Likewise, the County of Comal shall not request reimbursement for any services it performs as the administrative agent and a participant in the Tri-County Multi-Agency Special Law Enforcement Unit from any other party to this Agreement.

ARTICLE 4. BUSINESS RECORDS. It is hereby agreed that during the term of this Agreement and for a three year period thereafter, the County of Comal shall keep and maintain accurate and current records supported by case number, offense and date of incident so that the Tri-County Multi-Agency Special Law Enforcement Unit will be able to provide verification of program activities and seized funds.

ARTICLE 5. FORFEITURES. The parties agree that all forfeitures of seized funds shall be received by and inure to the benefit of the jurisdiction in which the case that results in such forfeiture originated. The parties agree further that all expenditures of forfeited property shall comply with the stricter provisions of either Texas law or the federal regulations governing the grant made to the Tri-County Multi-Agency Special Law Enforcement Unit.

ARTICLE 6. SPECIAL CONDITIONS. It is agreed that the Tri-County Multi-Agency Special Law Enforcement Unit shall abide by, be governed by, and adhere to the terms and provisions of the following:

(a) Statement of Grant award; (b) Special Conditions as listed in the Statement of Grant Award; (c) The Uniform Grant and Contract Management Standards; (d) the 1988 Criminal Justice Plan For Texas; (e) Relevant Circulars of the Office of Management and Budget; and, (f) the Program Certified Assurances.

ARTICLE 7. EFFECTIVE DATE. This Agreement will be effective as of the date upon which this instrument is finally executed by all of the duly authorized officials of each participant in the Tri-County Multi-Agency Special Law Enforcement Unit and as expressed in approving resolutions of the respective County Commissioners Courts and City Councils, copies of which shall be attached hereto as Exhibits B, C, D, E and F. Such Resolutions shall remain in full force and effect until rescinded by a Resolution of a Commissioners Court or City Council of the respective parties to this Agreement and notice of such action is transmitted in writing to all other parties to this Agreement. Such notices shall be effective three (3) days after the date of mailing of such notices to each of the parties to this Agreement at the addresses provided below.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in multiple identical counterparts on the dates indicated below.



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County of Hays  
 Hays County Courthouse  
 San Marcos, TX 78666

By: s/ G. Don Rains  
 Don Rains, Hays County Judge

Attest:

s/Ronnie Dannelley  
 Ronnie Dannelley, Hays County Clerk

9685 AWARD ANNUAL BID/CONTRACTS FOR LUBRICANTS AND ROAD MATERIALS

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to award annual bid/contract for lubricants to low bidder Arnold Oil Co. All present voting "Aye".

Bids for road materials were awarded on a Precinct by Precinct basis as follows:

Pct. #1 - A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to award bid/contract for flexible base and hot mix-cold laid asphalt to Colorado Materials Co., Inc. and concrete bid/contract to Ingram Readymix Inc. All present voting "Aye".  
 A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to award aggregate 1,2,3,4 & 5 to Colorado Materials, Inc. All present voting "Aye".

Pct. #3 - A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award bid/contract for concrete to Hays County Gravel Co., Inc. All present voting "Aye".  
 A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award bid/contract for asphalt, oils & emulsions to Elf Asphalt and aggregate to Centex Materials, Inc. All present voting "Aye".

Pct. #4 - A motion was made by Commissioner Rippy, seconded by Commissioner Payne to award bid/contract for flexible base to 4-6 Materials Inc. and asphalt, oils & emulsions to Elf Asphalt. All present voting "Aye".

9686 AMEND BUDGET FOR DATA PROCESSING POSITION PREVIOUSLY AUTHORIZED

Data Processing Administrator Danny Dever spoke - would like to keep part-time position of Mark Williams. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve budget amendment of \$8,077.00 for Data Processing Dept. part-time employee out of contingency fund. All present voting "Aye".

9687 APPROVE PAYMENT OF INVOICES

County Auditor Bill Herzog presented invoices for payment totaling \$82,660.18:

|                            |             |                             |            |
|----------------------------|-------------|-----------------------------|------------|
| Central Storeroom          | \$3,878.73  | District Attorney's Ofc.    | \$ 403.67  |
| Auditor's Ofc              | \$ 561.80   | J. P. Pct. 1 Pl. 1 Ofc.     | \$ 73.76   |
| Treasurer's Office         | \$ 57.54    | J. P. Pct. 1 Pl. 2 Ofc.     | \$ 74.77   |
| Extension Ofc.             | \$ 167.11   | J. P. Pct. 2                | \$ 72.79   |
| Judicial                   | \$2,456.00  | J. P. Pct. 3                | \$ 163.65  |
| Juvenile Probation Dept.   | \$5,126.76  | J. P. Pct. 4                | \$ 215.37  |
| Election Administration    | \$1,056.62  | J. P. Pct. 5                | \$ 13.65   |
| Transfer Station           | \$ 51.47    | Dept. of Public Safety      | \$1,391.67 |
| Building Maintenance Dept. | \$9,724.43  | Constable Pct. 1            | \$ 88.92   |
| Health Dept.               | \$ 494.67   | Constable Pct. 2            | \$ 61.37   |
| Civic Center               | \$2,271.89  | Constable Pct. 5            | \$ 131.50  |
| Countywide Misc.           | \$ 169.18   | Veteran's Adm Ofc           | \$ 460.00  |
| Tax Assessor-Collector Ofc | \$ 435.60   | Data Proc Admin             | \$2,744.65 |
| District Clerk Ofc         | \$1,105.86  | TDH TB Grant                | \$ 100.00  |
| County Clerk Ofc           | \$2,859.31  | In Home Specialist Grant    | \$ 87.99   |
| Sheriff's Dept.            | \$3,327.81  | Fire Marshal/EMC Coord.     | \$ 34.92   |
| Jail                       | \$15,567.08 | District Court              | \$ 304.36  |
| County Judge's Ofc.        | \$ 75.75    | County Court                | \$4,056.21 |
| Administrative Coord. Ofc  | \$ 72.20    | Road & Bridge Gen(Park Mtc) | \$ 29.31   |
| County Court at Law 1      | \$ 175.49   | Precinct 1                  | \$1,436.64 |

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|            |            |                     |             |
|------------|------------|---------------------|-------------|
| Precinct 2 | \$ 246.48  | Hot Check Fee Dept. | \$ 516.65   |
| Precinct 3 | \$ 278.60  | Law Library Dept.   | \$ 178.13   |
| Precinct 4 | \$2,877.41 | Public Works Dept.  | \$16,982.41 |

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve payment of invoices as presented by the County Auditor. All present voting "Aye".

9688 APPROVE PURCHASE OF USED DUMP TRUCK FOR PCT. 4

Commissioner Rippy spoke of wanting to purchase a used 1983 GMC 12-14 yard dumptruck = \$19,500. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve purchase of used dumptruck in the amount of \$19,500 for Precinct #4. All present voting "Aye". (bids received at April 10, 1989 meeting)

9689 APPROVE PURCHASE OF NEW MOTOR FOR OLD DUMP TRUCK - PCT. 4

Commissioner Rippy spoke of need to replace motor in one of his dumptrucks - can purchase a rebuilt motor for \$6,090. County Auditor Bill Herzog spoke of need to bid this purchase. District Attorney Charles Chapman stated that it would not have to be bid if it is needed for the public's safety.

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to declare a public emergency and approve purchase of rebuilt motor for dumptruck in Pct. 4 (\$6,090). All present voting "Aye".

9690 HOLLINGSWORTH RANCH ROAD - PETITION & ACCEPTANCE FOR COUNTY MAINTENANCE  
(ROAD RUNNING SOUTH ON HWY. 290)

Commissioner Rippy presented petition:

We the undersigned landowners and/or taxpayers living on the unnamed caliche road running approximately two and one half miles south off Highway 290, request that Hays County take the road into the County maintenance system.

| NAME                           | ADDRESS                                 |
|--------------------------------|-----------------------------------------|
| R E & Olivia Weekley           | HC02 Box 201R                           |
| R. S. & Dorothy Maceo Sr.      | HC02 box 201-S                          |
| E. C. & Jane Weekley           | HC02 Box 200T                           |
| Selby & Amber Harris           | HC02 Box 201M                           |
| Vaughn and Vicki Smith         | HC02 Box 201-W                          |
| Glenn & Jayne Hickmann         | HC02 Box 201K                           |
| Walter & San Morgan            | HC02 Box 201J                           |
| Gene & Jackie Calhoun          | Wolf Creek Pass, Austin, Tx 78749       |
| Mr. & Mrs. Marsalino Mireles   | HC02 Box 201V                           |
| Mr. & Mrs. Robert Pruitt       | HC02 Box 201-X                          |
| Mr. & Mrs. Vernon Morris       | 288 Twin Oaks Dr., San Angelo, Tx 76901 |
| Barbara & Steve Hampton        | HC02 Box 201H, D.S. 78620               |
| James R. & Linda Brown         | HC02 Box 201I, D.S. 78620               |
| Alicia L. Cox                  | HC02 Box 201A                           |
| Johnna Nichols                 | HC02 Box 201-A                          |
| Arthur F. Fournier             | 8240 Boling, Austin 78736               |
| Mr. & Mrs. Jim Cloudus         | P. O. Box 553, Dripping Spring, Texas   |
| Mr. & Mrs. Charlie E. Franklin | HC02 Box 201E                           |
| R. Bruce Johnston              | 13 Chapin, Austin, Tx                   |
| Dean & Lana Sohalik            | HC02 BX 201, Dripping Sps, Tx           |
| Betty Crow & Jimmy Carr        | Box 65 Dripping Springs, Tx             |

Commissioner Rippy spoke of this road being 2 1/2 miles (1 1/2 miles is caliche and 1 mile is hotmix asphalt. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept 2 1/2 mile road running south on Highway 290 (Old Hollingsworth Ranch Road) into the county maintenance system. All present voting "Aye".

-May 8, 1989-

## 9691 ACCEPT FOR COUNTY MAINTENANCE ROAD RUNNING FROM HIGHWAY 290 TO YOUTH SPORTS ASSOCIATION PROPERTY

Commissioner Rippy stated that this road is built to County specifications - see minutes of April 24, 1989 Vol. N Pg. 55.

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept road running from Highway 290 to the Youth Sports Association property for county maintenance. All present voting "Aye".

## RANCHO ENCINO (89-005) - REQUEST FOR VARIANCE - PCT. 3

Greg Griffin appeared before the Court requesting variance of floodplain regulations - base flood study - has not received a reply from FEMA as of this date. Commissioner Gonzales spoke of his concerns about a 222 lot subdivision having only one entrance and exit. Court took no action - awaiting letter from FEMA.

## 9692 HILL COUNTRY ESTATES (89-011) - PCT. 1

Ray Kotowski presented "Hill Country Estates" subdivision on second reading - water commission approves - well water and septic tank - lots facing RR12 will have access to back of lots not RR12 - lots are in excess of 5 acres each. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve "Hill Country Estates" on second reading. All present voting "Aye".

## WILLOW CREEK II LOT 77 - REQUEST VARIANCE TO FLOOD HAZARD REGULATIONS (4.04H)

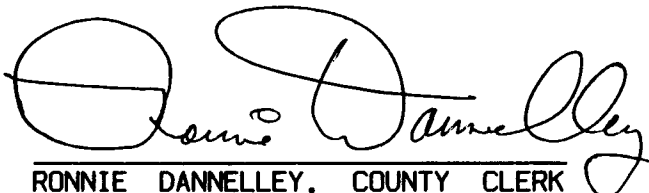
Ray Kotowski appeared requesting variance under paragraph 4.04h Flood Hazard Regulations for construction of a single family residence on Lot 77 of Willow Creek II (Ralph Ingram property - Mr. Kotowski lives in this subdivision and knows from experience that flooding will not occur as shown on the floodplain map. Court required elevation from bench marks before approving.

## 9693 KIRBY SPRINGS RANCH (89-012) - PCT. 4


Mark McManus presented "Kirby Springs Ranch" subdivision on first reading - east of Dripping Springs on southside of Hwy. 290 - 80 spacious 10 acre tracts with an airport. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Kirby Springs Ranch" on first reading. All present voting "Aye".

## ASBESTOS INSPECTION OF OLD HOSPITAL BUILDING

Patsy Greiner, AC, spoke of need for a onsite asbestos inspection of the old hospital building - County is liable if asbestos is present - suggested contracting with an asbestos consulting engineer. It was felt that the State Health Department may be able to conduct the study at no cost to the County.



RONNIE DANDELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

-May 15, 1989-

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 15th DAY OF MAY, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9694 AUTHORIZE PURCHASE OF USED/NEW PORTABLE BUILDING FOR TRANSFER STATION - LINE ITEM BUDGET AMEDEMMENT

Commissioner Payne spoke of recycling program starting at the Wimberley Transfer Station - has had recent breakins - the existing building is old - roof leaks - needs to be replaced. Commissioner Payne would like to place a new building in a fenced in area - take cost out of hauling line item - new contract with Texas Disposal Systems will create a projected savings of \$4,000. - recycling will begin June 1. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to amend the Transfer Station budget by transferring \$2,000 from hauling line item into a new line item to purchase a portable building. All voting "Aye".

9695 AMEND CONDITIONS OF SALE FOR OLD HOSPITAL PROPERTY

Judge Rains spoke of persons who have shown an interest in the old hospital property - Amelia Smith and Lanny Vlasak. Mr. Vlasak appeared before the Court concerning conditions of sale adopted by the Court on May 8th - concerned about non-refundable \$45,000 (investors will not go for this) - lending company would require soil test, etc. before closing on property sale. Commissioner Ford suggested giving a time period for bidder to act on sale or forfeit the \$45,000. Commissioner Payne suggested Court require 1/2 of the \$45,000.00 if no sale goes through. Commissioner Gonzales suggested not keeping \$45,000.00.

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to change condition #1 of sale for old hospital property - \$45,000.00 would not be kept if property is not suitable for a hotel facility. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to require that until date of closure of sale of old hospital property, prospective bidders cannot alter or change the condition of the property except for core drilling. All voting "Aye".

CONDITIONS FOR SALE

Following are the terms and conditions for the bidding and sale of property commonly known as the "Old Hospital" or 8.570 acres in the J. M. Veramendi Survey #2 located at 1301 IH-35 South in San Marcos, Hays County, Texas:

1. Bidder will provide to Hays County a Cashier's Check in the amount of \$45,000.00 (Forty-five thousand and No/100 Dollars) for escrow at the time of contract acceptance, said \$45,000. to be refundable if it is discovered that said property is not suitable for construction of a hotel.
2. Ninety (90) calendar days from the public bidding, purchaser will provide to Hays County a Cashier's Check in the amount of the balance of the purchase price.
3. Hays County will petition the City of San Marcos to zone the property Commercial Use.

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4. Successful Bidder will construct a hotel facility with a minimum of 150 guest facilities.
5. Hays County will convey a \$500.00 credit for each of 94.8 wastewater LUE's at time of sale.
6. Until closing (90 calendar days from public bidding) property will not be altered in any way other than for core sampling.

**9696 AUTHORIZE PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog presented invoices for payment approval. Commissioner Payne spoke of concerns about high medical cost at the Jail. Mr. Herzog spoke of possibly needing to bid for drugs. Discussion was had on purchases made under State contract. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize payment of invoices (\$180,307.58) as presented by the County Auditor. All voting "Aye".

|                      |             |                  |              |
|----------------------|-------------|------------------|--------------|
| Central Storeroom    | \$2,375.87  | Dist. Atty. Ofc. | \$ 25.50     |
| Auditor's Ofc.       | \$ 579.40   | J. P. 1-2        | \$ 44.90     |
| Extension Ofc.       | \$ 22.25    | DPS              | \$ 477.95    |
| Judicial Exp.        | \$ 387.90   | Constable 4      | \$ 55.25     |
| Election Adm.        | \$ 42.00    | TDH TB Grant     | \$ 32.00     |
| Transfer Sta         | \$ 74.09    | TDH Mother&Child | \$ 350.00    |
| Building Mtc. Deptl. | \$ 488.51   | County Court     | \$1,199.45   |
| Health Dept.         | \$ 9.00     | R&B Gen/scales   | \$ 33.00     |
| Civic Center         | \$ 475.18   | Precinct #1      | \$ 122.39    |
| Countywide Misc.     | \$6,293.52  | Precinct #2      | \$1,529.80   |
| Tax Assess/Collect   | \$ 199.05   | Precinct #3      | \$ 239.67    |
| District Clerk Ofc.  | \$ 826.36   | Precinct #4      | \$ 55.54     |
| County Clerk's Ofc.  | \$ 621.80   | Self Insurance   | \$ 27.00     |
| Sheriff's Dept.      | \$2,814.48  | Hot Check Fee    | \$ 459.95    |
| Jail                 | \$18,045.56 | Law Library      | \$ 132.28    |
| Jail Construction    | \$4,985.00  | Public Works     | \$137,282.93 |

**9697 RESOLUTION IN SUPPORT OF EDWARDS UNDERGROUND AQUIFER BILL**

Judge Rains spoke of Uvalde and Medina Counties having pulled out of the Edwards Underground Water District. Need to send a resolution in support of the Edwards Underground Aquifer Bill to Senator Gonzalo Barrientos and Representative Libby Linebarger. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution in support of the Edwards Underground Aquifer Bill. All voting "Aye".

\*NO RESOLUTION WAS PREPARED/FILED WITH THE CLERK\*

**9698 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS ON HAULING ROAD MATERIALS**

Commissioner Payne stated that his contract with Mike Fuchs is going to expire - Court needs to bid out countywide and award by precinct - by the mile &/or hour. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize the County Auditor to advertise for bids for hauling road materials. All voting "Aye".

**9699 APPROVE PAYMENT OF COST FOR R-O-W SURVEYS AND LEGAL EXPENSES FROM R-O-W FUNDS**

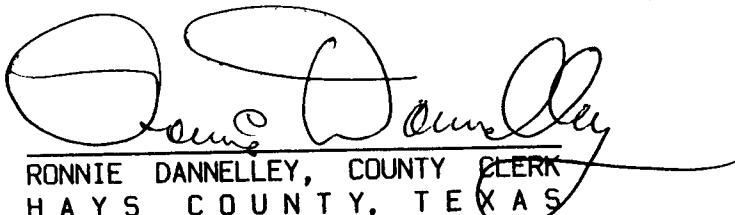
Commissioner Ford spoke of various projects - need to pay survey costs = \$1,015.00 (CR 124 & CR 131) and legal expenses = \$1,275.65 (various projects). A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of survey costs (\$1,015.00) and legal fees (\$1,275.65) out of R-O-W funds. All voting "Aye".

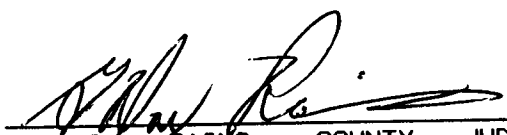
-May 22, 1989-

9700 AWARD BID - DUMP TRUCK FOR PCT. 2

A motion was made by Commissioner Ford, seconded by Commissioner Payne to award bid for a new GMC C2700 6-10 yd dump truck for Pct. 2 to Hendrix GMC Trucks Inc. in the amount of \$22,641.69. All voting "Aye".

Court was recess until May 22, 1989 at 9:00 a.m.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 22ND DAY OF MAY, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

CONSIDER DIRECTING DISTRICT ATTORNEY TO REQUEST PROBATE COURT AUTHORITY TO SELL CUMMINGS HOSPITAL TRUST STOCK

District Attorney Charles Chapman and Assistant D.A. Bill Henry spoke of Cummings Estate gift to the County of 58,491 shares of Kaneb Services, Inc. common stock in 1979 - the value of the stock at that time was \$960,000.00 - value has decreased to \$120,000.00 - if all parties (Cummings heirs, Hays County and Hospital) are agreeable the stock could be sold and used by the County for purchase of hospital equipment. Judge Rains stated that heirs of the Cummings Estate have contacted him and have requested that the stock be sold. Mr. Henry stated that there is no record of a Trust Agreement ever having been drawn up and filed in the Commissioners' Court records - the Probate Judge will determine if the County can sell the County's stock. Commissioner Ford was concerned about the Court's authority to sell the stock without having had a Trust agreement. District Attorney Charles Chapman stated that he could ask for an A.G.'s opinion on legality of sale. Commissioner Payne stated that he was opposed to the sale. There was a question as to who owns the stock - Will of Ora Belle Cummings states that stock is to be held in trust in perpetuity with the income only therefrom to be expended for the care, maintenance, upkeep and purchase of equipment as may be needed for the Hays County Memorial Hospital. No action taken at this time.

9701 AUTHORIZE AUDITOR TO GO OUT FOR BIDS FOR TRANSPORTATION VEHICLE FOR COUNTY EXTENSION SERVICE

County Extension Agent Cliff Caskey appeared before the Court - need to replace his vehicle - he presently furnishes his own vehicle and receives a monthly fee plus mileage from the County - he must pay income tax, purchase gasoline, insurance and repairs to his vehicle - would like for County to supply vehicle - gasoline and repairs would be cheaper.

-May 22, 1989-

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to go out for bids for a new or used suburban type vehicle for the County Extension Service - Mr. Caskey to furnish specs. All present voting "Aye".

9702 ACCEPT ROADS FOR COUNTY MAINTENANCE IN "HILLSIDE TERRACE"

Commissioner Ford spoke of the "Hillside Terrace" subdivision - roads have been washed out and eroded. Hillside Terrace resident Daniel Beberman spoke of conditions of the roads - would like to have roads brought up to county specs - Commissioner Ford stated that he will not be able to bring the roads up to county specs, however, they will be upgraded over a period of time. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept roads in "Hillside Terrace" subdivision for county maintenance - approximately 2 miles of roads. All present voting "Aye".

(Hillside Terrace [1956] - vol. 169 page 478 Road Names: Armon Drive, Circle Drive, East Drive, Hillside Drive, Hoffman Drive, Knox Drive, Love Drive, Regina Drive, Suffield Drive, and Susan Drive)

9703 APPROVE SALARY INCREASES FOR DISTRICT CLERK'S OFFICE

District Clerk W. H. Moore appeared before the Court requesting salary increases for his staff - two employees hired the first of the year and two others - 1 @ \$43 per month and 3 @ \$25 per month - 1 f/\$940 to \$983 2 f/\$900 to \$925 1 f/\$850 to \$875 the increases would require a \$634 increase over next years budgeted amount if same as this years - no change for this years budgeted amount. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve salary increases for District Clerk's office to be effective May 1, 1989. All present voting "Aye".

SIGMA PHI EPSILON FRATERNITY - ADOPTION OF CR 266 AND WAIVER OF LANDFILL FEES FOR SAME

Patsy Greiner - AC - stated that Commissioner Gonzales wants a letter from the Fraternity indicating the miles of road to be adopted and a statement that there will be no partying along the roadway - residents want time to put fences up on their property. No action taken at this time.

9704 AUTHORIZATION TO REQUEST PROPOSALS FOR ARCHITECT FOR FIRST FLOOR ANNEX PROJECT

Judge Rains spoke of need to get ideas of cost for architect to remodel first floor of the Courthouse Annex - to be exempt from bid process because of professional services. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to go out for proposals for architect for first floor courthouse annex project. All present voting "Aye".

PHILLIPS PIPELINE CO. - ADJUSTMENT OF 10" PIPELINE CROSSING ON RM 12 NORTH OF DRIPPING SPRINGS

Patsy Greiner presented a letter from Phillips Pipeline Company - the State Department of Highways and Public Transportation have requested the adjustment of an existing 10" pipeline crossing at RM 12 (approx. 5 miles north of Dripping Springs) to accomodate their proposed road improvement project - cost estimate for the necessary adjustment of the pipeline is \$19,023.45 - County could authorize payment NOT TO EXCEED \$19,023.45. Commissioner Rippy stated that he would like more information before taking action. No action taken at this time.

9705 JACOBS WELL ROAD COUNTY PROPERTY - ENTER FIELD NOTES & PLAT IN MINUTES

Commissioner Payne spoke of Court previously (Feb 13, 1989) authorizing survey and platting of property on Jacobs Well Road - county barn may later be located on this site -

-May 22, 1989-

no deed was ever filed. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to enter into the Minutes the field notes and plat of the county property on Jacobs Well Road. All present voting "Aye".

FIELD NOTE DESCRIPTION OF A SURVEY MADE ON THE GROUND OF 3.42 ACRES OF LAND, MORE OR LESS, BEING 3.14 ACRES, MORE OR LESS, IN THE WARREN G. COODY SURVEY, AND 0.28 ACRES, MORE OR LESS, IN THE SAMUEL C. PITTMAN SURVEY AND BEING THAT TRACT REFERRED TO AS 2.93 ACRES, MORE OR LESS, "TAKEN BY HAYS COUNTY FOR HIGHWAY PURPOSES" IN DEED DATED APRIL 17, 1968 FROM LILLIE FRANKLIN TO JOHN W. BUCKNER AS RECORDED IN VOLUME 223, PAGE 364 OF THE HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 6" live oak tree with a nail and shiner set in it, in the north line of Jacobs Well Road (Hays County Road #182) as fenced, occupied and used upon the ground, for the east corner of this tract, and a south corner of that 95.0 acre tract called "Tract 8" conveyed to John L. Buvens by deed dated February 21, 1963 and recorded in Volume 195, Page 55 of the Hays County Deed Records;

THENCE with the north line of Jacobs Well Road, as occupied and used upon the ground, the following three calls:

- 1) S74 36' 24"W 33.33 feet to an 1/2" iron rod set, from which an 1/2" iron rod found in the south line of Jacobs Well Road bears S34 34'06"E 60.00 feet;
- 2) S55 25'54"W 564.77 feet to an 1/2" iron rod set, from which an 1/2" iron rod found in the south line of Jacobs Well Road bears S42 09'42"E 60.53 feet, and
- 3) S40 14'43"W 231.23 feet to an 1/2" iron rod set for the most southerly southwest corner of this tract, from which a fence post in the south line of Jacobs Well Road bears S49 45'17"E 60.00 feet;

THENCE N79 12'55"W 25.35 feet to a fence post with nail and shiner set in it for the southwest corner of this tract and in the east line, as fenced, of that tract called Tract "B" in that deed of partition dated January 6, 1987 between C.B. Johnston, C.B. Johnson and B. E. Beecroft as recorded in Volume 647, Page 481 of the Real Property Records of Hays County, Texas, pass on this line at 2 feet, more or less, the approximate common line of the Coody and Pittman Surveys;

THENCE with the east line, as fenced, of said Tract "B", the following two calls:

- 1) N00 58'52"W 489.53 feet to a fence post with nail and shiner set, and
- 2) N29 27'18"E 15.30 feet to a 10" live oak tree with nail and shiner set, for the northwest corner of this tract, the northeast corner of said Tract "B" and in the south line of that tract called Tract "A" in aforereferenced partition deed;

THENCE with the south line of said Tract "A" N77 03'49"E 17.27 feet to a fence post with nail and shiner set, for a salient north corner of this tract, the southeast corner of said Tract "A", and in the west line of the Buvens Tract "8";

THENCE with the west line of the Buvens Tract "8", as fenced, occupied and used upon the ground, S03 50'49"E 14.79 feet to a fence corner post with nail and shiner set for a north re-entrant corner of this tract and the southwest corner of the Buvens Tract "8";

THENCE with the south line of the Buvens Tract "8" and the north line of this tract, as fenced, occupied and used upon the ground, the following six calls:

- 1) S89 11'33"E 123.18 feet to a fence post with nail and shiner set,
- 2) N88 09'44"E 94.22 feet to an 8" cedar tree with nail and shiner set,
- 3) N89 16'55"E 120.49 feet to a 16" live oak tree with nail and shiner set,
- 4) N88 58'58"E 202.87 feet to a 12" live oak tree with nail and shiner set,
- 5) S89 42'15"E 91.69 feet to a fence post with nail and shiner set, and
- 6) N81 42'48"E 22.41 feet to the PLACE OF BEGINNING. There are contained within these metes and bounds 3.42 acres of land, more or less, as surveyed on the ground by CMR LAND SURVEYING of Wimberley, Texas during October 1988 and February 1989.



-May 22, 1989-

LEGEND

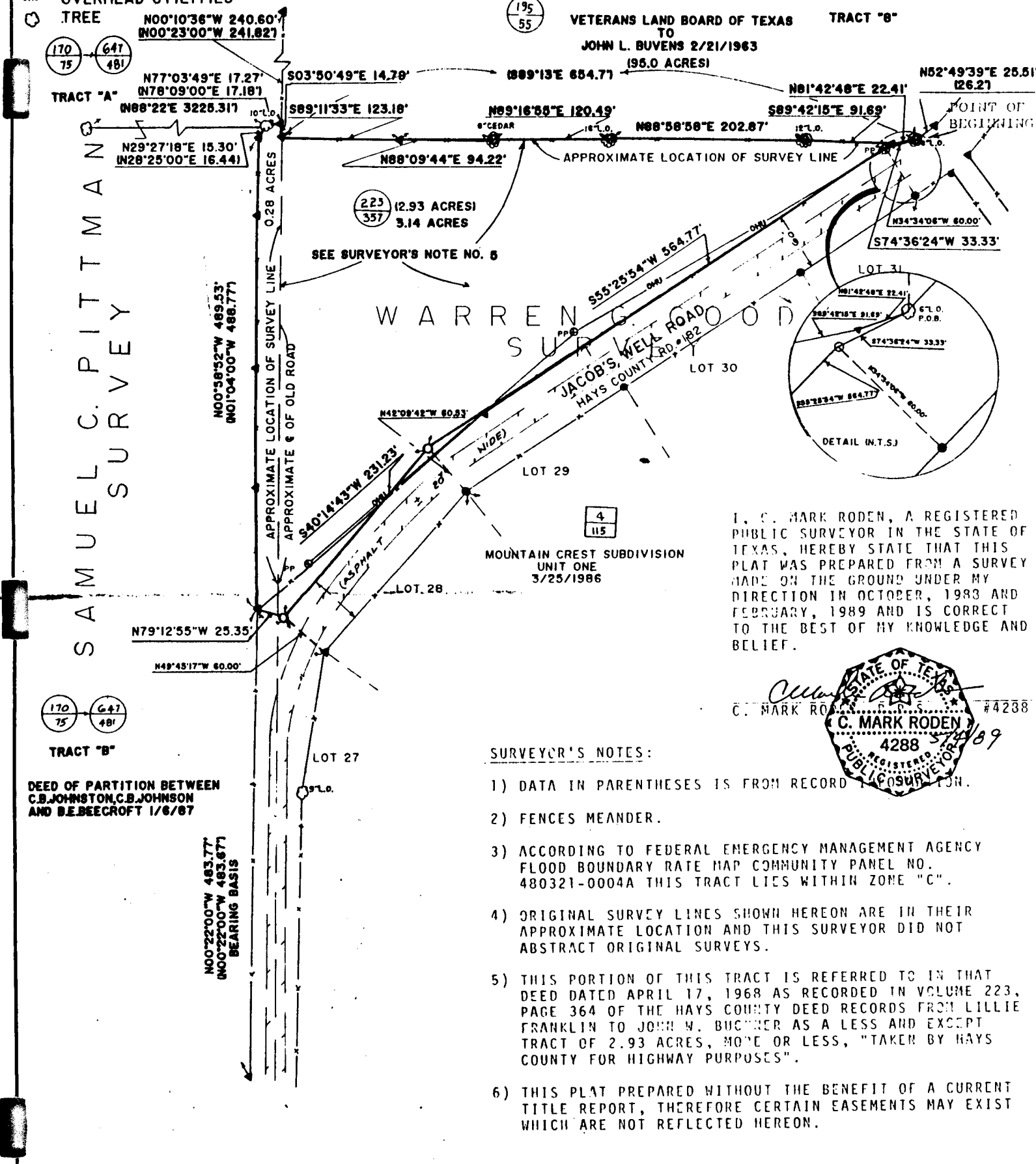
- IRON ROD SET
- IRON ROD FOUND
- ▲ FENCE POST FOUND
- - - BARBED WIRE FENCE
- (VOL. Pg.) HAYS COUNTY DEED & REAL PROPERTY RECORDS
- (VOL. Pg.) HAYS COUNTY PLAT RECORDS
- - - OVERHEAD UTILITIES
- TREE

SCALE 1"=100'

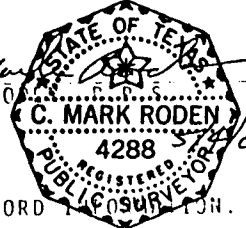


ISAAC F. PACE SURVEY

VETERANS LAND BOARD OF TEXAS TRACT "B"  
TO  
JOHN L. BUVENS 2/21/1963  
(195/55) (195.0 ACRES)



I, C. MARK RODEN, A REGISTERED PUBLIC SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT THIS PLAT WAS PREPARED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION IN OCTOBER, 1988 AND FEBRUARY, 1989 AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



SURVEYOR'S NOTES:

- 1) DATA IN PARENTHESES IS FROM RECORD
- 2) FENCES MEANDER.
- 3) ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD BOUNDARY RATE MAP COMMUNITY PANEL NO. 480321-0004A THIS TRACT LIES WITHIN ZONE "C".
- 4) ORIGINAL SURVEY LINES SHOWN HEREON ARE IN THEIR APPROXIMATE LOCATION AND THIS SURVEYOR DID NOT ABSTRACT ORIGINAL SURVEYS.
- 5) THIS PORTION OF THIS TRACT IS REFERRED TO IN THAT DEED DATED APRIL 17, 1968 AS RECORDED IN VOLUME 223, PAGE 364 OF THE HAYS COUNTY DEED RECORDS FROM LILLIE FRANKLIN TO JOHN W. BUCHNER AS A LESS AND EXCEPT TRACT OF 2.93 ACRES, MORE OR LESS, "TAKEN BY HAYS COUNTY FOR HIGHWAY PURPOSES".
- 6) THIS PLAT PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, THEREFORE CERTAIN EASEMENTS MAY EXIST WHICH ARE NOT REFLECTED HEREON.

CLIENT: HAYS COUNTY COMMISSIONERS COURT  
DATE: FEBRUARY 1989  
SURVEY: COODY, WARREN C. & PITTMAN, SAMUEL  
JOB # 38-061

**CMR**  
LAND SURVEYING  
C. MARK RODEN R.P.S.

Boundary • Topographic & Title Surveys  
Elevation Certificates • Construction Layout

P O Box 873  
Wimberley, TX 78676  
AC 512 / 847 5159

MAP OF A SURVEY OF 3.42 ACRES OF LAND, MORE OR LESS, BEING 3.14 ACRES, MORE OR LESS, IN THE WARREN G. COODY SURVEY AND 0.28 ACRES, MORE OR LESS, IN THE SAMUEL PITTMAN SURVEY, HAYS COUNTY, TEXAS.

-May 22, 1989-

TERMINATION OF LEASE WITH YOUTH SHELTER AND AUTHORIZE NEW LEASE WITH YOUTH SERVICES BUREAU

Margie Hernandez, Youth Service Bureau, appeared before the Court - the Youth Shelter has no objection to termination of their lease, they are obtaining another site for the shelter. Patsy Greiner, AC, stated that the auction of the County property will take place on Thursday May 25, 1989 at 10:00 o'clock A.M. No action taken at this time.

9706 APPROVE PAYMENT OF INVOICES

A motion was made by Commissioner Payne, seconded by Judge Rains to approve payment of invoices (\$101,309.80) as presented by the County Auditor. All present voting "Aye".

|                        |             |                   |              |
|------------------------|-------------|-------------------|--------------|
| Central Storeroom      | \$ 8,970.72 | JP 2              | \$ 131.18    |
| Auditor's Ofc.         | \$ 283.33   | Constable 1       | \$ 55.30     |
| Treas. Ofc.            | \$ 33.44    | Constable 2       | \$ 500.00    |
| Extension Ofc.         | \$ 594.12   | Data Proc Adm     | \$ 75.58     |
| Judicial               | \$ 3,637.45 | CJD Grant         | \$ 1,170.00  |
| Juvenile Prob. Dept.   | \$ 2,625.00 | TDH TB Grant      | \$ 3.50      |
| Indigency              | \$ 2,033.76 | Foster Child Care | \$ 4,290.00  |
| Transfer Station       | \$ 4,080.00 | TDH Mother&Child  | \$ 218.05    |
| Bldg. Maint. Dept.     | \$ 9,295.40 | District Court    | \$ 190.40    |
| Health Dept.           | \$ 906.75   | County Court      | \$ 1,291.00  |
| Civic Center           | \$ 1,823.69 | Precinct 1        | \$ 518.98    |
| Countywide Misc.       | \$ 368.18   | Precinct 2        | \$ 5,390.12  |
| Tax Assessor/Collector | \$ 118.20   | Precinct 3        | \$ 2,875.46  |
| District Clerk Ofc.    | \$ 189.08   | Precinct 4        | \$13,921.59  |
| County Clerk Ofc.      | \$ 45.18    | Hot Check Fee     | \$ 260.68    |
| Sheriff's Dept.        | \$ 877.80   | Jail Construction | \$ 555.32    |
| Jail                   | \$13,185.41 | Public Works      | \$20,399.58  |
| County Judge's Ofc.    | \$ 61.70    |                   |              |
| District Atty's Ofc.   | \$ 333.85   | TOTAL =           | \$101,309.80 |

9707 AMEND BUDGET OF SHERIFF'S DEPARTMENT

Chief Deputy Sheriff Sherman Brodbeck appeared before the Court - requested approval to transfer line item amounts:

|          |                  |            |
|----------|------------------|------------|
| Increase | Office Supplies  | \$1,400.00 |
|          | Office Rent      | \$ 100.00  |
|          | Utilities        | \$ 178.00  |
|          | Data Proc M&S    | \$3,500.00 |
|          | Misc. Exp.       | \$1,500.00 |
|          |                  | =====      |
|          |                  | \$6,678.00 |
| Decrease | Prisoner Transf  | \$1,500.00 |
|          | Law Enforc Equip | \$3,900.00 |
|          |                  | -----      |
|          |                  | \$5,400.00 |
|          | Contingencies    | \$1,278.00 |
|          |                  | =====      |
|          |                  | \$6,678.00 |

Commissioner Payne asked about office rent - Sheriff is no longer using office space with JP3, office space is being furnished free of charge - the \$100 is due from prior Administration.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to amend budget \$1,278.00 out of contingencies and authorize line item transfers as requested. All present voting "Aye".

-May 22, 1989-

9708 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR LAW BOOKS FOR LEC AND REPLACEMENT BOOKS FOR COUNTY LAW LIBRARY

County Auditor Bill Herzog spoke of used books for LEC will cost approx. \$14,000.00 - inventory of County Law Library shows some books missing that need to be replaced. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to advertise for bids for law books for the LEC and replacement books for the County law library. All present voting "Aye".

9709 OLD HOSPITAL PROPERTY - CONDITIONS OF SALE & PRESENCE OF ASBESTOS

Commissioner Ford spoke of asbestos having been found on the site - how does this affect the sale? Judge Rains spoke - Camp Gary will tear down the building if an on-site inspection is performed - Ray Kotowski has performed the inspection and sent in samples - asbestos was found. Commissioner Ford stated that we will need to inform bidders that asbestos has been found on the site. Commissioner Payne spoke of needing to know the cost of removal of the building regardless of whether property is sold or not. Judge Rains suggested re-advertising property for sale with conditions of sale included. A motion was made by Commissioner Ford, seconded by Judge Rains to re-evaluate the conditions of sale of old hospital property. All present voting "Aye".

9710 CANCEL BID AWARD FOR DUMPTRUCK - PCT. 2

Commissioner Ford spoke - GMC dumptruck C2700 had a gasoline engine instead of diesel as specified in the bid specs - would like to cancel bid previously awarded. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to void bid awarded to Hendrix GMC for C2700 dumptruck (\$22,641.69 - Resolution #9700). Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

9711 AWARD BID FOR DUMPTRUCK - PCT. 2

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award bid for dumptruck for Pct. 2 to low bidder Barrett White GMC (Tyler) in the amount of \$25,170.00. Commissioner Rippy wanted the record to reflect that he opposes awarding bid to a business that is not located in this area - too far to obtain fast service on vehicle. Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

9712 BILL'S HILL (89-013) PCT. 4

Patsy Greiner, AC - check list has been completed with no problems. Terry Ewald, Health Dept. - need notation on the plat: Not over the recharge zone - need to pay fees. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Bill's Hill" subdivision contingent on adding note to plat and paying fees. All present voting "Aye".

9713 APPROVE MINUTES OF APRIL 1989

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve minutes of April 1989 as presented. All present voting "Aye".

STORAGE BUILDING - Not on agenda

Judge Rains spoke - Gondeck Architects have met with various Department heads to get an idea of their needs for storage space - need to have a workshop.

Court was recessed until May 30, 1989 at 10:00 o'clock A.M.

-May 30, 1989-

*Ronnie Dannelley*  
RONNIE DANDELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

*G. Don Rains*  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

-----000-----

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 30th DAY OF MAY, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANDELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9714 ASBESTOS ABATEMENT AND REPORT FROM ENGINEER - OLD HOSPITAL BLDG. SITE

Court met at the old hospital site at IH35 North to receive report on asbestos abatement and to walk through building. Engineer Ray Kotowski gave report on the structure - Air Quality Control Board has determined that structure is unsafe and unsound and should definitely be demolished. Cleanup could be done by a Contractor specializing in removal of asbestos (approximate cost = \$20,0000) County could train County personnel in disposal of asbestos and have it disposed of as regulated by the Law. After walking through the building the Court reconvened at the Courthouse for remainder of the meeting. Mr. Kotowski continued discussion and explained various courses of action that could be followed - recommended going out for bids for demolition.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy that the County owned building formerly known as the Hays County Memorial Hospital is hereby declared as structurally unsound and is hereby ordered demolished - demolition will take place commensurate on safety/cost considerations. All voting "Aye".

A motion was made by Commissione Rippy, seconded by Commissioner Ford to authorize Ray Kotowski to put together specs for removal of asbestos from the old hospital building and accepts his recommendations and directs the Maintenance Supervisor to establish all necessary safety precautions at the site. All voting "Aye".

9715 CALL PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS - STOP SIGNS @ 3-WAY INTERSECTION OF SHADY ACRES DRIVE AND LAKEWOOD DRIVE (CIMMARON PARK SECTION 2)

Commissioner Ford stated that he had received petitions from the area residents requesting establishment of stop signs at Shady Acres Drive and Lakewood Drive.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to call public hearing to establish "Stop Signs" at the 3-Way intersection of Shady Acres Drive and Lakewood Drive in the Cimmaron Park Section 2 subdivision to be held June 12, 1989 at 10:00 o'clock A.M. All voting "Aye".

9716 APPROVE PURCHASE OF ROTARY MOWER FOR PCT. 4 (\$3,324.20)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve purchase of rotary mower for Precinct #4 (\$3,324.20) and to finance for three years. All voting "Aye".

9717 AUTHORIZE INITIATION OF CONDEMNATION PROCEEDINGS (FM1626 PROJECT)& CONTRACT LEGAL COUNSEL FOR SAME

Judge Rains spoke of FM 1626 project - 2 parcels are left (Meadors=\$90,000+)(Kahlbau's=\$78,000) - unable to reach mutual agreement. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to initiate condemnation proceedings on two parcels in the FM 1626 project and to contract legal counsel as professional services. All voting "Aye".

-May 30, 1989-

9718 COUNTY CLERK - AUTHORITY TO MAKE PART-TIME POSITION TO FULL TIME

County Clerk Ronnie Dannelley requested authority to make part-time position of Gina Islas Mendoza to full time - one full time employee has quit and has been replaced at a lower salary which will allow money to hire Mrs. Mendoza full time - no additional funds will be necessary. A motion was made by Commissioner Ford, seconded by Commissioner Ripy to authorize County Clerk to make part-time position to full time. All voting "Aye". Commissioner Payne voiced his concerns about adding additional employees to the payroll.

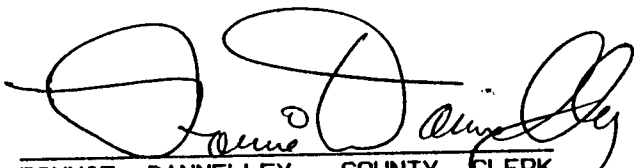
9719 AUTHORIZE PAYMENT OF INVOICES

County Auditor Bill Herzog spoke - check for Admin. Coord. copier \$4900 was voided. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to authorize payment of invoices. All voting "Aye".

|                    |            |                        |             |
|--------------------|------------|------------------------|-------------|
| S HAYS VFD UTIL    | \$ 5.82    | CENTRAL STOREROOM      | \$ 624.83   |
| FEES REVENUE       | \$ 82.50   | AUDITOR'S OFC.         | \$ 657.05   |
| TREASURER'S OFC.   | \$ 215.33  | EXTENSION OFC.         | \$ 34.00    |
| JUDICIAL           | \$3,970.60 | JUVENILE PROB. DEPT.   | \$ 54.90    |
| ELECTION ADMIN     | \$1,008.00 | INDIGENCY              | \$4,976.73  |
| TRANSFER STATION   | \$1,632.40 | BLDG. MTC. DEPT.       | \$2,099.35  |
| HEALTH DEPT.       | \$ 42.37   | CIVIC CENTER           | \$ 484.00   |
| COUNTYWIDE MISC.   | \$6,100.46 | TAX ASSESSOR/COLLECTOR | \$ 611.00   |
| DISTRICT CLERK     | \$ 127.13  | COUNTY CLERK'S OFC.    | \$2,688.10  |
| SHERIFF'S DEPT.    | \$1,371.01 | JAIL                   | \$13,273.44 |
| ADMIN. COORD.      | \$ 38.36   | DISTRICT ATTY'S OFC.   | \$ 505.06   |
| J.P. 1-1           | \$ 10.25   | J.P. 1-2               | \$ 10.23    |
| J.P. 2             | \$ 360.23  | J.P. 3                 | \$ 265.87   |
| J.P. 4             | \$ 210.23  | J.P. 5                 | \$ 110.23   |
| DPS                | \$7,185.91 | CONSTABLE 1            | \$ 20.55    |
| CONSTABLE 3        | \$ 261.31  | CONSTABLE 5            | \$ 199.99   |
| DATA PROC ADMIN.   | \$ 582.00  | DISTRICT COURT         | \$ 125.85   |
| COUNTY COURT       | \$1,467.21 | ROAD & BRIDGE GEN      | \$ 280.71   |
| PRECINCT 1         | \$2,509.41 | PRECINCT 3             | \$2,145.24  |
| PRECINCT 4         | \$2,922.23 | HOT CHECK FEE          | \$1,047.95  |
| LAW LIBRARY DEPT.  | \$ 268.90  | JAIL CONSTRUCTION      | \$ 135.71   |
| PUBLIC WORKS DEPT. | \$9,001.01 |                        |             |

Total payment authorized by the County = \$69,723.46  
 VOIDED CH \$ 4,900.00

Court was adjourned until JUNE 6, 1989 SPECIAL MEETING AT 10:00 A.M.

  
 RONNIE DANDELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

-June 6, 1989-

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 6TH DAY OF JUNE, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9720 JUSTICE OF THE PEACE PCT. 1 PLACE 1 - SALARY INCREASE FOR EMPLOYEE

J.P. Macel Sullivan appeared before the Court requesting salary increase for employee Virginia Ybarra - 5 years of service - request increase from \$989 per month to \$1,010 per month. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize salary increase for Virginia Ybarra in J.P. Pct. 1 Place 1 Department to \$1,010 per month. All voting "Aye".

9721 BUDGET AMENDMENT - DISTRICT COURT - APPROVE PURCHASE OF DESK

District Court Coordinator Billie Forester appeared before the Court requesting approval to purchase a desk for District Judge's office - transfer \$395.00 from Dept. 02-436 (District Court) line item 5421/Data Proc. Mtc&Svc to 5711/Ofc. Equip. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize purchase of desk for the District Judge's office out of the District Court budget #02-436 and to transfer \$395 out of Data Proc. Mtc&Svc line item and put into Ofc. Equip. line item. All voting "Aye".

DISCUSSION - PURCHASE OF MOSQUITO FOGGER & CHEMICALS

Commissioner Payne spoke of problem with mosquitoes out in the County - residents are complaining. Commissioner Ford spoke in favor of purchase of a countywide fogger. Ed Caruso, City of San Marcos, spoke of the City fogger being down at this time. Terry Ewald spoke of cost to purchase a fogger - \$2500 for diesel type \$5000+ for water type. Additional information will be presented at a future meeting - no action taken.

9722 ENTER INTO MINUTES THE LISTS OF BIDDERS AND AWARD CONTRACTS

COMPUTER BACK-UP DEVICE - Bids were submitted by:

|                                   |                                 |
|-----------------------------------|---------------------------------|
| The Alpha Exchange Inc.           | \$ 6,388.00                     |
| The Alpha Exchange Inc.           | \$ 6,790.00                     |
| Micro Technologies                | \$ 7,725.00                     |
| Satellite Business Computers Inc. | \$ 6,295.80                     |
| Thomas Computer Corp.             | \$ 5,311.00/\$5784 w/rack mount |

DP Administrator Danny Dever spoke of need for back-up device - recommended awarding bid to Thomas Computer Corporation for \$5,311.00 back-up device. A motion was made by Commissioner Payne, seconded by Commissioner Ford to award bid to Thomas Computer Corporation for Computer Back-up Device (\$5,311.00) to be financed. All voting "Aye".

HAULING OF ROAD MATERIAL - Bids were submitted by 46 Materials Inc., Bill Spivey Trucking Co., Carruthers Materials, Currivan Trucking & Repair, Greenwood Equipment Company, H & M Construction, Mikes Trucking and SST Transport. Bids to be awarded on June 12, 1989.

-June 6, 1989-

LAW BOOKS FOR LAW ENFORCEMENT CENTER - Bids were submitted by:

Texas Law Book Company (Seguin) \$ 21,940.00 + \$ 1,625 = \$23,565.00

Top Value Law Book Exchange (S.A.) \$ 23,950.00 Total bid

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award bid for law books for the Law Enforcement Center to Texas Law Book Company in the amount of \$23,565.00. All voting "Aye".

**9723 AUTHORIZE ENTERING INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF SAN MARCOS TO FURNISH THE CITY WITH GASOLINE FOR APPROXIMATELY NINE (9) MONTHS**

Ed Caruso with the City of San Marcos appeared before the Court - the City's gasoline tanks are leaking - due to repairs and cleanup they will not have their own gasoline supplies for 6-9 months - request that the County allow the City of San Marcos to use the County's gas card system at the LEC - City will purchase the additional cards needed. Sheriff Paul Hastings spoke in favor of the agreement. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize entering into an interlocal agreement with the City of San Marcos to furnish the City with gasoline. All voting "Aye".  
(SEE VOLUME N PAGE 99 - INTERLOCAL AGREEMENT)

**COUNTY EXTENSION AGENT - REQUEST TEMPORARY EMPLOYEE**

County Extension Agent Cliff Caskey appeared before the Court - his secretary Lois Lacaze will be out for approximately 3 weeks recuperating from an illness and he is in desperate need for office assistance - will have to close the office if he cannot hire a temporary employee (8AM-5PM \$7-7.10 per hour). District Attorney Charles Chapman recommended that the Court not take action today - did not feel like wording on agenda was sufficient. No action taken at this time.

**9724 PAYMENT OF MOBILE SHELVING**

County Auditor Bill Herzog spoke of bid specs stating removal and disposal of existing rotary file system in the District Clerk's office - bid received by Wayne Meyers included \$500.00 for removal and disposal. Rotary file was dismantled and left on Courthouse lawn - was disposed of by Commissioner Ford's crew and not by Wayne Meyers as bid. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to withhold \$300 from bid contract with Wayne Meyers for failure to dispose of old rotary file system in the District Clerk's office. All voting "Aye".

**9725 APPROVE NEW POSITION FOR SHERIFF'S DEPARTMENT (DRUG DOG OFFICER)**

Sheriff Paul Hastings appeared and spoke of increase in drug funds - would like to hire a Drug Dog Officer - Officer in mind has a drug trained black lab that could be used by the schools and on the streets - also trained in tracking people - could hire Officer with dog for \$2,000.00 per month to come out of drug funds. A motion was made by Commissioner Ford, seconded by Judge Rains to approve hiring of Drug Dog Officer at \$2,000.00 per month to be funded with drug money and to create new line item for same. All voting "Aye".

**9726 AUTHORIZE TERMINATION OF FOOD SERVICE CONTRACT OF JAIL**

Sheriff Paul Hastings spoke of complaints on food services (taste, amount, sanitation). Commissioner Craig Payne stated that he had eaten their three times this last week and found the food satisfactory - suggested not terminating at this time. Sheriff Hastings stated that he has personnel that could prepare the food - has given the Food Service plenty of chances to improve their service. Commissioner Ralph Gonzales spoke in favor of termination. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to implement procedures to terminate food services contract as provided in the contract. All voting "Aye".

-June 6, 1989-

9727 APPROVE PAYMENT OF INVOICES

County Auditor Bill Herzog presented invoices for payment in the amount of \$41,210.07. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of invoices as presented by County Auditor = \$41,210.07. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Fees Revenue      | \$ 40.00     | Other Revenue    | \$ 160.31    |
| Auditor's Ofc.    | \$ 488.80    | Juvenile Prob.   | \$ 696.00    |
| Transfer Station  | \$ 45.26     | Bldg. Maint.     | \$ 135.55    |
| Civic Center      | \$ 338.62    | Countywide Misc. | \$ 1,750.69  |
| District Clerk    | \$ 541.85    | County Clerk     | \$ 1,435.46  |
| Sheriff's Dept.   | \$ 566.82    | Jail             | \$ 13,315.18 |
| Adm. Coord.       | \$ 6.53      | J.P. 2           | \$ 58.97     |
| J.P. 4            | \$ 132.66    | J.P. 5           | \$ 83.14     |
| DPS               | \$ 168.00    | Constable 1      | \$ 55.10     |
| Constable 2       | \$ 113.69    | Constable 5      | \$ 144.53    |
| Veteran's Adm.    | \$ 363.93    | Data Proc. Adm.  | \$ 387.08    |
| District Court    | \$ 73.79     | County Court     | \$ 415.00    |
| Fine & Forfeiture | \$ 160.00    | Road&Bridge Gen  | \$ 171.25    |
| Precinct 1        | \$ 1,499.48  | Precinct 2       | \$ 2,120.39  |
| Precinct 3        | \$ 1,517.84  | Precinct 4       | \$ 2,945.27  |
| Hot Check Fee     | \$ 65.90     | Law Library      | \$ 268.25    |
| Public Works      | \$ 10,944.73 |                  |              |

9728 APPROVE REMOVAL OF DEBRIS BEHIND COURTHOUSE ANNEX AND ESTABLISH HANDICAPPED PARKING SPACE

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve removal of debris behind the Courthouse Annex and to establish two handicapped parking spaces behind the Courthouse Annex. All voting "Aye".

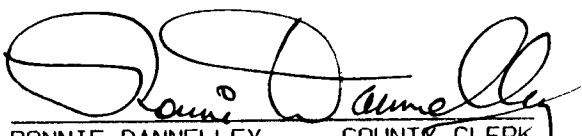
9729 AMEND BUDGET - DISTRICT COURT - CONSTRUCTION IN DISTRICT JUDGE'S OFFICE

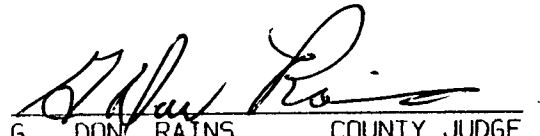
Letter was submitted to the Court from District Judge Charles Ramsay and Court Administrator Martin Allen requesting line item transfers to cover the following:

|                   |            |                                     |
|-------------------|------------|-------------------------------------|
| Telephone move    | \$ 66.00   |                                     |
| Electrical        | \$ 200.00  | 4 wall outlets & move light fixture |
| Desk              | \$ 395.00  |                                     |
| Chair             | \$ 97.21   |                                     |
| Carpet            | \$ 972.00  |                                     |
| Labor & Materials | \$ 769.79  |                                     |
| -----             |            |                                     |
| TOTAL             | \$2,500.00 |                                     |

Desk was approved in Resolution #9721 this date. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to amend District Court budget and authorize transfer of \$2,105.00 from Data Proc. Mtc. & Svc. line item into Ofc. Equipment line item. All voting "Aye".

Court was recessed until June 12, 1989 at 9:00 o'clock A.M.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS



-June 12, 1989-

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 12TH DAY OF JUNE , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9730 JUSTICE OF THE PEACE PCT. 1 PLACE 2 - REQUEST FOR PART-TIME EMPLOYEE

J.P. Becky Sierra appeared before the Court - spoke of increases in the hot check docket:  
 1987 Jan-Dec cases filed = 804 w/outstanding fines = \$ 17,513.06  
 1988 Jan-Dec cases filed = 880 w/outstanding fines = \$ 24,599.09  
 1989 Jan-May cases filed = 2333 w/outstanding fines = \$ 104,985.00

Because of the increase in cases filed, only one half of the cases filed in 1989 have been processed - a part-time employee would help to get the cases processed expeditiously - request a 35 hour per week employee at \$15,000 per year. Sheriff Hastings spoke of warrants for hot checks under \$20 cannot be entered into the TCIC system, therefore, checks are virtually uncollectible and the checkwriters know this - small business person is suffering - will need an additional Warrant Officer to serve the warrants. Commissioner Craig Payne spoke of his reluctance to expand - would require a fulltime J.P. Clerk and Warrant Officer + vehicle, etc. Commissioner Wayne Ford spoke in favor of hiring additional personnel. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize Justice of the Peace Pct. 1 Pl. 2 to hire part-time employee not to exceed \$1100 per month. Commissioner Ralph Gonzales spoke in opposition to salary amount based upon JP 1-1 employee's salaries. Commissioner Payne was concerned about where the funding will come from. Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Gonzales and Commissioner Payne voting "No". MOTION FAILED

9731 AUTHORIZE ADVERTISING FOR BIDS FOR ASBESTOS REMOVAL AT OLD HOSPITAL SITE

Administrative Coordinator Patsy Greiner spoke of auction of old hospital site is on hold until a decision about the asbestos is made - specifications for the removal of asbestos containing materials has been prepared (see copy in file). A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize advertising for bids for asbestos removal at the old Hays County Memorial Hospital. All present voting "Aye".

9732 APPROVE PAYMENT FOR FENCING ON PARCEL 324 (MEADOR) - FM 1626 PROJECT

Patsy Greiner, AC, spoke - condemnation proceedings are in the process of being filed on this property - the Meador's have stated that they will consider accepting the County's proposal if fencing is provided @ \$2.40 per foot (\$16,080) - the fencing they are requesting is better than they presently have - standard cost presently being paid for fencing is \$1.65 per foot, which would be approximately \$11,000+. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize payment for fencing on Parcel 324 (Meador's property - FM1626 Project) not to exceed \$1.65 per foot. All present voting "Aye".

9733 AUTHORIZE LEASE OF 0.127 ACRE FOR TEMPORARY EASEMENT - FM 1826 PROJECT

Patsy Greiner, Adm. Coord., requested authorization to lease 0.127 acre of land for temporary easement for rerouting traffic during the upgrading of three low water crossings on FM 1826. Barber Appraisers, Inc. has determined that a reasonable leasing fee for this property for an 18 month period (June 1, 1989-Dec. 1, 1990) would be \$91.44 - the total offer of \$91.44 represents \$4,000.00 per acre on 0.127 acre at an annual rental fee of 12%

-June 12, 1989-

or 1% per month - additional \$150.00 to reimburse expenses to brace the existing fence. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize lease of 0.127 acre of land from Lewis E. Rowell for a temporary easement for rerouting traffic during upgrading of low water crossings on the FM 1826 Project in the amount of \$241.44. All present voting "Aye".

9734 APPROVE PAYMENT OF INVOICES

County Auditor Bill Herzog presented invoices for payment in the amount of \$68,488.74. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment of invoices as presented by the County Auditor in the the amount of \$68,488.74. All present voting "Aye".

|                    |             |                   |             |
|--------------------|-------------|-------------------|-------------|
| Central Storeroom  | \$ 1,253.54 | Auditor           | \$ 465.28   |
| Treasurer          | \$ 175.13   | Extension Ofc.    | \$ 189.39   |
| Judicial           | \$ 2,892.10 | Juv. Prob. Dept.  | \$ 528.12   |
| Election Admin     | \$ 29.35    | Indigency         | \$ 1,268.68 |
| Transfer Station   | \$ 112.36   | Bldg. Mtc. Dept.  | \$ 3,775.32 |
| Health Dept.       | \$ 380.00   | Civic Center      | \$ 2,028.58 |
| Countywide Misc.   | \$11,391.97 | Tax A/C           | \$ 2,101.72 |
| District Clerk     | \$ 182.78   | County Clerk      | \$ 1,373.47 |
| Sheriff's Dept.    | \$ 3,759.78 | Jail              | \$19,433.02 |
| County Judge       | \$ 85.74    | Admin. Coord.     | \$ 71.11    |
| Co.Crt. at Law 1   | \$ 186.34   | Dist. Attorney    | \$ 606.79   |
| J.P. 1-1           | \$ 88.38    | J.P. 1-2          | \$ 285.38   |
| J.P. 5             | \$ 145.00   | DPS               | \$ 1,010.72 |
| Constable 1        | \$ 38.43    | Constable 4       | \$ 194.07   |
| Veteran's Adm      | \$ 295.96   | Data Proc Adm.    | \$ 96.54    |
| Co.Crt. at Law 2   | \$ 26.55    | Foster Child Care | \$ 76.64    |
| In Home Spec.Grant | \$ 137.55   | Fire Marshal/EMC  | \$ 24.74    |
| District Court     | \$ 437.68   | County Court      | \$ 654.26   |
| R&B General        | \$ 57.77    | Precinct 1        | \$ 1,781.91 |
| Precinct 2         | \$ 453.90   | Precinct 3        | \$ 662.79   |
| Precinct 4         | \$ 792.27   | Law Library       | \$ 127.80   |
| Public Works       | \$ 8,809.83 |                   |             |

NEW CONTRACT WITH LAW LIBRARY CONSULTANTS INCLUDING SERVICE FEE INCREASE

County Auditor Bill Herzog presented letter from Library Consultants - service fee has increased from \$35.00 to \$45.00 per month - this service could possibly be provided by SWTSU Internship Program. No action was taken.

9735 AMEND BUDGET - JUSTICE OF THE PEACE PCT. 1 PL. 1 - LINE ITEM TRANSFERS

County Auditor Bill Herzog spoke of salary increase approved for JP 1-1 employee at the last Commissioners' Court meeting to be effective June 1, 1989 - need to transfer money in line items. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to amend budget of Justice of the Peace Pct. 1 Pl. 1 and transfer \$250.00 out of Office Supplies and transfer \$97.00 into Salaries \$7.00 into FICA \$6.00 into Retirement and \$153.00 into Misc. All present voting "Aye".

PURCHASE OF TELEPHONE SYSTEM FOR COURTHOUSE

Maintenance Supervisor Bryan Hoot appeared before the Court - spoke of remodeling in County Court at Law Judge's offices requires moving telephones - suggested purchasing a Mark II telephone system - more economical system - Cash Buyout Option = \$3405.42 w/\$1,000.00 down payment (divide into 3 equal installments payable within 90 days) - System consist of 1 KSU, 2 COI-E 4 CKTS/Card, 2 ESI-EA 4 CKTS/Card, 8 Six Line non display telephones and installation and labor to install - same system as they have at the LEC and the Annex. The system could be installed in the County Court at Law offices and the County Judge's office. Commissioner Payne stated that he would like to continue with the present system until budget time and then figure the system for the entire Courthouse. No action was taken.

-June 12, 1989-

**9736 AWARD CONTRACTS ON HAULING OF ROAD MATERIALS**

A motion was made by Commissioner Payne, seconded by Commissioner Ford to award bid for hauling road materials in Pct. 3 to Mike's Trucking. All present voting "Aye".

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to award bid for hauling road materials in Pct. 4 to Currivan Trucking & Repair. All present voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Payne to award bid for hauling road materials in Pct. 2 to Mike's Trucking and Greenwood Equipment Company. All present voting "Aye".

**9737 AWARD CONTRACTS ON ROAD MATERIALS**

PCT. 2 - A motion was made by Commissioner Ford, seconded by Commissioner Payne to award concrete bid to Ingram Readymix Inc. All present voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award bid on flexible base to Centex Materials Inc. All present voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Payne to award aggregate bid to Centex Materials Inc. All present voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Payne to award Tack Oil bid to Rogers Materials Co., Inc. All present voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Payne to award asphalt bid to Rogers Material Co., Inc. All present voting "Aye".

PCT. 3 - A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award flexible base bid to 4-G Materials Inc. and flexible base, cold-laid and topping stone to Colorado Materials Co., Inc. - depending on location. All present voting "Aye".

PCT. 4 - A motion was made by Commissioner Rippy, seconded by Commissioner Payne to award aggregate and topping stone bid to Centex Materials Inc., cold laid asphalt bid to Rogers Material Co., Inc. and concrete bid to Ingram Readymix Inc. All present voting "Aye".

**9738 ASSIGN NAME OF "AYRES ROAD" TO A PUBLIC ROADWAY**

Commissioner Wayne Ford spoke of a public easement off County Road 137 with a deadend cul-de-sac - property owners have petitioned him to have the road named "Ayres Road". A motion was made by Commissioner Ford, seconded by Commissioner Rippy to designate name of "Ayres Road" to a public roadway easement - not a county maintained road. All present voting "Aye".

**9739 AUTHORIZE AUDITOR TO ADVERTISE FOR BIDS FOR FENCING AROUND THE LEC**

Commissioner Wayne Ford spoke of area around the Law Enforcement Center needs to be secured - cost will come out of jail funds - area residents have requested fencing. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to go out for bids for fencing around the LEC based on specifications established by the Sheriff's Department. Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No". Commissioner Gonzales abstained. MOTION PASSED.

**9740 AUTHORIZE AUDITOR TO ADVERTISE FOR A MOTORIZED BROOM FOR THE COUNTY**

Commissioner Wayne Ford spoke of County having only one broom countywide - need to purchase a new or used model same as presently owned model. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize County Auditor to advertise for a new or used motorized broom. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

-June 12, 1989-

## 9741 APPOINTMENTS TO THE NORTHEAST HAYS COUNTY EMS SERVICE DISTRICT #2

Commissioner Ford spoke of the Northeast Hays County EMS Service District #2 that was established in January 1989 - had requested that names be submitted based on minorities & geographical locations - Peter A. Stone, President of the Northeast Hays County Volunteer EMS Board, sent a list that the Board of Directors request to be appointed:

Sandy L. Liberman  
Peter A. Stone  
Roger Wheat  
Paul Godley  
Brad Cossen  
Paul Cossett

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to appoint Sandy L. Liberman, Peter A. Stone, Roger Wheat, Paul Godley, Brad Cossen and Paul Cossett to the Board of Commissioners of the Northeast Hays County EMS Service District #2. All present voting "Aye".

## 9742 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR A MOSQUITO FOGGER

Terry Ewald, Health Dept., spoke of cost for foggers \$2995-\$6750 - need to advertise for bids. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize the County Auditor to advertise for bids for a Fogger based on specs supplied by the Health Department. Jeffrey Stefanoff spoke of pesticide use - Court could be liable for litigation by chemical sensitive persons - spoke of handling, storage, etc. - organic farming and organic beef are increasing in this area - concerned about environmental issues. Commissioner Gonzales spoke of his concerns with fogging by the City of San Marcos in neighborhoods with open windows and children playing outside. Commissioner Ford stated that we will need to proceed carefully and make sure that handlers are properly trained. All voting "Aye". Commissioner Gonzales asked Mr. Ewald for a report from the Health Department Re: Pesticides used by the City of San Marcos.

## 9743 LEIF JOHNSON FORD COMMERCIAL 89-014 (PCT. 2)

Chase Baromeo did not appear for first and second readings. Patsy Greiner, Adm. Coord. spoke - needs to go before the City of Buda and needs aquifer note on the plat. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve "Leif Johnson Ford Commercial" subdivision on first and second readings. All present voting "Aye".

## 9744 HILL COUNTRY ESTATES, SECTIONS 2 &amp; 3 89-011 (PCT. 1)

Ray Kotowski presented "Hill Country Estates, Section 2 & 3" subdivision on third reading - floodplain data & elevations had to be adjusted because of existing structures in the floodway. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve on third reading contingent on additional floodplain data. All present voting "Aye".

## 9745 APACHE SPRINGS 89-010 (PCT. 4)

Mike Ashley appeared for second and third readings - asked if cul-de-sac was necessary on 60' roadway easement - Court advised that it was needed for future possibility of school bus turn-around and/or resub of tracts - property owners association has been drawn up. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Apache Springs" subdivision on second and third readings contingent on addition of cul-de-sac to the roadway easement. All present voting "Aye".

## 9746 WOODS OF BEAR CREEK 89-016 (PCT. 2)

Administrative Coordinator Patsy Greiner stated that Developer defaulted on the property after the subdivision was filed - no publisher's affidavit has been filed. A motion was made by Commissioner Ford, seconded by Commissioner Payne to table action on this subdivision until proof of publication is filed. All present voting "Aye".

-June 12, 1989-

GREEN ACRES RESUB OF LOT 12 89-017

Patsy Greiner, Adm. Coord, stated that information was not filed timely - will place back on agenda at a later date.

9747 APPROVE RESOLUTION TO PROCEED WITH CONDEMNATION ON PARCEL 2A (FM 1625/FM967 PROJECT) AND AUTHORIZE LEGAL COUNSEL

Patsy Greiner, Adm. Coord., spoke of Dahlstrom tract - there are two lien holders who will not release property, therefore, we need to proceed with condemnation. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution to proceed with condemnation on 0.657 owned by Jack & Gay Dahlstrom in order to proceed with expansion of FM 1626. All present voting "Aye".

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, a good faith effort has been made by Hays County to negotiate a settlement with Jack and Gay Dahlstrom, owners of right-of-way property required for FM 1626 expansion; and

WHEREAS, the offer has been refused by the owners;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County Texas, that Condemnation proceedings be initiated in order to acquire the property known as 0.657 acres, more or less, out of and a part of of the Phillip J. Allen Survey No. 5, Abstract 1, in Hays County, Texas in order to proceed with the expansion of FM 1626.

RESOLUTION PASSED AND ADOPTED ON THIS 12TH DAY OF JUNE, 1989.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

(ABSENT) s/ Ralph Gonzales
G. Don Rains, County Judge Ralph Gonzales, Pct. 1
s/ Wayne Ford s/ Craig Payne
Wayne Ford, Pct. 2 Craig Payne, Pct. 3
s/ Oran Rippy
Oran Rippy, Pct. 4
ATTEST:
s/ Ronnie Dannelley
Ronnie Dannelley
County Clerk

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to recess until Monday January 19, 1989 at 10:00 o'clock A.M. All present voting "Aye".

Handwritten signature of Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

Handwritten signature of G. Don Rains
G. DON RAINS, COUNTY JUDGE
HAYS COUNTY, TEXAS

-June 19, 1989-

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 19th DAY OF JUNE, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                 |                           |
|-----------------|---------------------------|
| G. DON RAINS    | COUNTY JUDGE              |
| WAYNE FORD      | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE  | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY   | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9748 AMEND BUDGET - PRECINCT 4 - TO REFLECT BALANCES BROUGHT FORWARD FROM FY88

Commissioner Rippy spoke of balance in Pct. 4 in FY88 in the amount of \$31,335.32 - would like to bring this balance forward to cover FY89 line items that are being depleted. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to declare an emergency in Precinct 4 budget and to authorize \$31,335.32 FY88 balance be brought forward. All present voting "Aye". A motion was made by Commissioner Rippy, seconded by Commissioner Ford to amend Prect. #4 budget to reflect FY88 balance brought forward and to transfer these funds as follows: \$7,500.00 into Salaries \$7,500.00 into Repairs and \$16,335.32 into Road & Bridge line items. All present voting "Aye".

WILDWOOD HILLS LANE EXTENSION - ROAD ACCEPTANCE

Commissioner Rippy spoke of "Wildwood Hills Lane" extension - 900' of road is completed and built to county standards. Commissioner Payne spoke of density test needed - letter of credit cannot be released and roads accepted until road has been in for at least one year. Letter of Credit (\$15,000) does not expire until December 22, 1989. No action taken.

9749 APPROVAL OF PAYMENT (\$4500) FOR CR119 RIGHT-OF-WAY TO MR. GREEN

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of \$4,500.00 to Mr. Green for right-of-way on County Road 119. All present voting "Aye".

PCT. 1 - TRANSFER OF \$9,000 FROM LINE ITEM #5271 (FUEL & LUBRICANTS) TO LINE ITEM #5352 (ROAD/VEH/EQUIP EXP)

County Auditor Bill Herzog stated that there were not sufficient funds in Pct. 1 line item #5271 to allow \$9,000.00 transfer. No action taken.

9750 PCT. 1 - AUTHORIZE TRANSFER OF \$500.00 FROM LINE ITEM #5262(SIGNS&BARRACADES) TO LINE ITEM #5391(MISC)

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize Pct. 1 budget amendment to transfer \$500.00 from Line Item #5262 (Signs&Barracades) to Line Item #5391 (Misc.). All present voting "Aye".

9751 PCT. 1 - AUTHORIZE TRANSFER OF \$500.00 FROM LINE ITEM #5211 (OFFICE SUPPLIES) TO LINE ITEM #5391 (MISC)

a motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize budget amendment for Pct. 1 to transfer \$500.00 from Line Item #5211 (office supplies) to Line Item #5391 (misc.). All present voting "Aye".

-June 19, 1989-

9752 TRANSFER OF COUNTY EMPLOYEE FROM DISTRICT ATTORNEY'S OFFICE TO PRECINCT ONE

District Attorney Charles Chapman spoke of situation in his office regarding Phillip Hernandez - employee that has a criminal case pending against him in Hays County Court at Law (Criminal Mischief charge) - it is not feasible to have him work in the District Attorney's office - there has not been a disposition on this case. Commissioner Ford stated that we need to get this person back in to a productive job - he is presently being paid his salary, however, he is not working (administrative leave with pay). Mr. Chapman stated that it has been a policy of the County in the past to continue paying county employees under indictment until a disposition is rendered - innocent until proven guilty. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize transfer of county employee Phillip Hernandez from the District Attorney's office to Precinct One. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Rains abstained.

TRANSFER OF FUNDS FROM DISTRICT ATTORNEY'S BUDGET TO PRECINCT ONE'S BUDGET FOR PAYMENT OF SALARY OF TRANSFERRED COUNTY EMPLOYEE

District Attorney Charles Chapman requested transfer of funds from his budget on a month to month basis effective June 1 for salary of Philip Hernandez at salary of \$1500.00 per month. County Auditor Bill Herzog recommended that no transfer be made - Mr. Hernandez could work for Precinct 1 and get paid out of the District Attorney's office. No action taken.

9753 VETERANS SERVICE OFFICE - CONFERENCE EDUCATION AND TRAINING EXPENSES

Texas Veterans Commission Conference (Dallas, Texas - Sept. 25-29, 1989)  
 County Auditor Bill Herzog spoke of Veterans Service Officer's budget - there was only \$150 in his budget for continuing education and it is already over \$13.00 - there is no place in his budget to transfer funds from. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize payment of conference expenses for actual cost not to exceed \$500.00 for the Veterans Service Officer - funds to come out of the Longevity Line Item. All present voting "Aye".

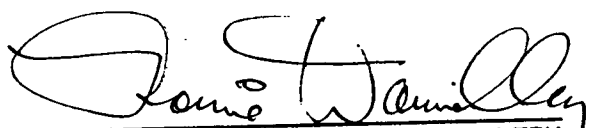
9754 APPROVE PAYMENT OF INVOICES

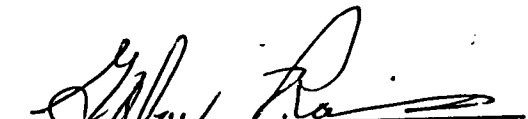
County Auditor Bill Herzog presented invoices for payment in the amount of \$138,527.73. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize payment of County invoices as presented by the County Auditor in the amount of \$138,527.73. All present voting "Aye".

|                |             |                   |             |
|----------------|-------------|-------------------|-------------|
| Bldg. rental   | \$ 175.50   | Central Storeroom | \$ 286.00   |
| Auditor        | \$ 283.49   | Treasurer         | \$ 325.50   |
| Judicial       | \$ 1,416.25 | Election Admin.   | \$ 41.00    |
| Indigency      | \$ 2,991.03 | Transfer Sta      | \$ 2,295.00 |
| Bldg. Mtc.     | \$ 2,851.66 | Health Dept.      | \$ 45.99    |
| Civic Center   | \$ 653.72   | Countywide Misc.  | \$60,649.83 |
| Tax A/C        | \$ 25.48    | District Clerk    | \$ 104.40   |
| County Clerk   | \$ 2,101.43 | Sheriff's Dept.   | \$ 1,959.76 |
| Jail           | \$ 1,751.66 | Co.Crt. at Law 1  | \$ 328.00   |
| Dist Attorney  | \$ 62.19    | J.P. 3            | \$ 8.23     |
| J.P. 4         | \$ 50.00    | DPS               | \$ 10.12    |
| Constable 1    | \$ 340.82   | Constable 2       | \$ 633.00   |
| CJD Grant      | \$ 2,600.00 | Foster Child Care | \$ 4,014.00 |
| TDH M&C Grant  | \$ 766.59   | Fire Marshal/EMC  | \$ 32.17    |
| District Court | \$ 328.89   | County Court      | \$ 2,916.25 |
| R&B General    | \$ 740.53   | Precinct 1        | \$ 1,435.32 |
| Precinct 2     | \$ 2,956.94 | Precinct 3        | \$ 6,152.57 |
| Precinct 4     | \$ 7,010.35 | Hot Check Fee     | \$ 350.20   |
| Jail Addition  | \$23,565.00 | Public Works      | \$ 6,268.86 |

-June 26, 1989-

Court was recessed until Regular Meeting June 26, 1989 at 10:00 o'clock A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 26TH DAY OF JUNE, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9755 APPROVE THREE (3) APPOINTMENTS TO THE CHILD WELFARE BOARD

Anna Farr appeared before the Court requesting appointment of Richard Jurek, Elaine Jones and Bryan Burgogne to replace Virginia Stedman, Mack Crow and Willie Espinoza. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to appoint Richard Jurek, Elaine Jones and Bryan Burgogne. All present voting "Aye".

9756 APPROVE JOINT RESOLUTION FOR EMERGENCY MANAGEMENT WITH CITY OF WOODCREEK

Fire Marshal/EMC A. D. Carroll presented a joint resolution for Emergency Management approved by the City of Woodcreek. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve Joint Resolution for Emergency Management with the City of Woodcreek. All present voting "Aye".

JOINT RESOLUTION

WHEREAS, the Town of Woodcreek by City Ordinance No. 89-31, and Hays County by Commissioners' Court Order dated 06-14-89, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County find that vulnerability to many potential hazards is shared by residents of Woodcreek and the unincorporated portions of Hays County, and

WHEREAS, the City and County further finds that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned ordinance and Court Order;

THEREFORE, BE RESOLVED that there is hereby established the Hays County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a joint emergency management plan, together with such organized volunteer groups as that plan may specify; and

BE IT FURTHER RESOLVED that the Mayor of Woodcreek and the Hays County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the Woodcreek/Hays County program of comprehensive emergency management, including the preparation and maintenance of a joint emergency management plan for Woodcreek and Hays County in accordance with this resolution.

RESOLVED this the 14 day of June, 1989.



-June 26, 1989-

s/ Jeannine C. Pool  
Mayor, Town of Woodcreek

s/ G. Don Rains  
County Judge, Hays County

ATTEST:

s/ Louise Cobb  
City Secretary

s/Ronnie Dannelley  
County Clerk

9757 JUSTICE OF THE PEACE PCT. 1 PL. 2 - HIRE FULLTIME EMPLOYEE

J.P. Becky Sierra requested authority to hire a fulltime employee to help with hot check division. Commissioner Payne stated that he felt the salary request at the last meeting was too high (\$15,000 per year). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve hiring a full-time employee for J.P. 1-2 at a salary of \$900 per month to begin July 1, 1989. All present voting "Aye".

9758 APPROVE HIRING THREE COOKS FOR THE JAIL

Sheriff Paul Hastings appeared before the Court - spoke of termination of food contract with Service America - needs additional employees to prepare meals - request salaries at \$1,000 per month - they are presently preparing 1000+ meals per day. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve Sheriff Hastings hiring three cooks for the jail contingent on food contract being terminated. Commissioner Ford and Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne abstained.

9759 PAYMENT FOR ROTARY FILES IN DISTRICT CLERK'S OFFICE

Wayne Myers appeared before the Court - spoke of removal of old rotary file system in the District Clerk's office - his company took the rotary system apart, disassembled it and disposed of on the courthouse lawn as he felt like it was still the property of the County - it took five young men to dismantle it - felt like there was a misunderstanding on the disposition. Judge Rains stated that the specs said "removal and disposal". Commissioner Ford stated that he felt like the specs were clear on disposition. Mr. Myers stated that he felt like the rotary file was still the property of the County - specs were misunderstood. District Clerk W. H. Moore felt like Mr. Myers was reasonable in what he did - it was a matter of interpretation. A motion was made by Commissioner Payne to pay the Wayne Myers Company \$300 for removal of the old rotary file system in the District Clerk's office - motion died for lack of a second. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to pay Wayne Myers Company an additional \$150.00 for dismantling the District Clerk's rotary file system. All present voting "Aye".

9760 DISTRICT CLERK'S OFFICE - TRANSFER FUNDS TO PURCHASE CHAIRS

District Clerk W. H. Moore requested authority to replace four chairs in his office and to transfer funds for purchase out of permanent records line item = \$550. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize transfer of \$550.00 out of District Clerk's permanent record line item to purchase four chairs for the office. All present voting "Aye".

9761 CALL PUBLIC HEARING TO ESTABLISH SPEED LIMITS: 30MPH ON KAI VISTA & 25MPH ON PETRA'S WAY (KAI VISTA ESTATES)

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to call a public hearing to establish traffic regulations: Speed limits of 30mph on Kai Vista and 25mph on Petra's Way in the Kai Vista Estates subdivision to be held July 10, 1989 at 10:00 A.M. All present voting "Aye".

-June 26, 1989-

9762   PRECINCT 1 - AUTHORIZE TRANSFER OF \$9,000 FROM SALARY LINE ITEM TO ROAD/VEH/EQUIP EXPENSE

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize transfer of \$9,000.00 from line item #5020 (salary) to line item #5352 (road/veh/equip exp) in Precinct #1. All present voting "Aye".

APPOINTMENT TO "CARTS" BOARD TO REPLACE ROSE DUVALL

Commissioner Rippy requested his appointment to the CARTS board to replace Rose Duvall - Court felt like it should be someone other than a member of the Commissioners' Court (County helps fund this program). Postponed.

9763   APPROVE PAYMENT OF \$64,009.40 FOR REMAINDER OF COUNTY'S PORTION FOR CR180 PROJECT AT BLANCO RIVER ON FISHER STORE ROAD

Judge Rains spoke of cost of replacement of CR 180 bridge - County has already paid \$17,500. Patsy Greiner, Adm. Coord., stated that Cost are as follows: construction = \$344,219 + 10% for engineering Total = \$378,640.90. County's share is 20% - these are estimates at this time. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize \$64,009.40 to come out of Public Works R-O-W funds. All present voting "Aye".

9764   APPROVE MINUTES OF MAY 1989

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve minutes of May 1989 as presented. All present voting "Aye".

9765   APPROVE RESOLUTION DESIGNATING INDIVIDUAL TO ENSURE SLIAG FUNDS CLAIMED BY THE COUNTY MEET ESTABLISHED PROGRAM REQUIREMENTS

Eva Cruz, Indigent Health Care Administrator, spoke of SLIAG (State Legalization Impact Assistance Grant) funds that are available to reimburse counties for the costs of providing all CIHCP-mandated services to eligible legalized aliens - spoke of Hays County having three people who are temporary residents and in the process of being legalized who are eligible for this funding - there will be administrative costs. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to designate Eva Cruz as the County individual who will be responsible for ensuring that SLIAG funds claimed by the County meet the established program requirements. All present voting "Aye".

9766   APPROVE CONTRACT WITH TEXAS DEPARTMENT OF HUMAN SERVICES FOR SUMMER COOLING ASSISTANCE

Eva Cruz, Indigent Health Care Administrator, spoke of the Low Income Home Energy Assistance Program/federal funds available for summer cooling assistance - Hays County would be eligible for \$9,620 in grant funds and \$962 in administrative dollars - funding would help low income, medically needy households - no cost to the County. A motion was made by Commissioner Ford, seconded by Commissioner Payne to enter into contract with the Texas Department of Human Services for Heat Stress Relief Program. All present voting "Aye".

CONTRACT FOR HEAT STRESS RELIEF PROGRAM  
Between  
TEXAS DEPARTMENT OF HUMAN SERVICES  
and  
HAYS COUNTY

The Texas Department of Human Services, hereinafter referred to as "the Department," and Hays County, hereinafter referred to as "the Contractor," hereby make and enter into this agreement for the mutual consideration set forth below.

-June 26, 1989-

## I.

A minimum coverage of one county is required. The Contractor must have sufficient operating funds to allow for delivery of services under terms of this Contract while awaiting payment for such services.

The Contractor shall provide energy assistance pursuant to this contract in the following county: Hays and conduct outreach activities designed to assure that eligible households, especially households containing individuals aged 60 or older or handicapped individuals, or both, are made aware of the assistance available under this Contract.

## II.

Such program shall be undertaken in accordance with the provisions of the Low Income Home Energy Assistance Act of 1981 (as amended), Title XXVI of the Omnibus Budget Reconciliation Act of 1981 Public Law 97-35, hereinafter referred to as "The Act" with regulations promulgated pursuant thereto, with the terms of this Contract, and with appropriate policies and procedures outlined in the Department Heat Stress Relief Program Guidelines.

The term of this agreement shall begin on Aug. 1, 1989 and end on September 30, 1989 unless terminated earlier for breach of this agreement, or by mutual agreement. If such mutual agreement cannot be attained, either party to this agreement may consider it to be cancelled by the giving of at least thirty (30) days' notice in writing to the other party and this agreement shall there upon be cancelled upon the expiration of a 30-day period beginning upon receipt of the notice of cancellation.

## III.

The Department agrees to pay the Contractor as outlined providing a properly completed state voucher is submitted before payment. The total payments under this Contract will not exceed \$9,620.00. Of this amount, \$962.00 may be used for administration provided such payments can be justified by records sufficient to satisfy any audit of this expense.

The Department shall not be liable to Contractor for costs incurred or performances rendered unless such costs and performances are strictly in accordance with the terms of this Contract, including but not limited to the terms governing the Contractor's promised performance.

The Department shall not be liable for any costs incurred or performances rendered by Contractor in the performance of this Contract which have not been billed to the Department within sixty (60) days following the termination of this Contract.

## IV.

The Contractor agrees to make payments to eligible households directly to the energy vendor servicing the household provided such vendor is approved by the Department. If the vendor is a non-participant or refuses payment or where the household pays for utilities as part of their rent, they may be provided a direct payment. Payments must be made in such a manner as to allow for confirmation that such payment amount was credited to the proper account.

## V.

The Contractor must allow the Department and all appropriate federal and state agencies or their representatives to inspect, monitor, or evaluate client records, books, and supporting documents pertaining to services provided. The Contractor must make these documents available at reasonable times and for reasonable periods. In addition, each Contractor receiving grant funds must send the Contract Manager a copy of the Contractor's annual audit or notify the Contract Manager in writing that the audit is available for review.

The Contractor must keep financial and supporting documents, statistical records, and any other records pertinent to the services for which a claim or cost report was submitted to the Department or its agent. The records and documents must be kept a minimum of three years and ninety (90) days after the end of the Contract period. If any litigation, claim, or audit involving these records begins before the three-year period expires, the provider must keep the records

-June 26, 1989-

and documents for not less than three years and ninety (90) days or until all litigation, claims or audit findings are resolved.

The Contract shall be liable to the Department for any amount paid for which the Department determines that it was not liable to the Contractor under this Contract. The Contractor shall promptly repay to the Department the amount of such erroneous or excess payments.

VI.

The Contractor shall submit a State of Texas Purchase Voucher and the reports provided for in this Contract to the Department. Payment vouchers may be submitted as frequently as desired by the Contractor but no more frequently than once per week. Any claims not submitted by November 30, 1989 will not be considered for payment.

After receipt of the Contractor's properly completed voucher and reports, the Department shall pay, to the Contractor an amount equal to the legitimate departmental liabilities accrued and unpaid hereunder. It is expressly understood and agreed that payment vouchers submitted to the Department may be adjusted to correct errors. If such corrections are made, the Department will notify the Contractor.

Notwithstanding the provisions of the above paragraph, it is expressly understood that if the Contractor fails to submit to the Department, in a timely and satisfactory manner, any report required by this Contract, the Department may, at its sole option and in its sole discretion, withhold any or all payments otherwise due and owing Contractor hereunder. If the Department withholds such payments, it shall notify the Contractor in writing to its decision and reasons therefor. Payments withheld pursuant to this paragraph may be held by the Department until such time as the delinquent obligations for which funds are withheld are fulfilled by the Contractor.

VII.

The Contractor agrees to comply with the Civil Rights Act of 1964, as amended, in giving equal opportunity without regard to race, color, creed, sex or national origin. The Contractor further agrees not to discriminate against any qualified handicapped person seeking employment or services.

This Contract is subject to the availability of state and/or federal funds. If such funds become unavailable, this agreement will be terminated. In that event, the parties shall be discharged from further obligations, subject to the equitable settlement of the respective interest accrued up to the date of termination.

For the faithful performance of the terms of this agreement, the parties hereto execute this agreement this 26th day of June, 1989.

TEXAS DEPARTMENT OF HUMAN SERVICES

HAYS COUNTY

BY \_\_\_\_\_  
DAVID C. TREJO  
DEPUTY COMMISSIONER  
SERVICES TO FAMILIES  
& CHILDREN

s/ G. Don Rains  
\_\_\_\_\_  
AUTHORIZED SIGNATURE  
COUNTY JUDGE

17460022415020  
\_\_\_\_\_  
TEXAS COMPTROLLER ID NO.

HEAT STRESS RELIEF PROGRAM

PURPOSE:

To assist low-income households having a medical need for cooling in paying for the high cost of electric service by providing a one-time payment to the electric vendor during the summer months.

FUNDING:

Benefit dollars are provided by the Federal government through the Low Income Home Energy Assistance block grant.

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ELIGIBILITY REQUIREMENTS

- (a) The household's income is its income before any deductions. To meet the income requirement for energy assistance, a household's income may not exceed 120 percent of the federal poverty income.
- (b) The resource limits for energy eligibility are:
- (1) \$3,000 for a household consisting of at least one person who is 60 years old or older, or
  - (2) \$2,000 for all other households.
- (c) The head of the household and the applicant (if different) must provide proof of identity, if requested.
- (d) To qualify for Heat Stress Relief benefits, members of the household must:
- (1) Be a U.S. Citizen or an alien lawfully admitted for permanent residence, or otherwise legal and permanent residents of the U.S.; and
  - (2) Reside in Texas.
- (e) For the Heat Stress Relief Program, a person in the household must have a medical condition, as certified by the physician or a registered nurse, that increases the person's risk of developing a heat-related illness.

VULNERABILITY

- (a) To qualify for energy assistance, the household must be vulnerable to increases in the cost of home energy. The term "home energy" means a source of cooling in residential dwellings. Households which reside in privately owned rental housing meet the requirement even if all or part of the cooling cost is included in their rent payment.

SERVICES PROVIDED

- (a) Contractors provide assistance in the form of a direct payment to the household, the energy supplier, or housing authority on behalf of eligible applicants. Eligible applicants may receive a one time benefit, up to a maximum of \$138.
- (b) As funds allow, services are provided to eligible applicants on a first-come first-serve basis in their service area. Assistance is provided on behalf of eligible applicants in order of the date of eligibility determination. All eligible households may not receive services because of funding limitations.
- (c) This federal program helps low-income households pay their cooling bills by making one payment in the summer. These payments may be made to the energy supplier or local housing projects.

Energy Vendors

Eligible households receive a benefit made payable to their electric supplier.

The intent of the law is that benefits be applied toward an energy bill. Suppliers must apply the sum of the warrant to the household's obligation and either bill the recipient for the remaining balance or apply a credit for the coming month. For example, if a household's warrant is for \$50 and the bill is for \$75, the household is responsible for the difference. If the bill is less than the amount of the warrant, then a credit to the customer's account is in order.

On final bills only, it is appropriate to refund to the household any credit accrued from a HSRP payment.

ALLOCATION OF FUNDS

Contractors are allocated funds based on the number of low-income households within the service area. Service area is defined as the counties served by a single contractor (minimum of one county). Food stamp household data available as of the state fiscal year 1989 is used to determine the potential number of

-June 26, 1989-

low-income households per county. Service area benefit allocations are determined by applying the percentage of the state food stamp population in each county against the funds available for distribution with a minimum of \$1,000 per county. A maximum of ten percent of the total benefit expenditures is allowed for contractor's administrative expenditures. Documentation will be required to justify that expenses were incurred equal to or greater than the ten percent administrative funds allowed each contractor. Contractors must submit a state purchase voucher for reimbursement of allowable expenditures. Funds remaining unencumbered on September 30, 1989, revert to the state and are no longer available for distribution.

#### CONTRACTOR PARTICIPATION

To qualify as a provider of energy benefits, contractors must fulfill the following requirements:

(a) Inform the public and energy suppliers of available benefits and if applicable, of the lack of available funds. This must include, but is not limited to, providing benefit information targeting:

- (1) The eligible population, including the elderly and handicapped;
- (2) The media (TV, radio, newspapers);
- (3) Civic and religious organizations;
- (4) City and county governments; and
- (5) Social services organizations, upon request.

(b) Provide staff to process applications in the service area and determine eligibility within 30 days. This includes providing assistance to applicants, by telephone or in person, to complete their applications.

(c) Determine household service needs within the maximum allowable benefit per program period.

(d) Send payments to the energy supplier on behalf of eligible applicants within the time frame required by the energy supplier. Payments to the energy supplier must be made within 30 days from notification of eligibility to the client.

(e) Notify applicants of their eligibility or ineligibility for benefits and provide the means for dissatisfied applicants to appeal the decision concerning this application, including notice of the decision and reason therefor, and of the right to appeal within 90 days of the date of notification. This process is to include an administrative review of the decision, which must be within five days after receipt of a request, and notice of the right to pursue the appeal to TDHS.

(f) Comply with fair hearings' decisions by TDHS if an applicant pursues the appeal to TDHS after the administrative review by the contractor.

(g) Maintain client records and submit financial, client, and statistical reports as required by TDHS/HHS.

(h) Protect confidential client information as required by federal regulations and state law.

(i) Be fiscally liable for contractor error.

(j) Comply with all provisions of the signed contract for the program year.

9767 PUBLIC HEARING - ESTABLISH TRAFFIC REGULATIONS (STOP SIGNS) AT 3-WAY INTERSECTION OF SHADY ACRES DRIVE AND LAKEWOOD DRIVE IN CIMMARON PARK SUBD.

Public hearing was called - A motion was made by Commissioner Ford, seconded by Commissioner Rippy to establish traffic regulations - STOP signs at 3-way intersection of Shady Acres Drive and Lakewood Drive in the Cimmaron Park Subdivision. All present voting "Aye".

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COUNTY EXTENSION AGENCY - PAYMENT FOR TEMPORARY EMPLOYEE

This item was postponed until exact figures can be presented for approval.

RESOLUTION IN SUPPORT OF LEGAL ACTION TAKEN BY GBRA TO PROTECT THE EDWARDS AQUIFER

Judge Rains spoke of suits in Federal Court (Endangered Species Act) and in the Hays County District Court - No action was taken at this time.

9768 APPROVE PAYMENT FOR UTILITY ADJUSTMENTS TO GTE (FM1626)

GTE Southwest, Inc. has submitted an estimate for relocation cost to be paid by Hays County = \$75,821.00. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of \$75,821.00 to GTE Southwest, Inc. out of Public Works R-O-W funds and to authorize GTE to proceed under standard utility relocation guidelines. All present voting "Aye".

9769 APPROVE PAYMENT OF INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$133,730.13. . All present voting "Aye".

|                  |             |                  |             |
|------------------|-------------|------------------|-------------|
| Auditor's Ofc.   | \$ 422.20   | Judicial         | \$ 4,446.25 |
| Juvenile Prob.   | \$ 3,294.84 | Election Admin.  | \$ 1,024.38 |
| Community Servc  | \$19,325.50 | Indigency        | \$ 5,540.70 |
| Transfer Sta.    | \$ 3,270.84 | Bldg. Mtc.       | \$ 1,046.96 |
| Health Dept.     | \$ 55.10    | Civic Center     | \$ 171.02   |
| Countywide Misc. | \$38,421.25 | Dist. Clerk      | \$ 583.16   |
| County Clerk     | \$ 3,065.60 | Sheriff's Dept.  | \$ 8.72     |
| Jail             | \$16,704.37 | County Judge     | \$ 326.70   |
| Co.Crt.at Law    | \$ 120.00   | Dist. Atty       | \$ 164.40   |
| JP 1-2           | \$ 36.60    | JP 2             | \$ 350.00   |
| JP 3             | \$ 272.75   | JP 4             | \$ 200.00   |
| JP 5             | \$ 186.12   | DPS              | \$ 254.07   |
| Constable 3      | \$ 59.70    | Constable 5      | \$ 160.07   |
| Social Services  | \$23,452.50 | Data Proc Adm    | \$ 782.00   |
| TDH TB Grant     | \$ 3.50     | District Court   | \$ 305.45   |
| County Court     | \$ 720.00   | R&B General      | \$ 775.00   |
| Precinct 1       | \$ 901.85   | Precinct 2       | \$ 1,257.14 |
| Precinct 3       | \$ 327.35   | Precinct 4       | \$ 262.38   |
| Self Insurance   | \$ 5.75     | Hot Check Fee    | \$ 153.76   |
| Law Library Dept | \$ 564.45   | Springlake I & S | \$ 332.70   |
| Public Works     | \$ 4,375.00 |                  |             |

RANCHO ENCINO - PCT. 3

Commissioner Payne stated that the Subdivider has withdrawn his request for a variance of the flood study - they will perform the HEC study.

KIRBY SPRINGS RANCH

No one appeared and additional information was not submitted - Postponed.

9770 LEIF JOHNSON FORD COMMERCIAL (89-014) - PCT. 2

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve "Leif Johnson Ford Commercial" subdivision on third reading. All present voting "Aye".

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9771 PEABODY PLACE PHASE 2 - PUBLIC HEARING TO VACATE (89-015) - PCT. 4

Public hearing was called - Mr. Peabody appeared - no homes in the subdivision but his own - Dripping Springs Industrial Park is also Mr. Peabody's subdivision which provides access to Peabody Place Phase 2 - unable to sell lots - road is not county maintained. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve Vacation of "Peabody Place Phase 2" subdivision. All present voting "Aye".

9772 GREEN ACRES RESUB OF LOT 12 (89-017) - PCT. 3

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Green Acres Resub of Lot 12" on first, second and third readings. All present voting "Aye".

9773 RESUBDIVISION OF ZUNIGA TRACT (LOTS 1 & 2) 89-018 - PCT. 2

Patsy Greiner, Adm. Coord., stated that this subdivision is in the ETJ of the City of San Marcos - tract was obtained through family partition by the Courts - an unrecorded subdivision - lots were sold to other people by metes and bounds description - trying to clear up the present situation - property owners are unable to obtain septic tank permits because of half acre lots. Commissioner Payne was opposed to public access easement of 20'. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Resubdivision of Zuniga Tract on first and second readings. Judge Rains, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne abstained.

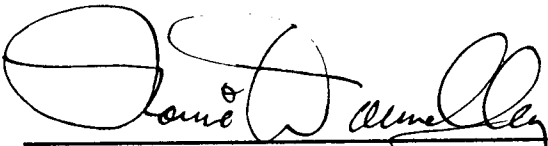
DAVE GLOVER TEN ACRE SUBDIVISION

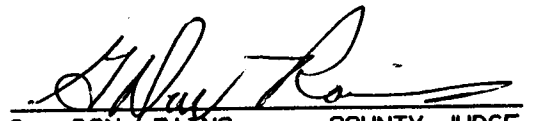
Patsy Greiner, Adm.Coord., stated that this subdivision is part of an unrecorded subdivision - no floodplain note. Postponed - not enough information.

9774 OLLIEWOOD SUBDIVISION (89-020) - PCT. 4

Mr. & Mrs. Oliver appeared before the Court - subdivision has been approved by the City of Dripping Springs. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Olliewood Subdivision" on first, second and third readings. All present voting "Aye".

Court was adjourned until July 10, 1989 at 9:00 o'clock A.M. - subject to call of the Chair.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS



INTERLOCAL AGREEMENT AUTHORIZED JUNE 6, 1989 RESOLUTION #9723 (VOL. N PAGE 81):

STATE OF TEXAS

INTERLOCAL AGREEMENT FOR THE USE OF FUEL BETWEEN THE  
CITY OF SAN MARCOS, TEXAS AND HAYS COUNTY, TEXAS

COUNTY OF HAYS

KNOW ALL PERSONS BY THESE PRESENTS:

That the City of San Marcos, Texas, a municipal corporation under the laws of the State of Texas, acting by and through the authority conferred on its City Manager, Larry D. Gilley, by resolution of the City Council adopted , 1989, hereinafter referred to as "City" and Hays County, Texas, by and through the authority conferred on the County Judge, Don Rains, by the County Commisisoners Court on June 6, 1989, hereinafter referred to as "County" hereby enter into this interlocal agreement pursuant to the following terms and provisions.

I.

This agreement is for City's consumption of fuel and use of fuel facilities owned by County ahnd located at the Hays County Law Enforcement Center, 1307 Uhland Road, San Marcos, Texas.

II.

It is expressly agreed that, beginning on June 27, 1989 and continuing until terminated as provided herein, County will permit City to fuel no more than 125 City vehicles burning unleaded fuel on an "as needed" basis at the Hays County Law Enforcement Center. Access to fuel facilities shall be provided to City 24 hours per day, seven days a week.

III.

County will provide 125 fuel cards to City for access to fuel pumps. City will pay a one-time fee of \$450.00 for the preparation of said cards. The fuel cards will be returned to County upon termination of this agreement.

IV.

City agrees to pay County, within thirty (30) days after receipt of its invoice therefor, for fuel consumed, at the same rate County pays its fuel supplier:

Oil Price Information Service (OPIS) weekly published price  
for this geographical region plus .03 (three cents) per  
gallon consumed.

County and City acknowledge that OPIS is a weekly publication of the United Communications Group, 4550 Montgomery Avenue, Suite 700 North, Bethesda, Maryland 20814; and OPIS prices are based on average oil prices for various geographical regions.

V.

County shall maintain records and provide City a fuel transaction report and an invoice for fuel consumed by City by the 5th calendar day of each month.

VI.

City will pay \$100.00 per month, or, should this agreement commence or terminate during the month, a pro rated amount, to County for the administration of this agreement. Administrative costs include all costs to County above and beyond the normal day to day expense for County's provision of fuel to City.

VII.

This agreement shall remain in effect until terminated as provided herein. Either party shall have the right to terminate this agreement by affording thirty (30) days notice to the other party of its intentions to so terminate and informing the party of the date of termination.

VIII.

Any notice which under the terms of this agreement must or may be given or made by either party hereto shall be in writing and shall be given by mailing the same by U.S. Mail, addressed to the following persons:

Hays County:  
Don Rains, Judge  
Hays County Courthouse Rm 103  
San Marcos, TX 78666

City of San Marcos, Texas  
Larry D. Gilley, City Manager  
630 E. Hopkins  
San Marcos, Texas 78666

Either party may designate in writing such new or other address to which such notice given hereunder by mail shall be deemed delivered when post-marked by a U.S. Government postal official.

EXECUTED IN DUPLICATE ORIGINALS this the 6th day of June, 1989.

Attest:

CITY OF SAN MARCOS

\_\_\_\_\_  
Janis K. Womack  
City Secretary

\_\_\_\_\_  
Larry D. Gilley, City Manager

HAYS COUNTY, TEXAS

Attest:

s/ Ronnie Dannelley  
Ronnie Dannelley  
HAYS COUNTY CLERK

s/G. Don Rains  
G. Don Rains  
HAYS COUNTY JUDGE

(COMM. COURT SEAL)

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 10TH DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9775 ORDER ABANDONING A 60 FOOT PLATTED ROADWAY LYING BETWEEN LOTS 4 & 5 OF OAKRIDGE PARK, SECTION 5 AT KINNICINIK AND AUTHORIZING QUITCLAIM DEED TO PATSY DELL CRISP

Commissioner Payne was not present at the beginning of the meeting.

Attorney H. C. Kyle appeared before the Court - spoke of petition signed by eight landowners residing in the Subdivision requesting closure of the platted roadway between lots 4 & 5 - this roadway was used for access to her 25 acre tract behind Lots 4&5, she has since purchased lot 1 with access to the 25 acres - property owners of Lots 2, 3 & 4 have signed quitclaim deeds to this roadway and notices have been posted.

Commissioner Payne came to the meeting at this time.

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to abandon the 60 foot platted roadway lying between Lots 4 & 5 of the Oakridge Park at Kinnicinik Subdivision Section 5 and authorize the County Judge to sign a quitclaim deed to Patsy Dell Crisp. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne abstained.

ORDER OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS

It was called to the attention of the Court that a certain petition has been presented for consideration of the Court of the closing and/or abandoning of the hereinafter described sixty foot (60') roadway, located in the Fannie A. D. Darden Survey and platted as a roadway as part of Oakridge Park, Section 5, at Kinnicinik, on County Road No. 162, located in Commissioners' Precinct No. 4 of Hays County, Texas.

ORDER NO. 9775:

BE IT REMEMBERED that on this the 10th day of July, 1989, at a regular meeting of the Commissioners' Court of Hays County, Texas, convened after due notice and at the regular meeting place thereof in the Courthouse of Hays County, Texas, with all members of the Court present, there came on to be considered the matter of closing a sixty foot (60') platted and dedicated roadway, located in the Fannie A. D. Darden Survey, between Lots 4 and 5, of Oakridge Park, Section 5, at Kinnicinik, a subdivision in Hays County, Texas, according to the plat of record in Volume 1, page 11 of the Plat Records of Hays County, Texas, said road being 546.18 feet on one side and 557.20 feet on the other and bounded on the southwest by the northeast line of County Road No. 162.

WHEREAS, a petition has been presented by this Court signed by eight landowners residing in this County, and which petition reads as follows:

THE STATE OF TEXAS \*  
 THE COUNTY OF HAYS \*

TO THE HONORABLE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS:

WHEREAS when the plat of Oakridge Park, Section 5, at Kinnicinik, a subdivision in Hays County, Texas, recorded in Volume 1, page 11 of the Plat Records of Hays County, Texas, was dedicated and approved, it established a sixty foot (60') roadway approximately 550 feet long between Lots 4 and 5 in said subdivision and extending from the county road now known as County Road No. 162 to a larger tract to the northeast of said subdivision that remains unsubdivided to this day, all as reflected on a copy of a plat of said subdivision which is marked Exhibit "A" and attached hereto; and

WHEREAS, by deed dated March 4, 1969, and of record in Volume 229, pages 482-484





\*July 10, 1989\*

9778 AUTHORIZE AUDITOR TO ADVERTISE FOR BIDS FOR PCT. 3: (A) PARTS & REPAIRS FOR VEHICLE MAINTENANCE (B) FLATS REPAIRED AND NEW TIRES

Commissioner Payne spoke of reaching a point where we need to go out for bids - unsure how to draw up bid specs for parts & repairs - Judge Rains suggested that the Auditor check with other Counties on how they do it.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to advertise for bids for Pct. 3 parts & repairs for Vehicle Maintenance, flats repaired and new tires. All voting "Aye".

9779 AUTHORIZE RENAMING THE COUNTY TRANSFER STATION: "HAYS COUNTY RECYCLING & TRANSFER STATION"

Commissioner Payne spoke of Grand Opening this week - now recycling glass, aluminum, paper and used motor oil. Commissioner Ford suggested renaming it "West Hays County Recycling & Transfer Station" - we may open more transfer stations countywide. Commissioner Payne stated that recyclable items are accepted free of charge.

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize renaming the County Transfer Station the "West Hays County Recycling & Transfer Station. All voting "Aye".

9780 ACCEPT "COUNTRY LANE" FOR COUNTY MAINTENANCE (.4 MILE) PCT. 4

Commissioner Rippy spoke of having received a petition from property owners - 50' r-o-w unplatted subdivision - road will not be paved. Commissioner Payne spoke of his concerns about taking over additional road maintenance. Petition reads as follows:

We, the undersigned landowners and/or taxpayers living on the caliche road named COUNTRY LANE, running approximately four miles south off Highway 290 off Highway 12, request that Hays County take the road called COUNTRY LANE into the County Maintenance System. Approximately Four Tenths of One Mile.

(Signed by 21 landowners - see petition in Resol. File)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept "Country Lane" for County Maintenance (.4 mile). All voting "Aye".

SUPPORT LEGAL ACTION TAKEN BY GBRA TO PROTECT EDWARD AQUIFER

John Specht, General Manager of GBRA, appeared before the Court - spoke of problem with spring flow in the aquifer - usage has increased greatly since drought of 1956 when New Braunfels spring flow was 0 for 5 months. Regional water plan was put into action - Legislation was proposed to protect the aquifer, however, it was not successful - San Antonio was not supportive of restrictions upon them. We are presently experiencing dramatic reductions in spring flow. Legal action has been filed in State district Court Re: underground stream status - usage should be recognized and restrictions set. Federal suit has been filed to protect the "endangered species" - spring flow could affect the endangered species in Comal and Hays County. Commissioner Ford spoke of concerns about "water rights" if established by the Court - although the intent is honorable - the State would control water usage taking away the local control. Mr. Specht spoke of San Antonio and other counties presently having unlimited use of the aquifer. Commissioner Payne asked about surface water plans. Mr. Specht stated that no plans are being worked on at this time - it is too expensive a plan. Pat Cox, President of the Barton Springs Edwards Aquifer Conservation District spoke - supports protection of the aquifer. Bill Couch, General Manager of BSEA Conserv. Dist., spoke - major concern is loss of local control - State regulations would affect future development and might be restricted - would like to seek alternative solutions - we do need regulations, however, they should be at the local levels. Judge Rains voiced his concerns about local regulations - the flow starts in Uvalde with unlimited use then to San Antonio with unlimited use and we are downstream - we need to take a stand - we are the last ones to receive the water. Tom Stenson - main concern is losing local control - will affect all Water Districts. Jeffrey Stefanoff - agrees with Judge Rains - we need to proceed with getting State/Federal regulations since local governmental entities cannot agree. Commissioner Ford stated that he would like some local control retained - will affect many more than just our area. Doug Karoom, Attorney for BSEA Conserv. Dist. spoke - will deprive the property owner of their rights

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to draw water from wells, will lose local elected officials to regulate - State Water Laws will apply - seniority will prevail - GBRA will have priority over water rights - property owners will not have any priorities regardless of how long they have had their wells. Judge Rains asked "what shall we do? 80% of the tax base is over the Edwards Underground Aquifer - what do we tell them when they have no water? - Uvalde Co., Medina Co. and San Antonio are growing and there will be no water at this end. Mr. Karoom spoke of need to create a conservation district. Judge Rains stated that the other counties do not want to create a district which would restrict them when they presently have unlimited usage. Harry Bishop spoke in support of the suit - it will address water rights and adjudication. Mr. Specht spoke of his concerns about the comment that surface water and ground water would be treated the same - rights will be protected - limitations will be on those with greater usage - no intent to limit those using the aquifer historically. Commissioner Ford spoke of example of the "prison system" - the State does not take on the responsibility - they place the burden on the local entities to house prisoners. Mr. Stenson spoke of area residents who have financially supported the Barton Springs Edward Aquifer Water Conservation District - cost was \$300,000+ to create the district - will be lost to LCRA if suit is won. Commissioner Gonzales spoke of local concerns about water usage - City of San Marcos is still watering its baseball fields, etc. A motion was made by Judge Rains, seconded by Commissioner Payne to pass resolution to support GBRA in suit to protect the Edwards Aquifer - recognizing the concerns about destroying the integrity of any other District or loss of local control. Discussion was continued - Judge Rains stated that we need to work on the language of the resolution to satisfy all concerns - Motions by himself and Commissioner Payne were withdrawn. Commissioner Ford spoke of grant money and county funds used to create the Hays County Water Development Board - stated that reverting to State control will not guarantee water. Action was postponed to a later date.

REPORT OF DISTRICT COURT FILINGS, DISPOSITIONS AND JURY TRIALS

District Judge Robert Pfeuffer appeared before the Court with a report of activity of the the District Court - consist of three District Judges (Hays-Comal-Guadalupe Counties). Martin Allen, District Court Administrator, appeared - gave statistics for Hays County and the other two counties.

| HAYS COUNTY: | <u>FILINGS</u>     | <u>1987</u> | <u>1988</u>  | <u>1989(4MONTHS)</u> |
|--------------|--------------------|-------------|--------------|----------------------|
| Criminal     |                    |             | 463          | 425                  |
| Civil        |                    |             | <u>1,315</u> | <u>1,112</u>         |
|              |                    |             | 1,778        | 1,537                |
|              |                    |             |              | 499                  |
|              | <u>DISPOSED</u>    |             |              |                      |
| Criminal     |                    |             | 439          | 544                  |
| Civil        |                    |             | <u>847</u>   | <u>1,127</u>         |
|              |                    |             | 1,286        | 1,671                |
|              |                    |             |              | 603                  |
|              | <u>JURY TRIALS</u> |             |              |                      |
| Criminal     |                    |             | 9            | 11                   |
| Civil        |                    |             | <u>16</u>    | <u>9</u>             |
|              |                    |             | 25           | 20                   |
|              |                    |             |              | 10                   |

Judge Pfeuffer spoke of jury selection process - spoke of law library being across the street is a problem - needs to be with the Courts - spoke of leaky roof in the 3rd floor courtroom.

JOHN BRYANT - REQUEST THE COMMISSIONERS' COURT TO DIRECT THE AUDITOR TO ADVERTISE FOR BIDS FOR INDEPENDENT VERIFIED AUDIT FOR ALL HAYS COUNTY DEPARTMENTS OF ALL FUNDS RECEIVED AND DISBURSED BY COUNTY OFFICIALS FOR FY87 & FY88 - TO BE COMPLETED PRIOR TO ADOPTION OF HAYS COUNTY BUDGET

John Bryant appeared before the Court -interested in efficiency of government and concerned about wasteful spending - spoke of his friendship with CCL Judge Claude Lilly -

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budget has been difficult for him to analyze - spoke of independent audits previously done - spoke of burden on the taxpayers. County Auditor Bill Herzog spoke of audits being done - FY88 & FY89 will be done simultaneous - FY87 was a problem because of change in computer systems - stated that he would be glad to discuss budget concerns with anyone and answer any questions - stated that his office has audited various offices in the County. District Attorney Charles Chapman spoke of additional cost for auditing special accounts such as the hot check fee fund. Judge Rains recommended that Mr. Bryant meet with the County Auditor to help him understand the budget - spoke of Court not wanting to raise taxes. Mr. Bryant stated that the taxpayers would like to help in the budget process.

9781 AUTHORIZE COMMISSIONER PRECINCT #4 TO BUILD A BUS EXIT ROAD FOR THE DRIPPING SPRINGS ISD

Commissioner Rippe spoke of problem at the Middle School - they have had a temporary path - land has now been deeded (500') - Dripping Springs ISD will provide materials - County to provide labor and equipment. Commissioner Ford suggested an interlocal agreement. A motion was made by Commissioner Rippe, seconded by Commissioner Ford to authorize Commissioner Precinct #4 to build a bus exit road for the Dripping Springs ISD and to further authorize Commissioner Precinct #4 to enter into an Interlocal Agreement for same. All voting "Aye".

9782 PUBLIC HEARING - ESTABLISH SPEED LIMITS: 30MPH ON KAI VISTA & 25MPH ON PETRA'S WAY (KAI VISTA ESTATES)

Public hearing was held. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to establish speed limits on Kai Vista Drive @ 30mph and Petra's Way @ 25mph in the Kai Vista Estates subdivision. All voting "Aye".

9783 APPROVE PAYMENT TO CURTIS JENKINS FOR APPRAISALS ON RM 12 PROJECT

A motion was made by Commissioner Rippe, seconded by Commissioner Ford to approve payment to Curtis Jenkins for 32 appraisals on RM 12 Project in the amount of \$3,800.00. All voting "Aye".

REQUEST SUPPORT OF HONDO LOCATION FOR MAXIMUM SECURITY PRISON

Judge Rains spoke of having received a letter from the Mayor of the City of Hondo requesting the Hays County Commissioners' Court to adopt a resolution evidencing support of the Texas Department of Corrections constructing a maximum security facility in Hondo. Commissioner Payne and Commissioner Gonzales voiced their opposition - do not want to get involved. No action taken.

9784 PCT. 2 - AMEND BUDGET LINE ITEMS/LINE ITEM TRANSFERS

Commissioner Ford requested approval for line item transfers in his budget as follows:

|       |                   |             |           |
|-------|-------------------|-------------|-----------|
| From  | Uniform           | 05-440-5474 | \$ 500.00 |
|       | Telephone         | 05-440-5489 | \$ 400.00 |
|       | Office Supplies   | 05-440-5211 | \$ 500.00 |
|       | Misc.             | 05-440-5391 | \$2000.00 |
|       | R&B Exp           | 05-440-5351 | \$4000.00 |
|       | Misc. Equip       | 05-440-5719 | \$1000.00 |
|       |                   |             | -----     |
| TOTAL |                   |             | \$8400.00 |
| To    | Road&Veh Repairs  | 05-440-5352 | \$6400.00 |
|       | Fuel & Lubricants | 05-440-5271 | \$2000.00 |

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize line item transfer in Precinct #2 budget as requested in the amount of \$8,400.00. All voting "Aye".



\*July 10, 1989\*

9785 PCT. 2 PUBLIC WORKS PROJECTS - COURT APPROVAL

Commissioner Ford spoke of Public Works Project #214 (add additional roads) and Public Works Project #215 (Claudia Lane). A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Public Works Project #215 (Claudia Lane) and addition of roads to Public Works Project #214. All voting "Aye".

CONSTABLE PCT. 2 - BUDGET LINE ITEM AMENDMENTS

Commissioner Ford spoke of budget amendments requested by Constable Pct. 2 James Kohler in the amount of \$325.47. County Auditor Bill Herzog stated that the budget does not show enough funds in the line items requested to be transferred. Action was postponed.

9786 CALL PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON CO. RD. 140 & CO. RD. 159

Commissioner Ford spoke of need to change a Yield Sign to a Stop Sign on Co. Rd. 140 and to establish a Stop Sign at the western end of Co. Rd. 159. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to call a public hearing to establish traffic regulations on Co. Rd. 140 (change Yield to Stop) and Co. Rd. 159 (Stop Sign at western end) to be held July 24, 1989 at 10:00 o'clock A.M. All voting "Aye".

9787 APPROVE PAYMENT OF LEGAL FEES RE: R-O-W ACQUISITIONS

Commissioner Ford spoke of legal fees that need to be paid in referenced to R-O-W acquisitions: Meador, Kahblau & Dahlstrom properties and County Road #119.

|                                             |                     |
|---------------------------------------------|---------------------|
| Total time 38.75 hrs. at \$90.00 per hour = | \$3,487.50          |
| Mileage to Kyle                             | 6.75                |
| Copies                                      | 16.50               |
| Long Distance Calls                         | 4.33                |
| <b>TOTAL</b>                                | <b>= \$3,906.53</b> |

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of legal fees for R-O-W acquisitions to Fitzgerald, Majors & Stevens in the amount of \$3,906.53. All voting "Aye".

9788 APPROVE PAYMENT OF INVOICES

County Auditor Bill Herzog presented invoices for payment in the amount of \$171,104.74 :

|                  |            |                   |             |
|------------------|------------|-------------------|-------------|
| S Hays VFD Util  | \$ 3.12    | Central Storeroom | \$ 5,563.36 |
| Auditor          | \$ 454.96  | Treasurer         | \$ 176.64   |
| Extension Ofc.   | \$ 852.41  | Judicial          | \$ 4,083.10 |
| Juvenile Prob    | \$ 170.81  | Election Adm      | \$ 20.99    |
| Transfer Sta     | \$ 634.98  | Bldg. Maint.      | \$ 4,908.57 |
| Health Dept.     | \$ 403.84  | Civic Center      | \$ 1,810.91 |
| Countywide Misc. | \$1,082.58 | Tax A/C           | \$ 340.73   |
| District Clerk   | \$ 364.57  | County Clerk      | \$ 3,024.73 |
| Sheriff's Dept.  | \$4,162.89 | Jail              | \$33,248.79 |
| County Judge     | \$ 109.14  | Admin. Coord.     | \$ 96.50    |
| Co.Crt.@ Law #1  | \$ 117.48  | Dist. Atty.       | \$ 673.72   |
| J. P. 1-1        | \$ 91.75   | J. P. 1-2         | \$ 145.03   |
| J. P. 2          | \$ 208.76  | J. P. 3           | \$ 91.50    |
| DPS              | \$1,001.83 | Constable 1       | \$ 68.53    |
| Constable 2      | \$ 71.09   | Constable 3       | \$ 59.03    |
| Constable 4      | \$ 156.02  | Veterans Adm.     | \$ 298.82   |
| Data Proc. Adm   | \$ 287.32  | Co.Crt. @ Law #2  | \$ 115.74   |
| TDH TB Grant     | \$ 177.17  | TDH Mother/Child  | \$ 350.00   |
| Fire Marshal/EMC | \$ 53.65   | District Court    | \$ 1,201.66 |
| County Court     | \$1,143.83 | R&B General       | \$ 309.49   |
| Precinct 1       | \$1,771.49 | Precinct 2        | \$ 9,060.00 |
| Precinct 3       | \$1,260.57 | Precinct 4        | \$ 1,466.80 |
| Hot Check Fee    | \$ 805.90  | Law Library       | \$ 1,157.75 |
|                  |            | Public Works      | \$87,446.19 |

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9789 AWARD BID - COUNTY EXTENSION OFFICE VEHICLE

Bids were submitted as follows:

|                           |                   |                                          |
|---------------------------|-------------------|------------------------------------------|
| Capitol Chevrolet, Inc.   | 1989 New Suburban | \$18,129.94                              |
| Chuck Nash Chev.          |                   | \$18,335.00                              |
| Hendrix GMC Trucks Inc.   | 1990 GMC Suburban | \$16,260.00 + \$33 rear axle ratio added |
| Town & Country Auto Ranch |                   | \$16,589.00                              |

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to award bid to Hendrix GMC Trucks Inc. for a 1990 GMC Suburban in the amount of \$16,293.00 for the Hays County Extension Office. All voting "Aye".

9790 AUTHORIZE PAYMENT OF \$35,456.50 FOR RELOCATION OF UTILITIES (FM 967 TO FM 1626)

Pedernales Electric Cooperative, Inc. have submitted an estimate of the cost to make alterations and/or relocations of their utilities for the FM 967 - FM 1626 Project = \$35,456.50. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize payment of \$45,456.50 to Pedernales Electric Cooperative, Inc. for relocation of utilities (FM 967 - FM 1626 Project) to be paid out of the R-O-W funds. All voting "Aye".

9791 RANCHO ENCINO PHASE I (89-005) PCT. 3

Jim Cauthorn appeared for third hearing on "Rancho Encino Phase I" subdivision. Terry Ewald approves the Study - Mr. Cauthorn stated that according to subdivision specs his letter of credit should be for \$106,000, he has already spent \$64,257+ on the roads and request authority to file a \$50,000 letter of credit - Court approved request - requirements that need to be met before plat is filed: file tax certificates, file letter of credit and place note on plat Re: septic tanks. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Rancho Encino Phase I" subdivision on third reading. All voting "Aye".


9792 DAVE GLOVER TEN ACRE SUBDIVISION (89-019) PCT. 3

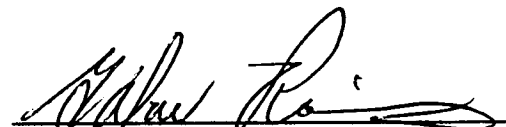
No one appeared representing the subdivision. Terry Ewald stated that he approves of subdivision - developer is trying to sale as a veterans tract - it is in an unrecorded subdivision (Oakwood Hills) - need to note this fact on plat for identification purposes. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve on first reading. All voting "Aye". Later during the meeting Mr. Glover did appear and Commissioner Payne withdrew his original motion as did Commissioner Gonzales thereby rescinding the original order. Commissioner Payne made a motion, seconded by Commissioner Gonzales to accept "Dave Glover Ten Acre Subdivision" on first, second and third readings. All voting "Aye".

WOODCREEK REPLAT & EXTENSION OF SECTION II - DISCUSSION ON DISCREPANCY

Robert I. Macdonell - owner of Lot 218 of Replat & Extension of Woodcreek Section 2 - appeared before the Court - Plat was recorded in 1972 - there is a problem with the on-ground survey - the ground survey does not coincide with the platted subdivision. He stated that his purpose in appearing before the Court was to bring it to their attention. Commissioner Payne stated that this property is within the City of Woodcreek - asked if surveyor has been contacted. Mr. Macdonell stated that he was unable to locate the person who did the actual survey - has gone bankrupt and is uncooperative. (correspondence from Mr. Macdonell in Woodcreek subdivision file) No action taken.

Court was recessed until next called meeting.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 17th DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9793 APPROVE APPRAISER FOR FISCHER STORE ROAD BRIDGE PROJECT

Commissioner Payne spoke of need to hire an Appraiser to obtain appraisals for Fischer Store Road Bridge Project - the most reasonable Appraiser is Curtis Jenkins. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize Curtis Jenkins to do appraisals for Fischer Store Road Bridge Project. All voting "Aye".

9794 ABANDONMENT OF OLD WIMBERLEY/BLANCO ROAD AND QUITCLAIM TO OSCAR AND ORA MAE FEAGANS

Attorney Bob Kiesling appeared before the Court representing Mr. & Mrs. Feagans - the Feagans purchased a 17 1/4 ac tract in Wimberley, a portion of which lay adjacent to a part of an old abandoned road formerly known as the Wimberley-Blanco Road, containing 1.44 acres - it was fenced prior to 1965 and the fence has been maintained since then - the public has not used the road since RM 2325 was put in sometime around 1955. On April 24, 1989, the Commissioners' Court approve the filing of the Feagan's subdivision plat which shows the abandoned road already contained within their subdivision - the Feagans have been paying taxes on the 1.44 acres. - Feagans request that the Commissioners' Court abandon that portion of the old road containing the 1.44 acres to them.

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to abandon the 1.44 acre portion of the old Wimberley/Blanco Road and to authorize the County Judge to sign a quitclaim deed to Oscar and Ora Mae Feagans. All voting "Aye".

IN THE MATTER OF CLOSING CERTAIN PORTION OF THE  
 ABANDONED OLD WIMBERLEY-BLANCO ROAD AND EXECUTION  
 OF A QUITCLAIM DEED TO OSCAR FEAGANS, ET US

WHEREAS, a portion of an old County Road known as the Wimberley-Blanco Road, lies in the J. R. Edwards Survey and is more fully described by metes and bounds as follows, to-wit:

BEGINNING at the most Northerly Southeast corner of that 17.25 acre tract of land conveyed to Oscar and Ora Mae Feagans by Nelle Payne Bell by Deed dated December 1, 1965, and recorded in Volume 207, Page 619, Hays County deed Records for the Northwest corner of the tract herein described, same being on the arc of a curve to the left on the South line of R.M. Highway No. 2325, and being at Engineer's Centerline Station 325 + 01.48;

THENCE, leaving the said Feagans 17.25 acre tract with the South line of the said R.M. Highway No. 2325, 472.91 feet along the arc of the said curve to the left, having a radius of 1185.96 feet and a sub-chord which bears, S 46 24' E, 469.78 feet to the projection of a wire fence, for the Northeast corner of the tract herein described;

THENCE, leaving the said R.M. Highway No. 2325, with the said projection and fence, S 10 00' W, at about 20 feet passing a corner fence post, crossing the said Old Wimberley-Blanco Road, at about 33 feet passing a gate post, a continuing on, in all, 54.75 feet to a corner fence post on the South side of the said Old Wimberley-Blanco Road, for the Southeast corner of the tract herein described;

THENCE, with fence, the South side of the said old Wimberley-Blanco Road, the

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following courses numbered (1) through (5):

- (1) N 75 18' W, 108.56 feet;
- (2) N 79 41' W, 125.63 feet to a corner fence post at an East corner of the aforementioned Feagans 17.25 acre tract;
- (3) N 54 28' W, 100.57 feet;
- (4) N 30 21' W, 113.52 feet;
- (5) N 18 56' W, 167.57 feet to a corner fence post at a re-entrant corner of the said Feagans 17.25 acre tract, for a West corner of the tract herein described;

THENCE, with fence, a Southeast line of the said Feagans 17.25 acre tract, N 81 57' E, crossing the said Old Wimberley-Blanco Road, and continuing on, in all, 92.43 feet to the POINT OF BEGINNING containing 1.44 acres of land, more or less. Field notes prepared August, 1982 by Richard Taylor, R.P.S. #3986 from Public Records, surveys by James R. Hall, R.P.S. #608 in January and July 1965, and surveys on the ground;

WHEREAS, said portion of said Wimberley-Blanco Road, now known as R.M. Highway No. 2325, has been relocated since before 1960 and said 1.44 acres above described has not been and is now no longer needed for road purposes and has not been and is now no longer needed for road purposes and has not been and is not now used by the public, the same having been fenced in and kept under fence by the adjoining and abutting land owners, OSCAR and ORA MAE FEAGANS, and prior owners since before 1965;

WHEREAS, the best interest of the public would be served by abandoning said part of said old road in accordance with the law;

NOW, THEREFORE, be it resolved by the Commissioners' Court of Hays County, Texas in regular session assembled in the City of San Marcos, on this the 17th day of July, 1989, that the portion of the Old Wimberley-Blanco Road above described be, and the same is, hereby forever and permanently closed and abandoned and the same be quitclaimed to OSCAR and ORA MAE FEAGANS, adjoining landowners, their heirs and/or assigns; and

BE IT FURTHER RESOLVED by the Commissioners' Court of Hays County, Texas, in order to carry out the Order of this Court to quitclaim that portion of said road to OSCAR FEAGANS and wife, ORA MAE FEAGANS, their heirs and/or assigns, that G. DON RAINS be, and he is hereby appointed Commissioner to execute a quitclaim deed to that portion of Old Wimberley-Blanco Road herein first above described, conveying the county's interest in and to the same to the said OSCAR FEAGANS and wife, ORA MAE FEAGANS, their heirs and/or assigns.

BE IT FURTHER RESOLVED that the Clerk of this Court place a full and complete certified copy of this Order in the Deed Records of Hays County, Texas.

PASSED and APPROVED this the 17th day of July, 1989.

s/ G. Don Rains  
G. DON RAINS, Judge, Hays  
County, Texas

ATTEST:

s/ Ronnie Dannelley  
County Clerk, Hays County, Texas

On Motion by Commissioner Craig Payne, seconded by Commissioner Rafael Gonzales, the foregoing Order was passed by the following vote:

|                             |     |
|-----------------------------|-----|
| Commissioner Gonzales voted | Aye |
| Commissioner Ford voted     | Aye |
| Commissioner Payne voted    | Aye |
| Commissioner Rippy voted    | Aye |
| County Judge Rains voted    | Aye |

The County Judge thereupon declared the above order re-passed.

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9795 CONSTABLE PCT. 2 BUDGET AMENDMENT

Commissioner Ford spoke of request by Constable Pct. 2 James Kohler - line item transfers: \$127.15 out of Office Supplies and \$100.00 out of Office Equip. R&M into Law Enforcement equipment. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize Constable Pct. 2 budget amendment - line item transfers from Office Supplies= \$127.15 from Office Equipment Repair & Maintenance = \$100.00 into Law Enforcement Equipment. All voting "Aye".

9796

~~9797~~ ACCEPT ROADS IN "ROLLING HILLS SECTION 2" FOR COUNTY MAINTENANCE

Commissioner Wayne Ford spoke of roads in "Rolling Hills" subdivision - Section 1 has gravel roads and Section 2 has paved roads - there is approximately 1/2 mile of roads in Section 2 that need to be maintained - a petition was submitted to Commissioner Ford requesting County maintenance. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept the roads in "Rolling Hills Section 2" for County Maintenance. Commissioner Ford, Commissioner Payne, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Gonzales voting "No".

9797 OFFICE SPACE FOR FIRE MARSHAL/EMC

Commissioner Wayne Ford spoke of office space needed by Fire Marshal/EMC - second floor office space is available at the Courthouse, however, work has not been done to ready the office space for occupancy. County Judge Don Rains stated that work was being done at the Courthouse Annex and the County Court at Law Judge's offices at this time. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to proceed with work on the Sheriff's old office space on the second floor of the courthouse to be used by the Fire Marshal/EMC. All voting "Aye".

9798 APPROVE PAYMENT OF INVOICES

County Auditor Bill Herzog presented invoices for payment in the amount of \$98,475.06. Commissioner Payne spoke of Sheriff's Dept/Jail purchasing items that he felt should have come from the central storeroom. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of invoices in the amount of \$98,475.06. All voting "Aye".

|                          |            |                   |            |
|--------------------------|------------|-------------------|------------|
| Central Storeroom        | \$ 237.84  | Tax Revenue       | \$ 85.50   |
| Fines & Forfeiture Rev   | \$ 50.00   | Auditor's Ofc.    | \$ 564.84  |
| Treasurer's Ofc.         | \$ 375.38  | Extension Ofc.    | \$ 8.24    |
| Judicial                 | \$ 3229.83 | Juvenile Prob.    | \$ 589.46  |
| Election Administration  | \$ 405.00  | Community Serv.   | \$20937.00 |
| Indigency                | \$ 9042.35 | Transfer Sta.     | \$ 61.10   |
| Bldg. Maintenance        | \$ 5754.67 | Health Dept.      | \$ 33.89   |
| Civic Center             | \$ 223.64  | Countywide Misc.  | \$ 8100.62 |
| Tax Assessor/Collector   | \$ 136.00  | District Clerk    | \$ 578.19  |
| County Clerk             | \$ 1139.06 | Sheriff's Dept.   | \$ 5656.64 |
| Jail                     | \$10579.38 | County Crt at Law | \$ 55.00   |
| District Attorney        | \$ 701.60  | J.P. 1-1          | \$ 59.50   |
| J.P. 1-2                 | \$ 30.00   | J.P. 3            | \$ 103.55  |
| J.P. 5                   | \$ 19.50   | DPS               | \$ 340.63  |
| Constable 4              | \$ 148.13  | Constable 5       | \$ 200.50  |
| Social Services          | \$ 75.00   | Foster Child Care | \$ 2010.00 |
| In Home Specialist Grant | \$ 123.48  | Fire Marshal/EMC  | \$ 9.23    |
| District Court           | \$ 559.71  | County Court      | \$ 1018.10 |
| R & B General            | \$ 63.43   | Precinct 1        | \$ 259.27  |
| Precinct 2               | \$ 2447.75 | Precinct 3        | \$ 1772.97 |
| Precinct 4               | \$ 4125.16 | Hot Check Fee     | \$ 207.74  |
| Public Works Dept.       | \$16356.18 |                   |            |

\*July 17, 1989\*

9799 ADOPT PETITION IN SUPPORT OF LEGAL ACTION TAKEN BY GBRA TO PROTECT EDWARDS AQUIFER AND AUTHORIZE FILING OF SAME

Commissioner Wayne Ford spoke of events at the last Commissioners' Court meeting - the language has been changed on the petition - GBRA has requested that Hays County become a Party to the suit. County Judge Don Rains stated that Hays County would not assume any financial obligation. District Attorney Charles Chapman spoke of new language in the resolution. The Law suit requests the State take over the water rights of the aquifer (underground streams). Hays County's risk would be if Court decides that Plaintiff's will pay Court cost, etc. because of filing a frivolous suit. A motion was made by Commissioner Ford to postpone any action until placed on the agenda as "approving resolution....." - Failed for lack of a second. Judge Rains spoke of the decrease in the level of the aquifer since last week - we need to take action now. Commissioner Gonzales spoke of having started hauling water to area residents in his Precinct whose wells have gone dry. Commissioner Ford suggested that the Court voice their support instead of becoming Interveners in the suit. Mr. Stenson (Barton Springs Edwards Aquifer Water Conservation District) spoke - the problem is severe, however, passing a resolution will not affect the aquifer level - request change in wording in the Petition on Page 3: change "Edwards Aquifer" to either "Southern Edwards Aquifer" or "Edwards as delineated in the suit". District Attorney suggested calling the Edwards Aquifer the "Edwards (Balcones Fault Zone) Aquifer, San Antonio Region". Glen Longley spoke - he concurs with wording on the petition and supports very strongly the petition - if water levels continue to drop it could affect the water quality. A motion was made by Judge Rains, seconded by Commissioner Payne to approve Petition In Intervention Supporting Declaratory Judgment to the filed in Cause No. 89-0381 In Re: The Adjudication of Rights to Water in the Edwards Aquifer in the District Court of Hays County, Texas 22nd Judicial District - change Edwards Aquifer to "Edward (Balcones Fault Zone) Aquifer, San Antonio Region. Commissioner Ford requested considerations to protect the individual property owners rights. All voting "Aye".

No. 89-0381

IN RE: THE ADJUDICATION \* IN THE DISTRICT COURT
OF RIGHTS TO WATER \* HAYS COUNTY, TEXAS
IN THE EDWARDS AQUIFER \* 22ND JUDICIAL DISTRICT

PETITION IN INTERVENTION SUPPORTING DECLARATORY JUDGEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Hays County and files this Petition in Intervention as a Plaintiff, supporting the Declaratory Judgment requested by the Guadalupe Blanco River Authority, and would show the Court the following:

I.

Hays County, represented herein by the Commissioners' Court, is a political subdivision of the State of Texas.

II.

Hays County has a justiciable interest in this action because of the following reasons:

- A. The San Marcos Spring is principally located in San Marcos, Hays County, Texas, and is the Hays County surface outlet of Edwards Aquifer to the Guadalupe River Basin.
B. Historically, the flow from the Edwards has constituted a significant portion of the flow of the Guadalupe River during normal weather conditions, and most of the flow of the Guadalupe River during dry conditions. Today, however, the flow of the Edwards is being intercepted by massive, unregulated diversions from wells, before the water reaches the San Marcos Spring. Withdrawals by wells have a large adverse impact on spring flows. Amounts removed by wells are a direct, one-for-one depletion of flow that later would otherwise exit through springs to become a part of the surface water resources.
C. In about 1900, the total annual diversion by wells was a little over 30,000 acre-feet, nearly all in Bexar County. By 1934, the total annual withdrawal by wells had reached about 100,000 acre feet. Well withdrawals have increased greatly in the past 25 years. Well withdrawals reached approximately 530,000

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acre-feet (173 billion gallons) during 1984. Most occurred in Bexar County, where 310,000 acre-feet were withdrawn during 1984. Currently, there are about 800 major wells used for public supply, irrigation, and industrial purposes, and the number of wells is increasing without any regulation by the State.

- D. Increased pumping from wells has had a significant and progressively greater adverse effect on the San Marcos Spring. Well withdrawals of amounts in excess of a half million acre-feet per year have resulted in greatly reduced flows from the San Marcos Spring. Studies based on assumed repetition of past droughts show that the San Marcos Spring will dry up for long periods, and even permanently, unless pumping from the Edwards is regulated effectively.
- E. The loss of natural flow from the San Marcos Spring, even for brief periods of time, will result in severe environmental and economic damage in Hays County. The San Marcos Spring in and of itself is a natural treasure, in many ways like Old Faithful in Yellowstone Park, Hot Springs in Arkansas, Niagara Falls, or Victoria Falls. Like these natural treasures, the San Marcos Spring simply cannot be recreated artificially. The springs should not be allowed to stop flowing because of overpumping the Edwards. Continuous flows from the spring is needed for environmental reasons as well as for water supply reasons at and downstream of the springs in the river system, in the adjacent coastal basins, and in the San Antonio Bay and Estuary which receive freshwater flows from the river system. Rights to divert water from the Guadalupe River issued by the Texas Water Commission for municipal, industrial, irrigation, and other useful purposes are of absolutely no benefit when the river stops flowing. Additionally, as the water levels in the Edwards continue to fall, there is a significant risk that the water remaining in the Edwards will become contaminated.
- F. The water flowing in the Edwards does so as an underground stream. Such waters are owned by the State of Texas. The Edwards also is a finite source of supply of water. Virtually all of the flow of such water feeds the Guadalupe River through two springs, one being San Marcos Spring. The San Marcos Spring will discontinue to flow if the amount of water taken with wells becomes so great that water levels drop below the level of the spring.
- 6. The State of Texas retains title to the water in the Edwards. The Commissioners' Court of Hays County is the lawful governing body of county government in Hays County. Hays County is a political subdivision of the State of Texas. The Hays County Commissioners' Court, in its capacity as the County political governing body, has an interest in this action by reason of its obligation to protect the San Marcos Spring and the interest of its citizens of Hays County in having such protection of the spring assured through this Court.

### III.

Hays County fully supports the declaratory relief sought by the Guadalupe Blanco River Authority. The water in the Edwards Aquifer ("Edwards") should be declared to be owned by the State of Texas in trust for the benefit of the public, and therefore, subject to regulation as State water by the Texas Water Commission.

WHEREFORE, Hays County prays that the Court enter a declaratory judgment that the water in the Edwards is owned by the State of Texas in trust for the benefit of the public, and therefore, subject to regulation as State water by the Texas Water Commission. Hays County further prays that, upon the Court determining that the water in the Edwards is owned by the State, the Court adjudicate all claims of right to use said water. Hays County further prays for such other and further relief as it may be justly entitled in law or in equity.

### BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

County Auditor Bill Herzog spoke of budget requests and proposed budget - County Judge Don Rains' proposed budget cuts out all office equipment requests, reduces line items by 5% with exception of salaries & fringes, no new employees and no salary increases for any county employees - would still create a deficit of \$466,000.00. Mr. Herzog spoke of revenues versus expenditures - revenues are down expenditures up - Reserves = \$1.3 million Judge Rains stated that we need to keep a minimum of \$1 million in reserves and leave all Department budgets the same as FY89 with the exception of the Jail budget. Commissioner Ford stated that he would like to go Department by Department to evaluate their needs.

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Commissioner Payne felt like the Court needed to choose between the Roads or Law Enforcement - which should receive priority. Commissioner Gonzales spoke of the need for a mechanic shop - Judge Rains presented members of the Court with drawings for his proposed storage/mechanic shop facility. Commissioner Gonzales suggested that the mechanic shop be separate from the storage facility because of fire hazards. Judge Rains stated that the Court needs to hold a workshop on the juvenile detention center and the mechanic shop/storage facility.

PRECINCTS

Commissioner Gonzales request same Pct. 1 budget as FY89 but do not reduce his percentage of R & B funds. Pct. 2 Commissioner Ford requested budget of \$456,000 (\$458,000 FY89 budget). Pct. 4 Commissioner Rippy spoke of percentages and the fact that he has more roads - spoke of having to send his crew 35 miles into San Marcos area to work. Pct. 3 Commissioner Craig Payne spoke of Unitary Road System. Commissioner Gonzales reinstated that he would like the same budget for his precinct as FY89 however, he would like salary increases for staff. It was suggested that \$100,000.00 be used from reserves to keep Precinct budgets the same as FY89.

PUBLIC WORKS

Discussion was had on building renovation projects. Commissioner Wayne Ford spoke of Interlocal Agreements to help Cities in his precinct by providing equipment and labor - not materials - spoke of Grants which required County In-Kind assistance.


SALARY INCREASES

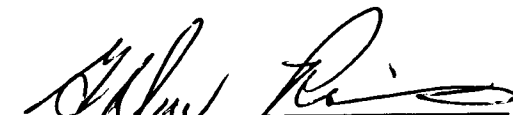
Commissioner Ford recommended that only employees who have worked for at least a year receive a cost of living increase. Commissioner Gonzales opposed % increase. Commissioner Payne recommended 4% for employees and 2% for elected officials. Commissioner Gonzales spoke of insurance/health costs - need to increase salaries \$100 per month for all employees.

EMERGENCY MANAGEMENT COORD. - Grant did not materialize - Judge Rains suggested placing the Fire Marshal/EMC at the Jail under the the Sheriff (not a fulltime job).

COUNTY PURCHASING AGENT - County Auditor Bill Herzog spoke of need for a County Purchasing Agent.

COURT RECESSED UNTIL JULY 21, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 21ST DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9800 PCT. 2 - APPROVE INTERLOCAL AGREEMENTS WITH CITIES OF BUDA AND HAYS

Commissioner Wayne Ford spoke of street repairs needed in the Cities of Buda and Hays - the Cities will provide the materials and County to provide equipment and labor. Commissioner Rafael Gonzales stated that he would like more details on projects in the future. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Interlocal Agreement with the Cities of Buda and Hays for street repairs. All present voting "Aye".



\*July 21, 1989\*

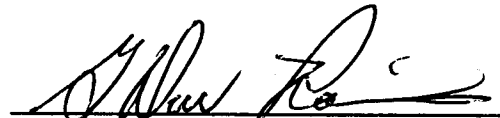
BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

FIRE MARSHAL/EMC

A. D. Carroll submitted a report on activities by his office - spoke of need for a separate radio channel during emergency so as not to interfere with the Sheriff's Department. Need to print manuals for the various Cities. Hugh Snellings spoke of the Emergency Management Program and the necessity for same.

COURT RECESSED UNTIL JULY 24, 1989 AT 9:00 O'CLOCK A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 24TH DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9801 APPROVE INTERLOCAL AGREEMENT WITH DRIPPING SPRINGS RE: EMERGENCY MANAGEMENT

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to enter into a joint resolution for Emergency Management with the City of Dripping Springs. All present voting "Aye".

JOINT RESOLUTION

WHEREAS, the City of Dripping Springs by City Ordinance No. 91, and Hays County by Commissioners Court Order dated 4/14/89, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County find that vulnerability to many potential hazards is shared by residents of Dripping Springs and the unincorporated portions of Hays County; and

WHEREAS, the City and County further finds that the common goal of emergency manangement can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned ordinance and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the Hays County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a joint emergency management plan, togheter with such organized volunteer groups as that plan may specify; and

BE IT FURTHER RESOLVED that the Mayor of Dripping Springs and the Hays County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the Dripping Springs/ Hays County program of comprehensive emergency management, including the preparation and maintenance of a joint emergency management plan for Dripping Springs and Hays County in accordance with this resolution.

\*July 24, 1989\*

RESOLVED this the 11th & 24th days of July, 1989.

s/ Bob Burke  
Mayor, City of Dripping Springs

s/ G. Don Rains  
County Judge, Hays County

ATTEST:

s/ Patty Hastings  
City Secretary

s/ Ronnie Dannelley  
County Clerk

(L.S.)

(L.S.)

9802 ASSIGN NAME TO COUNTY MAINTAINED ROAD - "HOOTS HOLLER"

Commissioner Payne spoke of a half mile dirt road in an unrecorded subdivision - Jay Wahrmond was the developer - property owners have requested that a name be assigned to identify the road - request name to be "Hoots Holler". A motion was made by Commissioner Payne, seconded by Commissioner Rippy to assign name to a dirt road in the Jay Wahrmond unrecorded subdivision, name to be "Hoots Holler". All present voting "Aye".

9803 ORDER AUTHORIZING THE ISSUANCE OF \$30,000.00 PIONEER TRAIL ROAD DISTRICT ("PIONEER TRAIL") UNLIMITED TAX ROAD BONDS, SERIES 1989; PRESCRIBING THE TERMS AND PROVISIONS THEREOF; AUTHORIZING THE SALE THEREOF; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

Randy Robinson appeared - need to proceed with issuance of bonds. Road District was created in 1987. Tax rate would be approximately 52 cents - assessible value is \$1 million - subdivision is 320 acres (140 acres has been developed) - will consist of one mile with cul-de-sac built to county standards. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize issuance of \$30,000.00 Pioneer Trail Road District ("Pioneer Trail") Unlimited Tax Road Bonds, Series 1989; prescribing the terms and provisions thereof; authorizing the sale thereof; and containing other provisions relating to the subject. All present voting "Aye". (SEE COPY IN RESOLUTION FILE)

9804 APPROVE BUDGET AMENDMENT FOR DISTRICT JUDGE'S OFFICE

Billie Forester appeared before the Court - the electric work performed in the District Judge's office construction was over estimate - need to transfer line items in the amount of \$1,000.00. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize transfer of line items in the District Judge's budget - \$1,000 to be transferred from line item #5421 Data Processing Repair & Maintenance into a Construction line item. All present voting "Aye".

9805 APPOINT ELECTION JUDGES FOR 8-1-89 THRU 7-31-90

Joyce Cowan, Election Administrator, presented a list of proposed Election Judges and Alternates. Commissioner Payne requested change in Judge and Alternate in Precinct #30 - make Sarah J. Beasley Judge and Ofelia Vasquez Alternate. Commissioner Ford stated that John White, Alternate for Pct. 28, is moving out of Hays County - need to find a new Alternate. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to appoint Election Judges and Alternates as presented by the Election Administrator with change in Precinct #30 (switch Judge & Alternate) and no Alternate at this time for Pct. #28. All present voting "Aye".

1989-90 JUDGES & ALTERNATES

| <u>PCT.#</u> | <u>JUDGES</u>    | <u>ALTERNATES</u>  |
|--------------|------------------|--------------------|
| 10           | Elias F. Salinas | John W. Campbell   |
| 11           | Nell Burleson    | Barbara Ahlberg    |
| 12           | J. D. Tobias     | Jeff Kester        |
| 13           | Rose Brooks      | Baudelia Arredondo |

\*July 24, 1989\*

|    |                    |                      |
|----|--------------------|----------------------|
| 14 | Rosemary Suniga    | Chris Hierholzer     |
| 15 | Carol Kutscher     | C. S. Livingston     |
| 16 | Johnnie Armstead   | Truman Finley        |
| 20 | Margie Villalpando | Zoila Polanco        |
| 21 | Mary Ann till      | Allene Von Henner    |
| 23 | Ethelene Dunham    | Henry Klipple        |
| 24 | Lois J. Franklin   | Frances Lynn Herms   |
| 25 | Sallye Knutson     | Leslie Young         |
| 26 | Tim Raven          | Reagan Lambert       |
| 27 | Connie Camacho     | Nilda Nava           |
| 28 | Ruth Spivey        |                      |
| 29 | Tim F. Sorrells    | Robert Ronson        |
| 30 | Sarah J. Beasley   | Ofelia Vasquez       |
| 31 | Deanna Badget      | Willis R. Weld       |
| 34 | Aart Millecam      | Preston R. Connally  |
| 35 | Mary Joe Roddie    | Chester Franklin     |
| 36 | Harvey Mathews     | Berry James          |
| 37 | Jeannine Pool      | Leland F. Cadenhead  |
| 40 | Malcolm Light      | Ellis Linsey         |
| 41 | Richard Boltz      | Clem Best            |
| 42 | Judge Templeton    | Michael Leamons      |
| 43 | Jo Overton         | John M. Bryant       |
| 44 | Estella Lerma      | Holly Murray         |
| 45 |                    |                      |
| 46 | Mary Compton       | Ann Brieger          |
| 47 | Inez Patton        | Laura Yantis Gray    |
| 48 | Anita Saxon        | C. L. (Skip) Schiber |
| 49 | Sybil Floyd        | Jacqueline M. Adams  |

COUNTING STATION : Wilbon Davis - Counting Station Manager  
 Mark D. Lambdin - Tabulation Supervisor  
 Janis Womack - Presiding Judge

ABSENTEE BOARD : George Boerman - Presiding Judge  
 Delia Lucio - Alternate Judge  
 Vannis Mathews - Worker  
 Doris Moloney - Worker

#### 9806 APPOINT ORAN RIPPY TO C.A.R.T.S. BOARD

A motion was made by Commissioner Payne, seconded by Commissioner Ford to appoint Oran Rippy to the C.A.R.T.S. Board of Directors. All present voting "Aye".

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\*July 24, 1989\*

9807 APPROVE RESOLUTION SUPPORTING IMPLEMENTATION OF 9-1-1 SURCHARGE IN ACCORDANCE WITH ARTICLE 1432F

Patsy Greiner, Administrator Coordinator, spoke - County has already passed a resolution supporting 9-1-1 implementation, however, we need to pass a resolution continuing support and implementing the surcharge (50 cents + 2/10 of 1% of long distance calls). Manny Fernandez (CAPCO) spoke - 9-1-1 will primarily be housed at the Sheriff's Department. Estimated cost for the Regional Program = \$244,000 for the system and monthly cost = \$7,500.00 to operate. Estimated revenue: @ .50 month = \$14,155 month X 12 months = \$169,865.00. Implementation would be in late 1991 or early 1992 - surcharge will begin in January or February 1990. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution supporting implementation of 9-1-1 surcharge in accordance with Article 1432F. All present voting "Aye".

RESOLUTION

WHEREAS, the 9-1-1 Emergency Telephone Number is a dedicated nationwide emergency number for police, fire and ambulance which provides major lifesaving advantages to citizens and public safety agencies; and

WHEREAS, Article 1432f, of the Vernon's Texas Civil Statues, as amended, authorizes the establishment of the Advisory Commission on State Emergency Communications and the implementation of Enhanced 9-1-1 Emergency Telephone Systems in Texas; and

WHEREAS, Article 1432f authorizes the implementation of 9-1-1 through the development of regional plans and allows for counties having a population of 120,000 or less and cities within those counties to participate in the plan by resolution of their governing bodies; and

WHEREAS, Article 1432f authorizes the Advisory Commission on State Emergency Communications to establish in areas participating in the plan, a 9-1-1 service fee of not more than 50 cents a month per local exchange access line and a 9-1-1 surcharge on each customer receiving intrastate long-distance service of not more than one-half percent; and

WHEREAS, the HAYS COUNTY COMMISSIONERS' COURT approves participation in the County/City and CAPCO regional plan and proposed budget.

NOW, THEREFORE, BE IT RESOLVED THAT the HAYS COUNTY COMMISSIONERS' COURT provides its wholehearted support to the establishment of an enhanced 9-1-1 Emergency Telephone Number and the implementation of the 9-1-1 fee and surcharge in HAYS COUNTY and chooses to participate in the 9-1-1 regional plan in accordance with Article 1432f.

APPROVE AND ADOPTED on this the 24th day of July, 1989.

s/ G. Don Rains  
COUNTY JUDGE

ATTEST:  
  
s/ Ronnie Dannelley  
HAYS COUNTY CLERK

MONTHLY TREASURER'S REPORT

County Treasurer Dottie Sims presented her Monthly Treasurer's report for June 1989

SUMMARY OF RECEIPTS & DISBURSEMENTS  
FOR THE PERIOD JUNE 1989

SUMMARY OF COUNTY JAIL AND HAYS COUNTY FUNDS  
FOR THE PERIOD ENDING JUNE 1989

SUMMARY OF PUBLIC WORKS PROJECTS AND SPRINGLAKE  
FOR THE PERIOD ENDING JUNE 1989

\*July 24, 1989\*

Filed: July 24, 1989

COMMISSIONER'S COURT  
HAYS COUNTY, TEXAS

COUNTY OF HAYS  
SUMMARY OF RECEIPTS & DISBURSEMENTS  
FOR THE PERIOD JUNE 1989

|                             | R & B        |            | R & B     |           | R & B      |            | R & B     |           | R & B     |              | OTHER FUNDS |       | TOTAL FUNDS |
|-----------------------------|--------------|------------|-----------|-----------|------------|------------|-----------|-----------|-----------|--------------|-------------|-------|-------------|
|                             | GENERAL      | PCT #1     | PCT # 2   | PCT #3    | PCT #4     | PCT #1     | PCT # 2   | PCT #3    | PCT #4    | PCT #4       | FUNDS       | FUNDS | FUNDS       |
| Balance on 06-01-89         | 104,243.03   | 11,740.40  | 11,439.43 | 13,368.34 | 12,173.05  | 16,080.08  | 18,923.38 | 18,044.39 | 31,122.78 | 218,211.50   |             |       |             |
| Deposit Warrants (Receipts) | 1,063,760.69 | 10,843.58  | 25,857.88 | 11,241.33 | 18,197.32  | 27,843.67  | 18,923.38 | 18,923.38 | 3,652.63  | 1,180,320.48 |             |       |             |
| Total                       | 1,168,003.72 | 22,583.98  | 37,297.31 | 24,609.67 | 30,370.37  | 43,923.75  | 36,967.77 | 36,967.77 | 34,775.41 | 1,398,531.98 |             |       |             |
| Disbursements (Claims)      | 1,074,119.26 | 17,731.45  | 24,220.95 | 20,708.68 | 24,853.09  | 23,195.08  | 28,528.40 | 28,528.40 | 3,514.73  | 1,216,871.64 |             |       |             |
| Total                       | 93,884.46    | 4,852.53   | 13,076.36 | 3,900.99  | 5,517.28   | 20,728.67  | 8,439.37  | 8,439.37  | 31,260.68 | 181,660.34   |             |       |             |
| Balance in bank on 06-30-89 | 93,884.46    | 4,852.53   | 13,076.36 | 3,900.99  | 5,517.28   | 20,728.67  | 8,439.37  | 8,439.37  | 31,260.68 | 181,660.34   |             |       |             |
| Certificates of Deposits    | 2,100,000.00 | 105,000.00 | 35,000.00 | 40,000.00 | 85,000.00  | 143,000.00 | 75,000.00 | 75,000.00 | -0-       | 2,583,000.00 |             |       |             |
| Money Market                | 39,548.17    | 8,112.87   | 5,292.51  | 15,189.16 | 10,131.03  | 22,904.75  | 12.37     | 12.37     | 31,458.05 | 132,648.91   |             |       |             |
| Total Fund Balance          | 2,233,432.63 | 117,965.40 | 53,368.87 | 59,090.15 | 100,648.31 | 186,633.42 | 83,451.74 | 83,451.74 | 62,718.73 | 2,897,309.25 |             |       |             |

All Other Funds include:

|                                    |           |
|------------------------------------|-----------|
| U S Revenue Sharing Fund           | -.34...   |
| Unemployment Self Insurance        | 18,355.68 |
| Hot Check Fee Fund                 | 4,175.05  |
| Hays County Cummings Hospital Fund | 1.00      |
| Law Library                        | 8,728.61  |
| Permanent Improvement Fund         | -0-       |

\*Temp. Transfer from R&B Gen to Pct #4 \$10,000.00

*Dorothy P. Sims*  
Dorothy P. Sims, County Treasurer

\*July 24, 1989\*

COUNTY OF HAYS  
SUMMARY OF COUNTY JAIL AND HAYS COUNTY FUNDS  
FOR THE PERIOD ENDING JUNE 1989

|  | County Jail<br>Construction | Jail<br>Retainage | County Jail<br>Addition<br>Construction | Jail<br>Addition<br>Retainage | County Jail<br>Interest &<br>Sinking | Jail Addition<br>Interest &<br>Sinking | Hays County<br>Interest &<br>Sinking |
|--|-----------------------------|-------------------|---|-------------------------------|--------------------------------------|--|--------------------------------------|
| Beginning balance in C.D.'s on 06-01-89    | 1,515,000.00                |                   | -0-                                     |                               | 454,600.00                           | 110,900.00                             |                                      |
| New C.D.'s                                 | -0-                         |                   |   |                               | -0-                                  | -0-                                    |                                      |
| Matured C.D.'s transferred to Money Market | -0-                         |                   |   |                               | 454,600.00                           | 110,900.00                             |                                      |
| Ending balance on 06-30-89                 | 1,515,000.00                |                   | -0-                                     |                               |                                      |  |                                      |
| Beginning balance in Money Mkt on 06-01-89 | 116,885.83                  | 33,929.02         | 134,002.32                              | 1,308.67                      | 58,457.70                            | 20,884.36                              | 34,068.92                            |
| Interest (Includes C.D. interest)          | 1,290.46                    | 154.77            | 585.34                                  | 5.97                          | 266.66                               | 95.27                                  | 155.41                               |
| Deposits                                   | -0-                         | -0-               | -0-                                     | -0-                           | -0-                                  | -0-                                    | -0-                                  |
| Transfers to checking for disbursement     | -0-                         | -0-               | 15,500.00                               | -0-                           | -0-                                  | -0-                                    | -0-                                  |
| Matured C.D. transferred to Money Market   | -0-                         | -0-               | -0-                                     | -0-                           | -0-                                  | -0-                                    | -0-                                  |
| Ending balance on 06-30-89                 | 118,176.29                  | 34,083.79         | 119,087.66                              | 1,314.64                      | 58,724.36                            | 20,979.63                              | 34,224.33                            |
| Beginning balance in checking on 06-01-89  | 10,254.88                   |                   | 8,116.90                                |                               | 13,852.38                            | 3,216.81                               | 40,043.88                            |
| Deposits                                   | 7,904.55                    |                   | 15,500.00                               |                               | 13,442.06                            | 3,052.99                               | 3,893.63                             |
| Disbursements                              | 135.71                      |                   | 23,565.00                               |                               | -0-                                  | -0-                                    | 19,157.25                            |
| Ending balance on 06-30-89                 | 18,023.72                   |                   | 51.90                                   |                               | 27,294.44                            | 6,269.80                               | 24,780.26                            |
| TOTAL BALANCE FOR EACH FUND                | 1,651,200.01                | 34,083.79         | 119,139.56                              | 1,314.64                      | 540,618.80                           | 138,149.43                             | 59,004.59                            |

\*July 24, 1989\*

COUNTY OF HAYS  
 SUMMARY OF PUBLIC WORKS PROJECTS AND SPRINGLAKE  
 FOR THE PERIOD ENDING JUNE 1989

|   | Hays County<br>Public Works | Public Works<br>I & S | Public Works<br>Tarver Retainage | Springlake<br>Construction | Springlake<br>I & S |
|---|-----------------------------|-----------------------|----------------------------------|----------------------------|---------------------|
| Beginning balance in C.D.'s on 06-01-89       | 775,000.00                  | 275,100.00            | -0-                              | -0-                        | 97,966.35           |
| New C.D.'s                                    | -0-                         | -0-                   |                                  |                            | -0-                 |
| Matured C.D.'s transfered to Money Market     | -0-                         | -0-                   |                                  |                            | -0-                 |
| Ending balance on 06-30-89                    | 775,000.00                  | 275,100.00            | -0-                              | -0-                        | 97,966.35           |
| Beginning balance in Money Market on 06-01-89 | 76,617.90                   | 5,823.57              | 5,377.21                         | -0-                        | -0-                 |
| Interest (Includes C.D. interest)             | 349.50                      | 26.56                 | 24.53                            |                            |                     |
| Deposits                                      | -0-                         | -0-                   | -0-                              |                            |                     |
| Transfers to checking for disbursement        | -0-                         | -0-                   | -0-                              |                            |                     |
| Matured C.D.'s transfered to Money Market     | -0-                         | -0-                   | -0-                              |                            |                     |
| Ending balance on 06-30-89                    | 76,967.40                   | 5,850.13              | 5,401.74                         | -0-                        | -0-                 |
| Beginning balance in checking on 06-01-89     | 31,644.58                   | 5,727.01              | -0-                              | -0-                        | 453.57              |
| Deposits                                      | 2,413.75                    | 5,794.76              |                                  |                            | 1,562.95            |
| Disbursements                                 | 19,577.26                   | -0-                   |                                  |                            | 332.70              |
| Ending balance on 06-30-89                    | 14,481.07                   | 11,521.77             | -0-                              | -0-                        | 1,683.82            |
| <b>TOTAL BALANCE FOR EACH FUND</b>            | <b>866,448.47</b>           | <b>292,471.90</b>     | <b>5,401.74</b>                  | <b>-0-</b>                 | <b>99,650.17</b>    |

\*July 24, 1989\*

9808 APPROVE EASEMENT FOR GTE ACROSS FISCHER STORE ROAD BRIDGE

Commissioner Payne spoke of need for GTE to run conduit across the new bridge at Fischer Store Road. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve easement for GTE across Fischer Store Road bridge. All present voting "Aye".

9809 APPROVAL FOR INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT - DUST CONTROL

Commissioner Wayne Ford spoke of request by Hays CISD for "dust control" at the School parking lots - would like for County to use water truck. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize Interlocal Agreement between Hays County and the Hays Consolidated I.S.D. for "Dust Control" at the School parking lots. All present voting "Aye".

9810 REQUEST SALARY ADJUSTMENTS FOR COUNTY TREASURER'S EMPLOYEES

County Treasurer Dottie Sims spoke of her staff - asked for re-evaluation of salaries - 150 new county employees have been added to the County payroll and increased workload for the insurance representative. Request is for Insurance Rep position be raised from \$870 per month to \$1100 - Clerk from \$850 per mo. to \$1000 - Part time Clerk from \$6 per hour to \$6.25 per hour and Assistant Co. Treas. from \$1261 to \$1333.33 per month. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve salary adjustments for County Treasurer's employees as requested to be effective July 1, 1989. Commissioner Ford stated that the County continues to lose longtime employees because of low pay. Judge Rains spoke of bad timing for this request for salary increases - we need to wait for budget workshops. Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne and Judge Rains voting "No". MOTION FAILED.

9811 AMEND BUDGET FOR LONGEVITY

County Auditor Bill Herzog spoke of need to amend the budget to reflect longevity payments into the various departments = \$20,272.00. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to amend the budget to reflect longevity payments as presented by the County Auditor. All present voting "Aye".

Amendment No. 89-028 FY 1989 Budget

|                           |             |
|---------------------------|-------------|
| Fund 01 General           | \$15,295.00 |
| Fund 02 Jury              | 980.00      |
| Fund 03 Road & Bridge Gen | 186.00      |
| Fund 04 Precinct 1        | 1,952.00    |
| Fund 05 Precinct 2        | 801.00      |
| Fund 06 Precinct 3        | 390.00      |
| Fund 07 Precinct 4        | 668.00      |

\$20,272.00

01.414.5080 Longevity \$29,400.00

Balance in Longevity Line Item = \$9,128.00

(See Breakdown by Line Items in Resolution File)

9812 PUBLIC HEARING - ESTABLISH TRAFFIC REGULATIONS ON COUNTY ROAD #140 AND COUNTY ROAD #159 (STOP SIGNS)

Commissioner Wayne Ford spoke of intersection of County Road #140 & #159 (Yarrington Overpass) - stop signs have been there for many years - no action was ever taken to establish. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to establish Stop Signs at the intersection of County Roads #140 & #159. All present voting "Aye".



\*July 24, 1989\*

9813 AMEND BUDGET FOR DISTRICT COURT SALARIES

County Auditor Bill Herzog stated that the District Court Reporter's salary needs to be put into the Staff-Salaries Line Item (\$83,432). A motion was made by Commissioner Payne, seconded by Commissioner Ford to amend the budget for the District Court by placing the District Court Report Salary of \$41,632 into the District Court Staff Salary line item #5020. All present voting "Aye".

9814 ENTER INTO MINUTES NAMES OF BIDDERS FOR HEALTH & DENTAL INSURANCE

County Auditor Bill Herzog read out list of bidders for Health & Dental Insurance:

- Insurance Service Center (PPO)
- American General (Traditional & PPO)
- Blue Cross & Blue Shield of Texas
- THP (HMO)
- AmeriDent (Dental Only)

Jim Rotan, Insurance Representative, spoke of proposals from June 13, 1989 - on June 30, 1989 American General made Harper & Hale the Agent of Record for Hays County because of a request from the County Auditor Bill Herzog - Mr. Rotan's agent of record request was denied - Mr. Rotan felt like he was denied competitive bidding and requested that the Court reject all bids and re-bid. County Judge Don Rains explained that there had been a verbal commitment with Harper & Hale - they had been working on a PPO (Preferred Provider Organization) for the County. Discussion was had on the letter sent to American General by the Auditor's office requesting Harper & Hale as the County's Agent of Record - the Court did not authorize - was on the authority of the County Judge and later rescinded by him. Commissioner Ford asked what events caused the letter to come about - Bill Herzog stated that Harper & Hale had performed the legwork for a PPO and felt like they should be the Agent. Commissioner Ford stated his concern about the circumstances. A motion was made by Commissioner Ford, seconded by Commissioner Payne to reject all bids and authorize the County Auditor to request new proposals for Health & Dental Insurance. All present voting "Aye".

9815 APPROVE PAYMENT OF INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of county Invoices as presented by the County Auditor in the amount of \$111,829.90. All present voting "Aye".

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| S Hays VFD Util   | \$ 9.58     | Central Storeroom | \$ 51.35    |
| Auditor           | \$ 170.53   | Extension Ofc.    | \$ 390.96   |
| Judicial          | \$ 4,506.65 | Juv. Probation    | \$ 512.38   |
| Election Adm.     | \$ 636.96   | Indigency         | \$ 48.93    |
| Transfer Station  | \$ 4,020.34 | Bldg. Maint.      | \$ 614.60   |
| Health Dept.      | \$ 16.49    | Civic Center      | \$ 136.00   |
| Countywide Misc.  | \$12,994.50 | Tax A/C           | \$ 319.30   |
| Dist. Clerk       | \$ 105.00   | County Clerk      | \$ 3,499.77 |
| Jail              | \$13,142.60 | Adm. Coord.       | \$ 25.83    |
| Dist. Atty.       | \$ 18.59    | J.P. 1-1          | \$ 42.22    |
| J.P. 2            | \$ 23.17    | J.P. 5            | \$ 80.92    |
| Constable 2       | \$ 500.00   | Constable 5       | \$ 104.97   |
| Data Proc. Adm    | \$ 350.00   | TDH TB Grant      | \$ 5.00     |
| Foster Child Care | \$ 4,030.00 | District Court    | \$ 1,740.28 |
| County Court      | \$ 1,131.83 | R&B General       | \$ 20.00    |
| Precinct 1        | \$ 2,469.15 | Precinct 2        | \$ 42.00    |
| Precinct 3        | \$ 9,128.84 | Precinct 4        | \$ 5,838.12 |
| Hot Check Fee     | \$ 282.86   | Law Library       | \$ 54.16    |
| Public Works      | \$44,766.02 |                   |             |

9816 APPROVE MINUTES OF JUNE 1989

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve the Minutes of June 1989 as presented by the County Clerk. All present voting "Aye".

\*July 24, 1989\*

9817 KIRBY SPRINGS RANCH PHASE 1 - 89-012 (PCT. 4)

Mark McManus presented subdivision on second and third readings. Administrator Patsy Greiner stated that plat needed an aquifer note and street name. Commissioner Payne requested additional right-of-way easement of 15' (existing road is 30'). A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Kirby Springs Ranch Phase I" subdivision on second and third readings with 15' additional right-of-way. All present voting "Aye".

9818 PUTNAM RANCH - TRACTS 1 & 2 - 89-023 (PCT. 4)

Mark McManus presented subdivision on first, second and third readings - a 2 lot shortform subdivision on an existing roadway. Administrator Patsy Greiner stated that street name and aquifer note need to be put on plat. Commissioner Payne recommended that a property owners association be created for road maintenance. Commissioner Rippy advised Mr. McManus that Developer will need to create a property owners association before she subdivides further. Mr. McManus stated that the road is privately owned by Mrs. Putnam. Commissioner Rippy advised that the Commissioners' Court will not approve additional tracts without a property owners association. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Putnam Ranch" subdivision on first, second and third readings. Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

9819 SPRING HOLLOW REPLAT LOTS 15-A & 15-B - 89-022 (PCT. 3)

Public Hearing was held. Eric Ashley presented Spring Hollow Replat on first, second and third readings. Administrator Patsy Greiner spoke of property lines going to the center of the road and utility easement is the same as road access. Mr. Williams, property owner, spoke - two families live on this property - himself and another family - he needs to obtain title to the property as two separate lots. A resident of Spring Hollow (did not give his name) spoke - concerned about Notice of Public Hearing being run in the Blanco newspaper instead of a Hays County newspaper - spoke of deed restrictions not allowing resubdividing of lots - concerned about resubs and hardship it could create on the private road. Mr. Williams spoke of home owners association and problems with restrictions. Commissioner Payne requested that property owner give up title to property that lies in the roadway and Court will grant variance on one acre lot size. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Spring Hollow Replat Lots 15-A & 15-B" on first and second hearings. All present voting "Aye".

BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

Justice of the Peace Pct. 1 Place 1 Macel Sullivan appeared before the Court.

Request: new line item for continuing education = \$200.00  
 salary increase for staff - Virginia Ibarra f/\$989 to \$1110 per mo.  
 Dora Gonzales f/\$1122 to \$1222 per mo.  
 used IBM Correcting Selectric III Typewriter = \$200

J.P. Sullivan spoke of copy machine in her office being used for County Court at Law and District Courts when they use the LEC Courtroom - this could cause an increase in meter charges on her copier.

Treasurer - Dottie Sims appeared before the Court - Requests:

Memorywriter typewriter = \$1,100.00 for Insurance Rep  
 Computer terminal = \$ 500.00 for Insurance Rep  
 Salary increases for staff: Assistant \$16,000 per yr  
 Insurance Rep \$13,200 per yr  
 Clerk \$12,000 per yr  
 Part time (\$6.25ph)\$5,625 per yr

County Extension Office - Susan Schramm appeared before the Court

Requests: New line items 5271 Fuel & Lub. = \$2,000.00  
 5413 Veh Mtv.&Svc= \$ 500.00  
 5272 Tires/Veh Supp= \$ 500.00  
 Part time Secretary position = \$ 5,200.00  
 Continuing Education \$ 500.00  
 Salary Increase f/Ofc.Manag. f/\$14,490.96 to \$16,000 per yr

\*July 24, 1989\*

Niederwald Volunteer Fire Department - Fern Howze, Treasurer NVFD appeared along with Mr. Howze, Vice President NVFD. Last year's allocation was \$2,200.00. Their trucks and equipment are obsolete - insurance costs have increased greatly - requested an additional \$2,200 to be used for repairs - they are building a training center that will be free of charge to use - NVFD is not large enough to be a taxing entity - calls are mainly grass fires.

Public Libraries - Stephanie Langenkamp, Director of the San Marcos Public Library, appeared before the Court - spoke in support of all Libraries. Budget request is for \$80,000.00 to be divided as follows:

|                                    |          |
|------------------------------------|----------|
| San Marcos Public Library          | \$32,000 |
| Kyle Community Library             | \$12,000 |
| Buda Public Library                | \$12,000 |
| Village Library of Wimberley       | \$12,000 |
| Dripping Springs Community Library | \$12,000 |

San Marcos Public Library - \$21,750 received from the county represents only about 6.5% of the total budget, yet 32% of the library card holders live in Hays County outside the San Marcos City limits. Bill Liddle, San Marcos Public Library Board Member, spoke in support of the Library and the programs provided.

Village Library of Wimberley - Herb Feldsted spoke of Literacy program that is being started - one paid staff member at the Library.

Buda Public Library - spoke of use - building is only 1200 sq. ft. and is used by 200 students and Day Care Centers - library is open 28 hours per week

Dripping Springs Community Library - Nora Walters spoke in support - Nina Prytel spoke in support, especially the literacy program.

Commissioner Gonzales asked about personnel at the San Marcos Public Library. Mrs. Langenkamp spoke - 14 people are employees + 1 on a grant - 5 are fulltime the rest are part-time - County funds pay for books and shelving supplies - City of San Marcos pays the salaries - volunteers are also used. Bill Liddle spoke of all the Libraries being understaffed.

Casa Del Sol - Robert Martinez, Executive Director of Casas del Sol Housing Corporation appeared - Casas del Sol is a newly organized non-profit organization whose main purpose is to help build homes and provide assistance to low and very low income and underprivileged families in the rural area - addresses the housing problems in San Marcos with help of FHA - they are targeting Kyle, Martindale, Maxwell, Redwood and other rural areas of Hays County. Targeted programs are: FmHA Self-Help Housing Programs, Self-Employment Training Program, Basic Electronic Assembly Program and School Children Computer-Data Processing Training Program. Mr. Martinez stated that he is a volunteer and does not receive compensation.

Health Department - Terry Ewald appeared - request salary increases for Cindy McAllister (MCH RN) from \$1842 to \$1934 per month and for Allen Walther (Sanitarian) from \$1770 to \$1859 per month - requested increases in fuel and truck maintenance - requested that some Indigent Funds be used for Home Health Care - funding of this program could reduce hospital costs by having a nurse come to the home.

Northeast Hays County EMS - Pete Stone, President of the EMS District, appeared - spoke of new organization - budget request = \$140,660 - service is provided from 6PM to 6AM on weekdays and 24 hours per day on weekends and holidays.

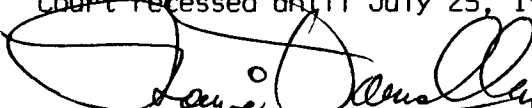
|                               |           |                      |
|-------------------------------|-----------|----------------------|
| Administrative Expenditures   | \$ 27,950 | 19.80% of the budget |
| First Responders Expenditures | \$ 13,750 | 9.7 %                |
| Ambulance Expenditures        | \$ 12,450 | 8.8 %                |
| Capital Outlay                | \$ 86,510 | 61.50%               |

TOTAL BUDGET = \$ 140.660

There are approximately 20,000 people in the District - cost per person = \$7.03 - next year the District should be able to fund itself with a 2 cent tax. Jana Ashford spoke - from Jan-present that have responded to 50 calls - first year was 90+ calls.

Wimberley Senior Citizens - Jeannine Pool spoke of need to purchase a building - request \$6,000 to help fund the Center - last year they did not ask for any funding - renovated a metal building - being used as a Community Center - Thrift Shop revenues provide operation expenses. Joe Heidenfelder spoke - county funds will be used for operational expenses.

Court recessed until July 25, 1989 at 10:00 o'clock A.M.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 25th DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP**

Commissioner Ford was not present at the beginning of the workshop.

Juvenile Probation Dept. - Ed Cooper spoke - 58 juveniles are on probation at this time - in 1981 they have started receiving State Aide - request is for an additional Juvenile Probation Officer at \$1800 per month (must have a Bachelors Degree and 1 year experience/salary cannot be less than an Adult Probation Officer) - new JPO would be an Intensive Supervision Probation Officer (ISP Ofcr) - would need \$650 in office equipment to purchase a new desk and chair for ISPO. Salary increases were requested:

Ed Cooper, Chief Probation Officer f/\$2,547 to \$2,801 per month  
 Shelly Williams, Probation Officer f/\$1,889 to \$2,077 per month  
 Mary Ann DeLeon, Secy. Part-time f/\$ 542 to \$ 596 per month

Mr. Cooper stated that his office is receiving more Federal and State Funds every year, however, the County funds are dropping. State and Federal Funds are suppose to support not take place of county funds.

Election Administrator - Joyce Cowan spoke - postage needs to be increased to mail n certificates - data processing lease is increasing - would like a 5 year lease - satisfied with the present system - would like to purchase voting equipment - present equipment is 12-15 years old - there are 199 booths on inventory and 9 should not be used (in need of repair/replacement) - 1 booth is needed per 100 voters and there are 35,000 registered voters - request purchase of 50 votomatics @ \$315 each = \$15,750 - need to purchase a high speed counter (\$15,000) - present counters feed ballots one at a time and take a considerable amount of time to count.

San Marcos-HaysCounty EMS - Tom Partin, EMS Director, appeared - contract expires 9/30/89 - budget request is for \$111,395.00. Need additional personnel (3) to man 2 units. Insurance costs continue to go up - projected revenues = \$168,000 70% collection rate - covers the Buda area from 6AM - 6PM weekdays.

Data Processing Dept. - Danny Dever spoke - request salary increase for himself and staff: DP Admin. from \$25,000 to \$28,000 per year

Software Support Specialist from \$13,500 to \$15,000 per year spoke of jail being a 24 hour operation and requiring more of his time - continuing education could be cut if necessary - spoke of lightning hitting the DPS unit costing \$2,274 to repair - present system is maxed out - response time has gone down - could add memory or purchase a new unit - new computer system would cost \$150,000-\$200,000 - Misc. Expense request is for \$500 for postage, freight returns to vendors or equipment shipped for repair, etc. - could change Misc. line item to Postage. Felt like increasing Data Processing would decrease need for more staff in all Departments

District Clerk - W. H. Moore spoke - requested salary increases for staff of \$125 p month per employee - should be rewarded for their skills and dedication - request increase in postage and continuing education (required by law) - requested \$2,000 in office equipment - need typewriters and microfiche storage - spoke of need to store microfiche in an environmentally safe area - spoke of microfiche saving an enormous amount of office space.

County Clerk - Ronnie Dannelley passed out list of fees collected by the County Clerk's Office - requested salary increase for Rachel House, Senior Court Clerk from \$1582 to \$1600 to bring her salary in line with County Court at Law Court Coordinator - need office equipment requested.

Hays County Appraisal District - Bill Backus, Chief Appraiser, appeared - gave budget

\*July 25, 1989\*

figures:

|        |                             |
|--------|-----------------------------|
| 1987 = | \$ 819,569                  |
| 1988   | \$ 820,699                  |
|        | \$ 889,501 amended amount   |
| 1989   | \$ 857,562                  |
| 1990   | \$ 889,792 requested amount |

8.51% increase - Rent & Utilities = \$90,000.00 - would like to see a separate building to be built for the CAD.

Kyle EMS - James Valentine, Vice President of Kyle First Responders appeared - budget request is for \$9,350 (\$5,000 in FY89) - updating communications equipment - they are not covered by insurance at this time (researching insurance cost - estimate = \$3500-4000) - presently covered only by the "Good Samaritan Law" and their certifications - there are 16 volunteers.

Justice of the Peace Pct. 2 - James Holt - request increase in salaries for himself and staff of \$100 per month each - spoke of revenues and greater amount of paperwork

Commissioner Ford came to meeting at this time.

District Attorney - Charles Chapman withdrew his request for some of the salary increases that he had previously requested - spoke of having only one Judicial District - could hold more trials - New line items requested: Travel for D.A. & Assistants = \$2,000 Continuing Education = \$3,000 and Misc. = \$1,000 - Office Equipment needed is a letter quality printer = \$1,000 and a heavy-duty photocopier = \$4,200 - would like to make one part-time clerk into fulltime - could use another Investigator - have not been able to receive money from drug cases.

Justice of the Peace Pct. 1 Place 2 - Becky Sierra appeared- requested new line items: Continuing Education = \$250 and Ofc. Equipment Repair & Maint. = \$400 - requested salary increases for herself (\$24,000 per year) and for staff: Secy I (9 yrs of service) \$14,022.72 per year and Secy II (7 yrs of service) = \$13,989.48 per year - Office Equipment needed: 3 filing cabinets (legal size) \$730 and 1 typewriter \$895 - slight increases in office supplies, postage, misc. and telephone.

Tax Assessor-Collector - Ruth Clayton spoke - need to reduce original request on line item #5712 from \$5,000 to \$1,500 (will not need this next year) - requested office supplies increase and increase in postage (mandatory mailing in 1990 to all delinquent taxpayers) - request salary increases for all county employees and elected officials - felt like a \$ amount would be the fairest way to go to benefit the lower paid employees - increases should not apply to employees who have worked for the County less than one year on October 1st. - spoke of new provision to allow partial payments on delinquent taxes - felt like we could collect more taxes this way. Spoke in support of raising the R&B fee on vehicle registrations from \$5 to \$8 - need to petition the State Legislature to increase Motor Vehicle Registration allocations to Counties.

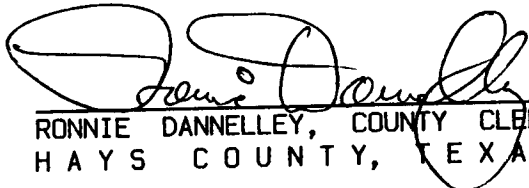
Dept. of Public Safety (DPS) - Sgt. Ralph Meyer requested part-time secretary position @ \$600 per month and salary increases for fulltime employees (3 Secretaries) @ \$70 per month each - Equipment request is for a CRT and Printer (\$2,000) - JP main frame is in the DPS office - 2 new radar to be used for 3 years (\$5,000) - used radar units are given to the Constables/Sheriff's Dept. - some are used as spares - Communication Equipment request \$600 for a shredding machine \$1200 for a Tele Fax machine and \$1000 for a base station radio modification. Sgt. Meyer spoke of revenues generated by the DPS (\$475,000).

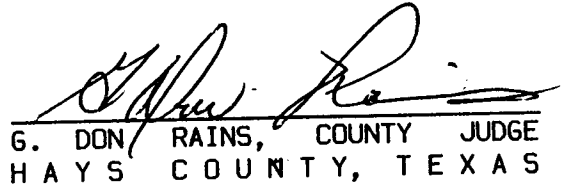
CA Senior Citizens Program - Margie Villapando appeared - request is for \$10,000 - program provides transportation for senior citizens to meals, recreational activities and to pay their bills - Ray Kotowski spoke in support of the program.

CA Legal Aid Program - Katherine Clayton, Atty., appeared - requested is for \$7,671 which is 19-20% of the budget - approximately the same percentage of residents served by legal aid are from the areas outside of San Marcos - Legal Aid has had to move from the Young building - expenses have doubled - asked the Court to consider supplying office space - Ray Kotowski spoke of the services provided.

Crisis Hot Line - Marjorie First, Director, spoke of the 24 hour HOTLINE - moved to a new location - request is for an additional \$1000 - rent has increased f/\$100 to \$125 - Scheib is providing 1/2 day counseling one day a week, however, this is not enough - average about 8-20 calls per day (3000-3500 per year) - suicide education is available - United Way provides some funding.

RECESSED UNTIL JULY 26, 1989 AT 10:00 O'CLOCK A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
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COUNTY OF HAYS \*

ON THIS THE 26TH DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE-             |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET**

San Marcos Economic Development Program - Jim Gandy, Executive Vice President of the San Marcos Chamber of Commerce appeared along with Vicki Fruit - spoke of current projects that will create 775 new jobs - proposed budget = \$106,000 (City of San Marcos \$40,000 Hays County \$15,000 San Marcos Industrial Foundation \$30,000 Private Sector \$20,000) Jerry Ramiro, Fundraiser, spoke in support - prospective industries and new businesses have indicated that their concerns are the need for a convention center and first class hotel - Clarence Miller, President of the San Marcos Chamber of Commerce spoke of not having facilities for large meetings.

Hays-Caldwell Council on Alcohol and Drug Abuse - spoke of drug & alcohol abuse - 1 out of 4 families have abusers - spoke of different agencies that overlap but do not duplicate Their purpose is prevention/intervention programs - support groups for children of chemically dependent families - provide public education and clinical - request is for \$5,000 (\$4000 funded last year + \$1000 for drug free fair).

Justice of the Peace Pct. 4 - John Burke, Jr. appeared - requested increase in rent from \$200 to \$300 per month - requested part-time Court Clerk to full-time @ \$13,000 per year - requested increase in his salary from \$17,500 to \$22,500.

P.A.W.S. (Public for Animal Welfare Society) - Gail Field, President of PAWS, spoke - request is for \$3,000 - shelter has 1 fulltime and 2 part-time employees - programs provided are: reduced rate spaying & neutering, adoption, humane education at elementary schools, cruelty investigators and nursing home pet visit programs.

Scheib Opportunity Center Inc. - Havard Claybourn, John Grayson and Michael Witners appeared. Budget request is for \$18,000 (received \$14,000 last year). Mental Retardation Program has served 39 clients in the sheltered workshop - spoke of various projects with businesses and lawn services provided - would like to expand the workshop. They provide emergency 24-hour service which requires that a staff person will respond to an psychiatric emergency, including suicide attempts(works with the Sheriff's Dept. and San Marcos Police Department).

Constable Pct. 2 - James Kohler appeared - requested a radio for his patrol unit =\$2388

Southside Community Center - Ruben Garza spoke - request is for \$7,000 (\$3500 last year) for overall operation and housing rehab program - approximately 6,000 clients were served with food, clothing and services - another 6,000 served through the thrift shop - 2 fulltime employees and 1 part-time.

District Court - Billie Forester spoke - request for increase in District Court Staff (\$51,000) reflects adding a full time certified peace officer/Baliff @ \$1400 per month - Line Item #5488 Data Lines has been disconnected - need new line item for jury summons/3

\*July 26, 1989\*

year supply - salary increases requested for Baliff from \$715 per month to \$65.60 per day, Court Coordinator from \$1650 per month to \$1750 per month and Assistant Court Coordinator from \$1000 per month to \$1100 per month - jury restroom construction = \$3500 (jury should not use same restroom as the public - suggest dividing up present restroom facility).

Administrative Coordinator - Patsy Greiner spoke - requested data processing equipment = \$10,000 (graphic capable PC & Plotter allowing direct access to map info at SWTSU to add, update & print maps in the office) - request salary increase from \$23,296 to \$24,600 mainly due to increased duties regarding R-O-W acquisitions - request increase in travel allowance from \$600 to \$2400 per year (911 and R-O-W researching is main reason for increases).

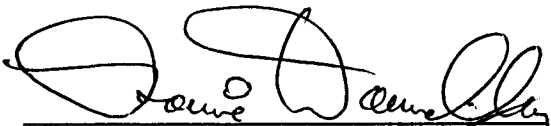
Indigency - Eva Cruz spoke - requested salary increase - 98 active cases at this time - need line item for burials and need a screening policy quideline for indigent burial - requested increase in Medical Supplies from \$15,000 to \$25,000 (prescriptions) and increase in Medical Services from \$100,000 to \$150,000.

Hays County Soil & Water Conservation District #351 - Marion Johnson spoke - request is for \$7,500 (\$3000 FY89) - 1,000 landowners (farmers & ranchers) are served - spoke of receiving matching funds.

Palmer Drug Abuse Program - Yvette Mastin, Executive Director, appeared - request \$5,000 (\$4,000 FY89) - Services provided: Assessments, Referrals, average of 69 appointments per month, Group meetings (twice a week), Group meeting (once a week f/parent & children of alcoholics/addicts), Public speaking engagements, Alternate drug-free social functions Summer Program for Adolescents, and Family education (monthly). Increase is needed to help maintain current level of services.

Sheriff/Jail - Paul Hastings spoke - requested any salary increases allowed to other county employees - requested additional 6 Deputies @ \$1500 per month for patrol (33% increase in calls and also 1 CID Investigator and 1 Dispatcher - 6 new Deputies would require patrol cars and equipment - reserve deputies are being utilized - current staff: 18 street Deputies, 2 Supervisors, 2 CID/OCU Officers and 1 Drug Officer w/Dog - could get by with 1 additional Officer and 1 Warrant Officer - request 22 new vehicles - fuel & lubricants would need to be increased if additional deputies are allowed. Judge Rains came to meeting at this time. Sheriff Hastings spoke of need to increase the Bonding fee from \$8.00 to \$25.00 (\$24,000 increase in revenues) - spoke of contract prisoners. Judge Rains requested that documentation be presented justifying request for maintenance and janitorial supplies, contract maintenance & services, medical services and medical supplies (felt like supplies had already been purchased to operate on for 1 year). Rod Ellis, Jail Administrator, spoke of efforts being made to contract with other Agencies for prisoners - \$388,360 adjusted food for prisoners @ 95 cents - delete request for 3 paramedics - need a baker and a cook at \$1200 per mo. - spoke of ratios for corrections officer to prisoners (all counties are not using the same formulas).

Court recessed until July 27, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 27th DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

\*July 27, 1989\*

BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

Constable Pct. 5 - Billy Reeves appeared - spoke of cooperation with Sheriff Hastings - serving more civil process and making more traffic stops and backup the Sheriff's Department when needed - request salary increase from \$24,078 to \$27,000 and salary for 2 part-time reserve deputy constables = \$ 8,840 (\$7-8.50 per hour) and \$1,440 to supplement salary for office clerk in J.P. 5's office to assist the Constable - request increase in continuing education f/\$150 to \$500 - increase in vehicle repair & maintenance f/\$1600 to \$4500 (engine needs to be overhauled) - office equipment request = \$3600 (office copier) - vehicle replacement (1982 Ford used by reserves w/200,000 mi) = \$3500.

Constable Pct. 4 - Ed Bankston spoke - request salary increase from \$18,000 to \$27,000 - salary for part-time office clerk = \$1,440 - other increases requested: uniform allowance f/\$240 to \$600, office supplies f/\$600 to \$1000, fuel & lubricants f/\$1825 to \$3000, vehicle maintenance & repair f/\$500 to \$4000 and telephone f/\$420 to \$1600.


Constable Pct. 1 - Lupe Cruz appeared - requested salary increase from \$17,141 to \$27,000 - request secretary @ \$12,000 per yr and Reserve-Deputy compensation = \$8,840 - January thru June he has served 800+ processes - office copier needed = \$2000 - new vehicle = \$14,500 + siren,overheads & radio = \$3000 - handi-talkie = \$1500 - Commissioner Gonzales spoke of possibility of Constable #1 and Pct. #1 Commissioner being housed together (purchase house adjacent to pct. barn) - could share secretary, copier, etc. and dispatch over Commissioners radio.


Hill Country Senior Citizens Activity Center Inc. - Ruth Bennett, Executive Director - spoke request is for \$20,000 (FY89 = \$15,800) - 50% would go to transportation and the rest would go to insurance, audit, etc. - Wimberley transportation is provided - meals are provided 5 days a week - preliminary budget is the same with no salary increases requested.

Onion Creek Senior Citizens - Vernon Schwartz, Chairman of the Board, appeared - request is for \$8,000 (FY89 = \$4,000) - 236 members - We Care Program supplies electric fans to the needy - daily activities include quilting and other crafts - need a sewing machine - TB and VCR (library tapes on health, exercise programs, etc.) - debts = \$35,000 (kitchen equipment, airconditioner, cabinets, etc) - Court stated that they would like to have copy of the budget - Commissioner Ford spoke of the county building now being a focal point of the community/used by various organizations for meeting.

San Marcos Youth Services Bureau - Margie Hernandez spoke - request is for \$10,600 (FY89 = \$9,370) - need to increase part-time Counselor II position from 4 to 6 hours - field trip transportation is difficult (must use personal vehicles with limited space) - spoke of school supplies expenditures and donations.

RECESSED UNTIL JULY 31, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 31ST DAY OF JULY , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:



\*July 31, 1989\*

**9820 AUTHORIZE INCREASE IN BONDING FEES**

Sheriff Paul Hastings spoke of increasing the Bonding fee at the jail from \$8.00 to \$25.00 - approximately 123 bonds are filed monthly - would help defray costs - the fee is a processing fee - does not matter what the amount of the bond is. District Attorney Charles Chapman stated that he was not aware of any new Bills that would affect this fee - September 1st there is a bill that allows a Personal Bond Office with a \$20 minimum fee. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to raise the Bonding Fee from \$8.00 to \$20 . All voting "Aye".

**9821 AUTHORIZATION FOR THE DISTRICT ATTORNEY'S OFFICE TO SELL 1981 MAZDA RX7 AT PUBLIC AUCTION/THROUGH THE SHERIFF**

District Attorney Charles Chapman spoke of 1981 Mazda RX7 vehicle that was obtained by forfeiture in a drug case - vehicle needs work - does not want to put any more money into it - would like to sell with proceeds to be deposited in drug funds. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize sale of the District Attorney's 1981 Mazda RX7 by the Sheriff either by auction or bid. All voting "Aye".

**9822 AUTHORIZE PURCHASE OF A SHREDDER FOR USE AT LEC & OLD HOSPITAL SITE**

Commissioner Ford spoke of old tractor in his precinct that could be utilized at the LEC if a shredder could be purchased. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize Sheriff to purchase shredder for the Sheriff's Department not to exceed \$1,500.00. All voting "Aye".

**9823 SALARY ADJUSTMENTS FOR COUNTY TREASURER'S EMPLOYEES**

County Treasurer Dottie Sims spoke of other salary adjustments that have been made in other Departments - requested salary adjustments for her staff: Assistant County Treasurer from \$1261 per mo to \$1333.33, Insurance Representative from \$870 to \$1100 per month, Clerk from \$850 to \$1000 per month and part-time Clerk from \$6 per hour to \$6.25 per hour. Commissioner Gonzales spoke of salaries - felt like salaries are low - some employees are on food stamps - felt like salary requests are in line. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize salary increases for County Treasurer's staff as requested. All voting "Aye".

**9824 CLARIFY POLICY OF FULL-TIME STATUS OF ELECTED OFFICIALS AND AUTHORIZE LETTER TO TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM**

Commissioner Ford spoke of elected officials that were not considered full-time because of low pay (Constable Kohler and Constable Reeves) and have served the County for a number of years - as long as they performed their duties they should receive vested status. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Treasurer to send a letter to the Texas County & District Retirement System inquiring if employees who had not participated in the System some years ago because they were receiving very nominal salaries could receive credit at this time for their previous service. All voting "Aye".

**9825 AUTHORIZE PAYMENT TO TRAVIS ASSOCIATES FOR PCT. 1 VEHICLE MAINTENANCE BUILDING STRUCTURAL ANALYSIS (\$1475)**

Commissioner Gonzales spoke of structural engineering study that was required - report showed that building is sound - no funds in the budget to pay study fee of \$1475 - request that this fee be paid out of R&B General Funds. District Attorney Charles Chapman stated that the State Board of Engineers had requested this study. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize payment of \$1475 to Travis Associates for Pct. 1 Vehicle Maintenance Structural Analysis out of Road & Bridge General Funds. All voting "Aye".

\*July 31, 1989\*

9826 AUTHORIZE PAYMENT TO LEWIS E. ROWELL FOR TEMPORARY EASEMENT TO REROUTE TRAFFIC DURING LOW WATER CROSSING RECONSTRUCTION ON FM 1826 IN THE AMOUNT OF \$91.44 AND TO RE-FENCE IN THE AMOUNT OF \$150

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize payment to Leis E. Rowell for temporary easement to reroute traffic during low water crossing reconstruction on FM1826 in the amount of \$91.44 and to re-fence in the amount of \$150.00. All voting "Aye".

9827 AUTHORIZATION FOR D.A.'S OFFICE TO NOT HAVE HAYS COUNTY INSCRIPTION ON THE SIDE OF A DISTRICT ATTORNEY'S OFFICE VEHICLE PURSUANT TO ARTICLE 6701 M-2 TRCS

District Attorney Charles Chapman spoke of drug forfeiture vehicle - request exemption from Hays County Insignia on vehicle. Commissioner Ford felt like this action has already been done - a blanket type action. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize that the the Hays County Inscription does not have to be displayed on the District Attorney's Office vehicle pursuant to Article 6701 M-2 (Texas Revised Civil Statute). All voting "Aye".

9828 AUTHORIZE TRANSFER OF \$400.00 FROM LINE ITEM #5211(OFFICE SUPPLIES) TO LINE ITEM #5716(OFFICE FURNITURE)

Commissioner Ralph Gonzales spoke of need to buy two chairs or obtain suitable chairs from some other Department. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize transfer of \$400 from line item #5211 (office supplies) to line item #5716 (office furniture) to purchase two chairs. All voting "Aye".

9829 APPROVE PURCHASE OF STEEL BOOKCASES FROM JAIL - CONSTRUCTION FUND FOR JAIL LIBRARY

County Auditor Bill Herzog spoke of invoices for steel bookcases for jail law library = \$1,048 and \$2,000. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of steel bookcases from jail construction fund for jail law library in the amount of \$1,048.00. All voting "Aye".

9830 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog presented invoices = \$91,699.57 for approval. Court advised that organizational dues should not be paid (County Court at Law 1 membership dues/Howard Warner = \$120). A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize payment of County invoices as presented with the exception of \$120 membership dues for County Court at Law 1 - total payments allowed = \$91,579.57. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Other revenue     | \$ 21,469.32 | Auditor          | \$ 195.00    |
| Judicial          | \$ 1,390.00  | Juv. Probation   | \$ 654.65    |
| Indigency         | \$ 4,980.00  | Transfer Station | \$ 439.79    |
| Bldg. Maint.      | \$ 417.98    | Countywide Misc. | \$ 638.06    |
| Tax Assessor      | \$ 2,655.86  | District Clerk   | \$ 1,031.79  |
| Sheriff           | \$ 3,817.52  | Jail             | \$ 19,247.17 |
| County Judge      | \$ 120.00    | Adm. Coordinator | \$ 30.69     |
| Co. Court @ Law 1 | \$ 95.56     | J.P. 1-2         | \$ 15.50     |
| J.P. 2            | \$ 436.83    | J.P. 3           | \$ 243.38    |
| J.P. 4            | \$ 200.00    | J.P. 5           | \$ 100.00    |
| DPS               | \$ 571.01    | Constable 2      | \$ 23.10     |
| Constable 5       | \$ 6.36      | Data Proc Adm.   | \$ 589.49    |
| TDH M&C Grant     | \$ 32.00     | District Court   | \$ 13,708.44 |
| County Court      | \$ 428.27    | R&B General      | \$ 1,275.00  |
| Precinct 1        | \$ 187.33    | Precinct 2       | \$ 364.63    |
| Precinct 3        | \$ 3,545.80  | Precinct 4       | \$ 3,051.01  |
| Hot Check Fee     | \$ 679.82    | Law Library      | \$ 291.06    |
| Public Works      | \$ 8,647.15  |                  |              |

\*July 31, 1989\*

## BOON-CHAPMAN PRESENTATION ON HEALTH INSURANCE

Robert Calvisi, Vice President Group Operations, and Jerry Southard, Ed. D., appeared before the Court - a video was shown on self-funded employee health benefits - they also have a Preferred Provider Organization (PPO) "Medcorp. Southwest, Inc." - administrative fees = \$7-8 per person average (6-12%). Need to add to new bid specifications: alternate funding methods will be acceptable.


## 9831 APPROVE SPECIFICATIONS FOR REQUEST FOR PROPOSALS ON HEALTH, DENTAL AND LIFE INSURANCE

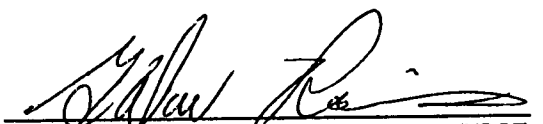
Commissioner Ford spoke of needing more time to determine a good plan. Judge Rains spoke of need to investigate more avenues to save employees dollars. Commissioner Ford stated that we need to advise employees of what plans are being considered - would be hesitant to devise a new plan in such a short period of time. Commissioner Gonzales spoke of 20% medical costs that have to be paid by employees creating a hardship for many. Bids to be submitted by August 23, 1989 with alternate funding methods acceptable. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve specifications for request for proposals on health, dental and life insurance with addition of "alternate funding methods acceptable" and to open bids August 23, 1989 at 3:00 P.M. in the Commissioners' Courtroom. All voting "Aye".

## BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

San Marcos Area FoodBank - request is for \$8,000 - higher food costs - truck needs to be replaced - possible increase in payroll (if law changes Re: minimum wage) - this year, so far, 153,512+ lbs of food has been distributed - there continued to be an increase in need - other Agencies are screening the applicants.

Court recessed until 9:00 A.M. August 1, 1989.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 1ST DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET**

Commissioner Payne was not present at beginning of meeting. County Auditor Bill Herzog spoke of FY90 Proposed budget being \$328,000 short of a balanced budget - County Judge Don rains proposed budget was figured with 5% cut in all line items (except salaries & fringes), no new equipment, no new employees and no salary increases. 3% tax increase would generate \$177,000 - discussion was had on fees collected by various Departments - need to possibly increase fees that are set by the Commissioners' Court.

Auditor's Office - Bill Herzog asked about possibility of hiring a Purchasing Agent - need office equipment (shelf to hold computer printouts).

Commissioner Payne came to meeting at this time.

Treasurer's Office - need budget to reflect salary increases that were given this fiscal year - no salary increases in FY90 - cut line items 5%

Extension Office - travel allowance: reduce \$6500 to \$3325 - add \$1900 for fuel & lubricants - tires/veh supp = \$475 - no part-time secretary - raise Lois LaCaze salary to \$16,000 per year - take out DP Mtc. & Serv and Comm. Equip.

Judge Rains spoke of creating a new line item for Countywide Equipment Repair.

Judicial - leave with 5% decreases - Misc = \$500 - Appointed Attorneys = \$63,000 - Trial Expense = \$5,000 - Transcript = \$13,000

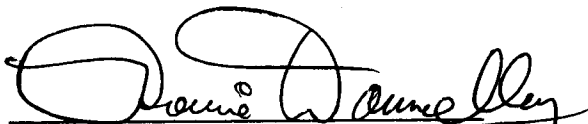
Juvenile Probation - request was for Juv. Prob. Officer @ \$1800 per month - add \$10,000 for JPO salary - Residential = \$14,000

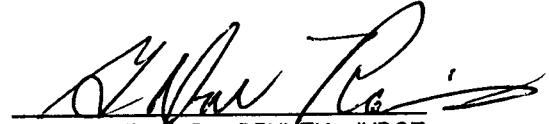
Election Administrator - discussion was had on voting equipment - equipment lease seems to be too high - Bill Herzog suggested that County buy the software and use the Auditor's office hardware if Election Administrator is moved to Courthouse Annex building - need to investigate.

Community Services - cut VFD except Niederwald (\$3300 and Uhland (\$2200) - cut North Hays County EMS - leave Libraries same as last year - Greater San Marcos Economic Development = \$12,500 - Northeast Hays County EMS = \$14,250 - EMS Service = \$79,000 - Food Bank = \$6,000

Indigency - travel allowance = \$1200 - medical services = \$120,000 - new line item Misc. Expense = \$5,000 - indigent burials = \$1000 (families can take care of costs)

Court recessed until August 2, 1989 at 9 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 2nd DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET**

Transfer Station - go with budget = \$94,942 - trash hauling may need adjusted (need \$60,000) - revenues per week are \$950 to \$1200 - recycling could bring in \$3,000.

Building Maintenance Dept. - new remodeling/construction line item (keep separate from building maintenance - increase utilities: Broadway = \$7200 Courthouse = \$24,000 Kyle = \$1200 - Telephone mtc. = \$1800

Health Dept. - Revenues are decreasing (\$40,000 thru June 30/\$65,000 budgeted) will not reach the amount projected - leave budget as is at \$134,351.

Civic Center - Collected \$17,000 on \$60,000 budget - Salary/Staff reduce to \$12,372 - Bldg./Imprv,Mtc.& Rep = \$5,000.

Countywide Misc. - discussion was had on Misc. Postage, Misc. Oper. Exp. and Misc. Telephone (for long distance operator services) - autopsy & inquest = \$11,250 - delete legal fees - mapping project was discussed and problems of unrecorded subdivision.

Tax Assessor-Collector - leave as is @ \$354,045 - check on office supplies and DP supplies.

District Clerk - telephone = \$2500 - permanent records = \$3000 - postage = \$5000 - misc. = \$300.

County Clerk - permanent records = \$53,125 - DP software = \$1500.

Sheriff's Department - current salary are \$713,940 change to \$640,000 - DP Supplies = \$500 - fuel & lubricants = \$50,000.

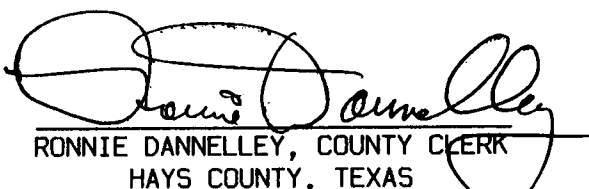
Jail - salaries = \$2,242,000 - meals = \$350,000 - utilities = \$100,000 - mtc. & serv = \$10,000 - medical serv = \$50,000 - misc. equip rep & mtc. = \$5,000 - janitorial supp = \$20,000 - maint. supplies = \$20,000.


County Judge- reduce office supplies to \$1,000.

Administrative Coordinator- postage = \$182 continuing education = \$385 telephone = \$1,000.

County Court at Law #1 - office supplies = \$1000 postage = \$1400.

Court recessed until August 7, 1989.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 7th DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Gonzales presided over the meeting due to the absence of County Judge Don Rains.

9832 ENTER INTO MINUTES NAMES OF BIDDERS IN TOTAL AMOUNT AND AWARD CONTRACTS FOR ASBESTOS REMOVAL AND LOW WATER CROSSING IN PRECINCT 3

County Auditor Bill Herzog presented to the Court a list of bidders & amounts bid for hospital asbestos abatement:

|                            |             |
|----------------------------|-------------|
| A & A Insulation           | \$17,723.00 |
| Sendero Ind.               | \$12,510.00 |
| AAR Inc.                   | \$48,700.00 |
| Sublett & Assoc.           | \$16,000.00 |
| Onyx Ind.                  | \$31,500.00 |
| Austin Coatings            | \$47,445.00 |
| Olmos Environmental Svc    | \$28,175.00 |
| Kiser Environmental Svc    | \$17,800.00 |
| Little-Tex Insul Co.       | \$19,636.00 |
| S.Tex Insulation Co.       | \$18,875.00 |
| Olmos Abatement            | \$16,988.00 |
| River City Environ.Consult | \$13,392.00 |
| Certified Asbest Abatmt    | \$33,886.00 |

Commissioner Gonzales spoke of such a difference in bid amounts. Mike Terry of Sendero Industries spoke of various jobs that they have had (mostly school district) - the State assigns the dump site and 10 days notice must be given to the Clear Air Control Board. Air monitors will be in operation 24 hours a day - job should take 4 days with 6 people. Waiver has been acquired allowing lower bids because of nature of job (no windows-can not use negative air machines). Commissioner Ford stated that he would like to review the bids before awarding. Commissioner Payne and Commissioner Gonzales spoke to Ray Kotowski on the telephone - his recommendation is to award the bid to Sendero Industries (low bidder at \$12,510.00). A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to award bid for asbestos removal at the old hospital site owned by the County to Sendero Industries in the amount of \$12,510.00. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford abstained.  
 (Letter of recommendation from Texas Dept. of Health Raymond V. Kotowski, Asbestos Licensing Section in Resolution file)

Bids submitted for low water crossing (CR244) in Pct. #3 were:

|                             |                                       |
|-----------------------------|---------------------------------------|
| Myers Concrete Construction | \$ 5,871.12                           |
| GRS (Guard Rail Specialist) | \$ 13,336.00                          |
| John Stefanowitz            | \$ 1,800.00 (labor bid/estimate only) |

Commissioner Payne stated that Court should reject bid of John Stefanowitz because it does not comply with bid specs. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award bid to Myers Concrete Construction. All present voting "Aye".

9833 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$134,840.10. All present voting "Aye".

\*AUGUST 7, 1989\*

|                   |             |                  |              |
|-------------------|-------------|------------------|--------------|
| Central Storeroom | \$ 84.00    | Auditor          | \$ 219.75    |
| Treasurer         | \$ 171.31   | Extension Ofc    | \$ 154.37    |
| Judicial          | \$ 540.00   | Juvenile Prob    | \$ 108.31    |
| Election Admin    | \$ 1,033.32 | Indigency        | \$ 496.42    |
| Transfer Station  | \$ 120.29   | Building Maint.  | \$ 5,534.43  |
| Health Dept.      | \$ 472.19   | Civic Center     | \$ 1,853.29  |
| Countywide Misc.  | \$62,803.51 | Tax A/C          | \$ 351.91    |
| District Clerk    | \$ 309.39   | County Clerk     | \$ 547.82    |
| Sheriff's Dept.   | \$ 4,182.45 | Jail             | \$ 31,880.10 |
| County Judge      | \$ 75.39    | Admin. Coord     | \$ 75.90     |
| Co Crt @ Law 1    | \$ 63.47    | District Atty.   | \$ 659.05    |
| J.P. 1-1          | \$ 63.98    | J.P. 1-2         | \$ 95.34     |
| J.P. 2            | \$ 39.99    | DPS              | \$ 559.68    |
| Constable 1       | \$ 38.79    | Constable 2      | \$ 57.79     |
| Constable 4       | \$ 63.55    | Constable 5      | \$ 188.58    |
| Veteran's Adm     | \$ 39.27    | Data Proc Admin  | \$ 2,311.05  |
| Co Crt @ Law 2    | \$ 24.03    | TDH Mother&Child | \$ 700.00    |
| Fire Marshal/EMC  | \$ 79.38    | Other Revenue    | \$ 476.96    |
| District Court    | \$ 688.19   | County Court     | \$ 1,030.00  |
| R&B General       | \$ 1,745.70 | Precinct 1       | \$ 1,036.21  |
| Precinct 2        | \$ 3,448.15 | Precinct 3       | \$ 1,022.27  |
| Precinct 4        | \$ 1,794.65 | Perm. Transfer   | \$ .34       |
| Hot Check Fee     | \$ 347.20   | Law Library      | \$ 255.05    |
| Public Works      | \$ 6,997.28 |                  |              |

STATUTORY PROVISIONS AND REQUIREMENTS PERTAINING TO REPORTS TO COMMISSIONERS COURT BY THE COUNTY TREASURER'S OFFICE

Commissioner Wayne Ford spoke of research in the Local Government Code:

114.026 County Treasurer's Report to Commissioners Court at Regular Term

(a) At each regular term of the Commissioners Court, the County Treasurer shall make a detailed report of:

- (1) money received and disbursed;
- (2) debts due to and owed by the county; and
- (3) all other proceedings in the treasurer's office.

(b) At each regular term of the Commissioners Court, the County Treasurer shall exhibit the books and accounts of the Treasurer's office for the inspection of the court and shall submit the vouchers relating to the books and accounts for audit and approval.

(c) After the Commissioners Court has compared and examined the Treasurer's report and has determined that the report is correct, the court shall enter an order in its minutes approving the report. The order must separately state the amount received and paid from each fund since the County Treasurer's preceding report and any balance remaining in the treasurer's custody. The Court shall properly credit the Treasurer's accounts.

(d) Before the adjournment of each regular term of the Commissioners Court, the County Judge and each County Commissioner shall give an affidavit stating that the requirements of Subsection (c) have been met at that term. The affidavit must state the amount of the cash and other assets that are in the custody of the County Treasurer at the time of the examination. The affidavit must be filed with the County Clerk and must be recorded in the minutes of the Court for the term in which the affidavits are filed. The affidavits must be published once in a newspaper published in the county if there is such a newspaper.

Commissioner Ford suggested that the Court should comply - County Clerk to supply affidavit form. No action necessary. County Treasurer Dottie Sims stated that there has been a Treasurer's report prepared and filed with the County Clerk monthly since 1982.

\*AUGUST 7, 1989\*

9834 AUTHORITY TO REPLACE A DUMP TRUCK ENGINE IN PCT. 2

Commissioner Ford spoke of need to replace a dump truck engine in Pct. 2 - would like to trade in old engine and replace ( \$1000 more without a trade in) - needs Court approval to dispose of old engine (surplus county property). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize disposal of old dump truck engine in Pct. 2 as a trade in for replacement. All present voting "Aye".

BUDGET WORKSHOP

District Attorney - collections are down on hot check fees: only \$19,000+ by the end of June (\$40,000 projected for the year) - Commissioner Payne spoke of office supplies not being purchased from Central Supply - office supplies = \$7,000 postage = \$1200 travel = \$4500 continuing education = \$2,000 misc. = \$500

J.P. 1-1 - continuing education = \$200 postage = \$600 office supplies = \$1500 misc. = \$200 telephone = \$1000

J.P. 1-2 - office supplies = \$2,375 postage = \$500 misc.= \$300 telephone = \$1300

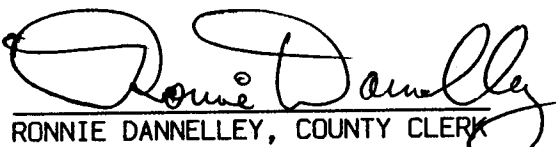
J.P. 2 - leave as is

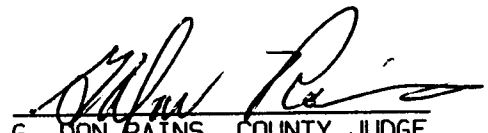
J.P. 3 - salary = \$18,500 office supplies = \$400 rent = \$3600 telephone = \$1200

J.P. 4 - salary = \$20,000 salary staff = \$13,000 rent = \$3000

J.P. 5 - part-time staff to fulltime = \$22,735 + fringes postage = \$425 office supplies = \$900

Court recessed until next called meeting.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 9th DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN EMERGENCY MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                  |                           |
|------------------|---------------------------|
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

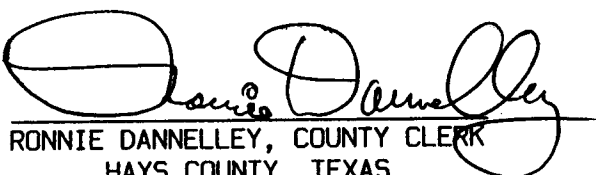
9835 AUTHORIZATION FOR PRECINCT 1 COMMISSIONERS TO INSPECT AND INVESTIGATE THE WATER QUALITY OF THE SAN MARCOS RIVER WITHIN PRECINCT 1

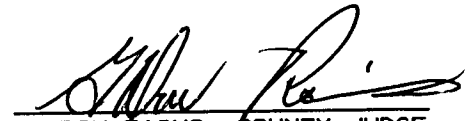
Commissioner Gonzales presided over the meeting - discussion was had whether the Court had the authority to hold this emergency meeting - District Attorney Charles Chapman read the Statute governing Emergency Meetings - felt like Court was legal because of "urgent public necessity" concerning water quality - unsure as to whether wording on the agenda is correct. Commissioner Gonzales stated that the reason the meeting was called is that he is concerned about the water quality and possible adverse effects it may have on the public - unable to receive cooperation from SWTSU personnel that make inspections. Commissioner Gonzales spoke of receiving calls from



\*AUGUST 9, 1989\*

the public concerned about figures that were printed in the newspaper. Terry Ewald, Health Dept., spoke of samples taken from the river by the Health Department - felt like it was safe to swim in the river - reports were run by different labs - recommended level for water contact sports is 200. Reports were passed out to members of the Court. Terry Ewald - river has been closed before because of counts in the thousands. Discussion was had on what causes a high fecal coliform count. Phillip Hernandez spoke of problems at SWTSU - Dr. Longley stated that there were no log books and Ed Fauver stated that he would not let them see the log books - a ruling by the Court would be necessary to receive the information - felt suspicious that one person says there is a log book and the other says there is not. Commissioner Gonzales stated that if there is something wrong, we need to know about it - would like to compare SWTSU and the Health Department's reports - concerned about the facts that some children have become ill after swimming in the river - would like to get an independent lab to analyze the samples. Zeal Stefanoff (Hays County Guardian) spoke diseases that grow on fecal coliform - spoke of Aquarena running a hog farm and bird farm without a permit - Attorney General's office felt like the University's record are subject to the Open Records Act - Dr. Longley at SWTSU stated that the records were not public record - Civil Statutes Chapter 26.173 states that local government has the same power of investigation to acquire material on the quality of water - \$10,000 per day fine for violations - Texas Water Quality Board felt like it would be more appropriate for the County Commissioner to perform this investigation - would like for an independent laboratory to test the samples. Commissioner Gonzales spoke of lack of cooperation from the University when he - the County Commissioner - requested information, therefore, requiring him to call an emergency meeting to receive authorization to investigate this matter. The purpose of this investigation is to gather data. University is blocking people from taking samples on University property. D.A. Charles Chapman stated that the County could also investigate what is done with materials that are accumulated on campus and what is being done with these materials (materials that might accumulate in the chemistry department are other departments). Terry Ewald spoke of Health Department sampling. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize Pct. 1 Commissioner to inspect and investigate the water quality of the San Marcos River within Precinct 1. Commissioner Gonzales spoke - this order would only give the Commissioner authority to investigate. Commissioner Payne stated that he would feel more comfortable if Terry Ewald would accompany Commissioner Gonzales to receive the reports from the University. All present voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 14th DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9836 "OAKWOOD HILLS" - ORDER DECLARING ROAD DISTRICT ESTABLISHED & DEFINING BOUNDARIES - ACCEPTANCE OF PETITION FOR ELECTION AND ORDER SETTING A PUBLIC HEARING

Commissioner Payne spoke of "Oakwood Hills" an unrecorded subdivision with a 1.5 mi. privately maintained road - Oakwood Hills Road District was created March 26, 1989

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Resolution #9620 Volume N Page 32. Julie Riddle appeared with petition signed by 32 property owners (their are 46 registered voters in this area) - their are approximately 25 homes in the subdivision . Commissioner Payne stated that the tax base is approximately \$4 million - cost to build road will be \$75-100,000.00 - possible tax rate of 25 cents per \$100 valuation. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to order "Oakwood Hills Road District" established and defining the boundaries and to call for public hearing to be held September 11, 1989 at 10:00 o'clock A.M. All voting "Aye".

TO THE HONORABLE COMMISSIONER'S COURT  
HAYS COUNTY, TEXAS

We, the undersigned qualified resident voters within the territorial area proposed for the Oakwood Hills Road District, do hereby petition this Honorable Court to create such a road district and to include within its boundaries the following described property:

See attached Exhibit "A"

Signed:

|                       |       |         |
|-----------------------|-------|---------|
| M. J. Edwards         | 58393 | 7/16/89 |
| Kathryn Edward        | 58392 | 7/26/89 |
| Dennis Stevens        | 66549 | 7/26/89 |
| Judy Stevens          | 65657 | 7/26/89 |
| Jacob C. Morrow       | 34458 | 7/26/89 |
| Donnie R. Stevens     | 65715 | 7/26/89 |
| Linda Srio            | 38875 | 7/27/89 |
| Rae Friedman          | 75748 | 7/31/89 |
| Charles N. Friedman   |       | 7/31/89 |
| W. C. Daniels         | 41389 | 7/31/89 |
| Sterling Harris       | 57202 | 8/8/89  |
| Judy Harris           | 57161 | 8/8/89  |
| David W. VanTilburg   | X     | 8/8/89  |
| Anthony W. Bauer      | X     | 8/8/89  |
| Pamela S. Van Tilburg | X     | 8/8/89  |
| Robert G. Fore        | 35343 | 8/9/89  |
| DeLois C. Fore        | 35340 | 8/9/89  |
| Donna J. Hucke        | 73503 | 8/9/89  |
| W. R. Hucke           | 73504 | 8/9/89  |
| Frank Hoch            | 06904 | 8/9/89  |
| Margaret Hoch         | 06906 | 8/9/89  |
| Sue Pennington        | 52077 | 8/9/89  |
| Frank Pennington      | 52078 | 8/9/89  |

DESCRIPTION OF PROPOSED  
OAKWOOD HILLS ROAD DISTRICT  
HAYS COUNTY, TEXAS

BEING 749.055 ACRES OF LAND, MORE OR LESS, SAME BEING A PORTION OF THAT 879.802 ACRE TRACT OF LAND CONVEYED TO BRUCE F. HARPER, JAMES K. WISE, AND CARLOS KLUTTS BY CHARLES R. WILLIAMS, ET AL, BY DEED DATED JUNE 14, 1978 AND RECORDED IN VOLUME 311, PAGE 681, HAYS COUNTY DEED RECORDS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING in the east line of the James Alston Survey, the southwest corner of the William G. Cook Survey, the northwest corner of the G. C. & S. F. Railroad Co. Survey No. 2 (O. G. Parke Survey), the northwest corner of the said 879.802 acre tract, for the northwest corner of the tract herein described;

THENCE, leaving the said James Alston Survey, with the north line of the said G. C. F. S Railroad Co. Survey No. 2 (O.G. Parke Survey), the south line of the said William G. Cooke Survey, the north line of the said 879.802 acre tract, N 89 49' 04" E. 5293.88 feet to the west line of the David Wilson Survey, the southeast corner of the said William G. Cook Survey, the northeast corner of the G. C. & S. F. Railroad Co. Survey No. 2 (O. G. Parke Survey), the northeast corner of the said 879.802 acre tract, for the northeast corner of the tract herein described;

THENCE, leaving the said William G. Cook Survey, the G. C. & S. F. Railroad Co. Survey No. 2 (O. G. Parke Survey), with the east line of the said 879.802

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acre tract, the following courses numbered (1) through (6):

- (1) S 11 58' 09" E, 303.47 feet;
- (2) S 20 29' 19" E, 4514.88 feet;
- (3) S 21 03' 23" W, 2087.56 feet;
- (4) N 63 54' 19" W, 1471.16 feet;
- (5) S 65 09' 23" W, 1787.13 feet;
- (6) S 13 02' 59" W, 411.31 feet to the southeast corner of the

tract herein described, same being the southeast corner of the tract herein described, same being the southeast corner of the said 879.802 acre tract and being on the arc of a curve to the left, in the northeast line of Ranch Road No. 12;

THENCE, with the Northeast line of the said Ranch Road No. 12, the southwest line of the said 879.802 acre tract, the following courses numbered (7) and (8):

(7) 243.60 feet along the arc of a curve, having a radius of 3869.72 feet and a subchord which bears N 53 54' 48" W, 243.56 feet to the Point of Tangency;

(8) N 55 43' 01" W, 988.08 feet to the southeast corner of that 10.00 acre tract of land described in Contract of Sale and Purchase by and between the Veteran's Land Board of Texas and Eluterio Serrato Garcia dated September 6, 1979 and recorded in Volume 331, Page 279, Hays County Deed Records:

THENCE, leaving the said Ranch Road No. 12, with the East line of the said Garcia 10.000 acre tract, N 32 22' 19" E, 1268.75 feet to the northeast corner of the said Garcia 10.00 acre tract, for a re-entrant corner of the tract herein described;

THENCE, with the North line of the said Garcia 10.00 acre tract, N 57 37' 42" W, at about 344.77 feet passing the northwest corner of the said Garcia 10.00 acre tract, the northeast corner of that 12.00 acre tract of land conveyed to Frontier National Bank by Joe Allcorn by Substitute Trustee's Deed dated October 4, 1988 and recorded in Volume 755, Page 128, Hays County Deed Records, and continuing on, in all, a distance of 760.07 feet to the northwest corner of the said Frontier National Bank 12.00 acre tract, being on the east line of that 80.00 acre tract of land platted as Suburban Oaks Subdivision, as recorded in Book 2, Page 261, Hays County Plat Records;

THENCE, leaving the said Frontier National Bank 12.00 acre tract, with the east line of the said Suburban Oaks Subdivision, N 32 22' 18" E, 1571.97 feet to the northeast corner of the said Suburban Oaks Subdivision, for a re-entrant corner of the tract herein described;

THENCE, with the north line of the said Suburban Oaks Subdivision, N 57 37' 42" W, 1748.40 feet to the Northwest corner of the said Suburban Oaks Subdivision, for a re-entrant corner of the tract herein described;

THENCE, with the west line of the said Suburban Oaks Subdivision the following courses numbered (9) through (17):

- (9) S 40 13' 45" W, 676.64 feet;
- (10) S 00 59' 56" E, 168.29 feet;
- (11) S 35 11' 34" E, 178.05 feet;
- (12) S 06 05' 19" W, 172.46 feet;
- (13) S 25 30' 48" W, 460.10 feet;
- (14) S 37 35' 44" W, 477.31 feet;
- (15) S 16 20' 33" W, 39.61 feet;
- (16) S 57 37' 42" E, 662.98 feet;
- (17) S 32 22' 17" W, 823.98 feet to the most southerly southwest

corner of the said Suburban Oaks subdivision, same being on the arc of a curve to the right, the northeast line of the aforementioned Ranch Road No. 12, the southwest line of the said 879.802 acre tract;

THENCE, leaving the said Suburban Oaks Subdivision, with the Northeast line of the said Ranch Road No. 12, the southwest line of the said 879.802 acre tract, the following courses numbered (18) through (20):

(18) 1254.97 feet along the arc of the said curve to the right, having a radius of 2814.79 and a subchord which bears N 42 15' 58" W,

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1244.61 feet to the POINT OF TANGENCY;  
 (19) N 29 30' 49" W, 394.03 feet, the POINT OF CURVATURE of a curve to the left;  
 (20) 15.52 feet along the arc of the said curve to the left, having a radius of 2914.79 feet and a subchord which bears, N 29 40' 06" W, 15.52 feet to the south corner of that 3.00 acre tract of land conveyed to Les Heffington et ux, by David Glover by deed dated December 3, 1985 and recorded in Volume 569, Page 875, Hays County Deed Records, for the Southwest corner of the tract herein described;

THENCE, leaving the said Ranch Road No. 12, with the southeast line of the said Heffington 3.00 acre tract and the southeast line of that 10.744 acre tract of land described in an unrecorded contract for deed between David Glover and Les Heffington dated September 25, 1982, N 46 16' 24" E, 1018.44 feet to the east corner of the said Heffington 10.744 acre tract, for a re-entrant corner of the tract herein described;

THENCE, with the northeast line of the said Heffington 10.744 acre tract, N 49 09' 54" W, 692.98 feet to the north corner of the said Heffington 10.744 acre tract, being on the east line of the aforementioned James Alston Survey, the west line of the aforementioned G. C. & S. F. Railroad Co. Survey No. 2 (O. G. Parke Survey), the west line of the said 879.802 acre tract;

THENCE, leaving the said Heffington 10.744 acre tract, with the east line of the said James Alston Survey, the west line of the said G. C. & S. F. Railroad Co. Survey No. 2 (O.G. Parke Survey), the west line of the said 879.802 acre tract, N 00 21' 18" E, 2969.29 feet to the Point of Beginning containing 749.055 acres of land, more or less. Description prepared March 30, 1989 from public records.

By Kelly Kilber  
 Registered Public Surveyor #2219

PETITION

TO THE HONORABLE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS:

We, the undersigned, the majority of the qualified voters of Oakwood Hills Subdivision Road District of Hays County, Texas, respectfully pray and petition the Court to order an election in said Road District to determine the following:

Proposition No. 1

"Whether or not the bonds of Oakwood Hills Subdivision Road District of Hays County, Texas shall be issued in an amount not to exceed \$100,000, bearing interest at rates not to exceed 10% per annum, and maturing at such times as may be fixed by the Commissioners' Court, serially or otherwise, not later than 20 years from their date, for the purpose of the construction, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes, or in aid thereof, throughout Oakwood Hills Subdivision Road District of Hays County, Texas, and whether or not ad valorem taxes shall be levied annually on all taxable property within said Road District sufficient to pay the annual interest on said bonds and provide a sinking fund sufficient to pay said bonds at maturity?"

Provided that if the amount expended for such construction and associated costs should be less than the amount estimated to be required therefor, the surplus may be used for any other lawfully purpose as voted above.

Dated and presented to the Commissioners' Court this the 14th day of August, 1989.

| <u>Name/Signature</u> | <u>Voters Reg. #</u> | <u>Date</u> |
|-----------------------|----------------------|-------------|
| Mary Gail Jacobson    | 59487                | 7/15/89     |
| Debbie Marcoux        | 75698                | 7/17/89     |

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|                   |       |         |
|-------------------|-------|---------|
| James M. Marcoux  | 75699 | 7/17/89 |
| A. Roy Jacobson   | 57974 | 7/18/89 |
| Lawrence Malek    | 17232 | 7/19/89 |
| Diana Malek       | 17233 | 7/19/89 |
| Jeffory T. Riddle | 64179 | 7/26/89 |
| Julie Riddle      | 56737 | 7/26/89 |
| Perry Cook        | 49564 | 7/26/89 |
| Rebecca Cook      | 74920 | 7/26/89 |
| Laurie Pinnix     | 47636 | 7/26/89 |
| Jerry D. Pinnix   | 47634 | 7/26/89 |
| Mariana Stevens   | 69931 | 7/26/89 |
| Milton E. Stevens | 69932 | 7/26/89 |

9837 APPROVE PURCHASE OF TYPEWRITER FOR TAX ASSESSOR-COLLECTOR OFFICE (\$350)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize trade-in of an old typewriter to purchase another typewriter (\$350). All voting "Aye".

DISCUSSION - ADDITIONAL FEE ON MOTOR VEHICLE REGISTRATION - SENATE BILL 328

Tax Assessor-Collector Ruth Clayton spoke of additional fee that could be collected on motor vehicle registration (Senate Bill 328) - fee could be raised from \$5 to \$10 - deadline to adopt an increase is September 1, 1989 - last year's revenues from \$5 fee = \$225,390 (3% of this amount is sent to the State) - Precinct benefited by \$218,628.30

Increase can be adopted only every 5 years - Commissioner Rippy and Commissioner Ford voiced their opposition to an increase.

9838 APPROVE ACCEPTANCE OF PARTIAL PAYMENT ON DELINQUENT TAX ACCOUNTS

Tax Assessor-Collector Ruth Clayton spoke - would like to be able to collect partial payments on delinquent taxes - would be beneficial to the taxpayer - can become effective immediately. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize acceptance of partial payment on delinquent tax account effective immediately. All voting "Aye".

UPDATE ON RIGHT-OF-WAY ACCOUNT

Patsy Greiner, Administrative Coordinator, spoke of audit of the right-of-way account:

|                                |              |
|--------------------------------|--------------|
| Plum Creek Bridge              | \$ 6,150.00  |
| Fischer Store Road Bridge      | \$ 81,409.40 |
| F.M. 1626                      | \$452,220.75 |
| RR12 North of Dripping Springs | \$ 22,983.45 |
| FM 1826                        | \$ 9,599.24  |
| CR 119                         | \$ 21,901.49 |
| Bliss Spillar Road             | \$ 7,200.25  |
| Jacob's Well Road              | \$ 18,719.59 |
| Bell Springs Road              | \$ 15,500.00 |
| CR 131                         | \$ 1,015.00  |

|   |             |
|---|-------------|
| CR 151 - deduct from Pct. 2 & credit ROW 5386 | \$ 1,740.00 |
| Deposits= July 1988 & January 1989 =          | \$ 3,208.75 |

Outstanding:

|   |            |
|---|------------|
| Fischer Store Road Bridge ROW acquisition                               |            |
| FM 1826 ROW (3 parcels)   | \$2,662.48 |
| FM 1626 Condemnation/Kahlbau +/- \$100,000                              |            |
| RR 12 ROW acquisition +/- \$140,000 + pipelines & utilities (\$300,000) |            |

Plum Creek (CR 305) Bridge

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|               |              |
|---------------|--------------|
| Committed     | \$640,000.00 |
| Condemnations | \$100,000.00 |
| RR12 Project  | \$200,000.00 |
|               | -----        |
|               | \$940,000.00 |

9839 APPROVE PAYMENT OF \$960.00 TO LEROY EIDE FOR REVIEW APPRAISALS ON RR12 PROJECT

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize payment of \$960.00 to Leroy Eide for appraisal review reports on RR 12 Project (32 parcels @ \$30 each). All voting "Aye".

9840 APPROVAL PAYMENT OF \$19,023.45 TO PHILLIPS PIPELINE COMPANY FOR RR12 PROJECT

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize payment of \$19,023.45 to Phillips Pipeline Company out of Right-of-Way funds. All voting "Aye".

PIPELINE AGREEMENT

STATE OF TEXAS  
COUNTY OF HAYS

WHEREAS, PHILLIPS PIPE LINE COMPANY, its successors and assigns, hereinafter referred to as "Phillips", is the owner of a ten (10) inch pipeline hereinafter referred to as "pipeline", which is located on the property as set forth in a Pipeline Right of Way Contract dated January 3, 1929, recorded in Volume 97, Page 510, in the Deed of Records, Hays County, Texas;

WHEREAS, County of Hays, hereinafter referred to as "County" desires to widen R.M. 12, hereinafter referred to as "road", across said pipeline; said road to be on land covered by said Pipeline Right of Way Contract dated January 3, 1929, said land located in the Juanna Rodriguez Survey; and

WHEREAS, it is the desire of County that Phillips protect its existing pipeline at the location where County proposes to widen the road.

NOW, THEREFORE, in consideration of Nineteen Thousand Twenty-three and 45/100 Dollars (\$19,023.45) paid from County to Phillips at the execution of this instrument plus or minus any adjustment for actual cost as compared to aforesaid payment, Phillips hereby agrees to take whatever steps Phillips deems necessary, in its sole discretion, to protect its pipeline to accommodate the proposed construction of said road.

After completion of the protection operation of the pipeline Phillips will present County with a statement of costs incurred for such operation, and if such costs are less than \$19,023.45, Phillips will refund to County the difference. If such costs are greater than \$19,023.45, County shall pay Phillips the difference within thirty (30) days after presentation of such statement.

Upon completion of the protection operation of the pipeline by Phillips, it is hereby agreed that County is free to widen their road and do other work, in accordance with the construction plans.

This Agreement shall in no way limit Phillips' rights of access to its lines or its right of way.

The terms and agreements herein shall be binding on the heirs, successors and assigns of the parties hereto.

EXECUTED this the 14th day of August, 1989.

WITNESS:  
  
s/ Ronnie Dannelley

COUNTY OF HAYS  
  
By: s/ G. Don Rains  
Title: Hays County Judge

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CTEC TAX ABATEMENT

Members of the Court were presented with a draft of the Tax Abatement Agreement between Hays County and ROHR Industries Inc. Commissioner Gonzales requested that this item be postponed - would like to see a plat and more information.

9841 PRECINCT 2 - AUTHORIZE PURCHASE OF A SHREDDER

Commissioner Ford requested permission to purchase a shredder for Precinct 2 (\$4700-4800) payment to be made as follows: 50% by Pct. 2 funds and 50% financed. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize purchase of a shredder for Precinct 2 (\$4700-4800). All voting "Aye".

9842 PRECINCT 2 - AUTHORIZE BUDGET AMENDMENT/TRANSFER LINE ITEMS

Commissioner Ford spoke of need for additional road signs. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize amending Precinct 2 budget by transferring \$2200 from Road & Bridge General line item to Signs & Barracades line item. All voting "Aye".

9844 APPROVE PURCHASE OF WATER TRUCK UTILIZING PCT. 2 AND PUBLIC WORKS FUNDS

Commissioner Ford spoke of 1955 water truck - had a 1977 Dodge - repairs require lengthy down time - can purchase a used water truck (\$3400-3900) with 50% funding out of Pct. 2 budget and 50% out of Public Works funds. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of water truck not to exceed \$5000 with 50% funding from Pct. 2 budget and 50% funding from Public Works funds. All voting "Aye".

9844 VOLUNTEER FIRE FIGHTERS APPRECIATION DAY - DESIGNATE ANNUAL RECOGNITION

Commissioner Wayne Ford spoke of designating one day per year as "Volunteer Fire Fighters Appreciation Day" - suggested the second monday in September to be recognized annually. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to direct Patsy Greiner to notify the Volunteer Fire Departments to have representatives appear before the Court for presentation on September 11, 1989. All voting "Aye".

9845 SPRING HOLLOW REPLAT LOTS 15-A & 15-B (PCT. 3)

Eric Ashley presented "Spring Hollow Replat Lots 15-A & 15-B" on third reading - took property out of R-O-W. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve "Spring Hollow Replat Lots 15-A & 15-B" on third reading. All voting "Aye".

9846 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog presented invoices for payment in the amount of \$191,263.63. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of County invoice in the amount of \$191,263.63. All voting "Aye".

|                   |             |                 |             |
|-------------------|-------------|-----------------|-------------|
| Central Storeroom | \$ 1,817.80 | Auditor         | \$ 61.64    |
| Treasurer         | \$ 5.96     | Judicial        | \$ 1,100.00 |
| Juvenile Prob     | \$ 901.93   | Election Adm    | \$ 57.00    |
| Bldg. Maint       | \$ 5,255.69 | Health Dept.    | \$ 51.99    |
| Civic Center      | \$ 1,359.01 | Countywide Misc | \$17,008.35 |
| Tax A/C           | \$ 334.00   | District Clerk  | \$ 152.16   |

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|                  |              |                 |             |
|------------------|--------------|-----------------|-------------|
| County Clerk     | \$ 575.00    | Sheriff         | \$ 2,776.26 |
| Jail             | \$ 2,785.62  | Admin. Coord.   | \$ 25.61    |
| Co. Crt. @ Law 1 | \$ 79.07     | J.P. 1-1        | \$ 170.60   |
| J.P. 1-2         | \$ 236.35    | J.P. 5          | \$ 27.20    |
| D.P.S.           | \$ 917.11    | Constable 1     | \$ 123.35   |
| Constable 5      | \$ 581.67    | Veterans Adm    | \$ 250.00   |
| Data Proc Adm    | \$ 5.95      | Home Spec Grant | \$ 86.10    |
| Fire Marshal/EMC | \$ 30.35     | District Court  | \$ 1,228.49 |
| County Court     | \$ 1,888.13  | R&B General     | \$ 3,352.28 |
| Precinct 1       | \$ 1,167.62  | Precinct 2      | \$ 8,275.54 |
| Precinct 3       | \$ 5,030.68  | Precinct 4      | \$ 1,640.80 |
| Hot Check Fee    | \$ 1,311.41  | Law Library     | \$ 93.20    |
| Public Works     | \$130,499.71 |                 |             |

**REPORT ON INVESTIGATION BY COMMISSIONER RALPH GONZALES INTO WATER QUALITY IN THE SAN MARCOS RIVER**

Commissioner Gonzales spoke of special meeting authorizing him to inspect and investigate the water quality of the San Marcos River - printouts were obtained from SWTSU. Terry Ewald spoke of City reports - Wednesday & Thursday samples were presented - samples were sent to various labs for analysis - samples are taken from different sites than those taken by SWTSU (SWTSU takes drainage samples). Commissioner Gonzales spoke of health concerns. Mr. Ewald stated that anyone can catch a disease from an open body of water - closings of the San Marcos River in prior years was caused by 10,000+ counts - feels like the river counts are satisfactory - additional testing is being done on high counts at Sessom & Hutchison (storm pipes). Commissioner Gonzales spoke of reports obtained from Dr. Longley (SWTSU) with conflicting numbers. Zeal Stefanoff spoke - they were refused access to records until special meeting allowing Commissioner Gonzales to investigate - informants felt like fecal matter is entering the river from several sources - spoke of serious diseases that could be transmitted because springs are not flowing as fast and with warmer water temperatures - concerned about conflicting test results - spoke of Aquarena's hog farm and bird farm polluting the river. Phillip Hernandez spoke of obtaining data and difficulty in obtaining records and conflicting data from Dr. Longley and Ed Fauvers offices at SWTSU. Terry Ewald, Health Department, spoke - will supply final reports later this week - feels like river is safe.

**EXECUTIVE SESSION - DISCUSSION OF PROPERTY PURCHASE/LEASE**

Possibility of property purchase/lease was discussed in Executive Session - no action taken.

**BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET**

Salaries - 5% cost of living increase with maximum of \$75 per month = \$104,991 - \$170,000 for \$100 per month increase for all employees who have not received a raise in a year - no salary increase for new employees with less than 1 year service.

J. P. 2 - Commissioner Ford stated that Judge Holt asked for no cuts in his budget - DPS weight cases will increase - \$150 was cut in his total budget.

DPS - leave as proposed - leave \$5000 radar.

Constable Pct. 1 - Salary = \$22,848 Fuel & Lubricants = \$3000 Veh Mtc. & Rep = \$1500 Continuing Education = \$250 No data available on revenues/papers served

Constable Pct. 2 - Add communication equipment = \$2388 Continuing Education = \$250

Constable Pct. 3 - Fuel & Lubricants = \$2000 Office Supplies = \$150 Veh Rep & Mtc = \$1000 Continuing Education = \$250 Telephone(new line item) = \$500

Constable Pct. 4 - Salary = \$21,500 Continuing Education = \$250 Office Supplies = \$250 Travel = -0-

Constable Pct. 5 - Continuing Education = \$250



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Social Services - Palmer Drug Abuse \$ 3,800  
 Tx.Assn Concerned Citizens \$ 4,000  
 Southside Community Center \$ 6,000  
 CCAA Elderly Nutrition \$ 10,000  
 Hill Country Sr. Citizens \$ 16,500  
 Onion Creek Sr. Citizens \$ 6,000  
 Wimberley Sr. Citizens \$ 4,000  
 CAA Sr. Citizens Program \$ 1,000  
 Crisis Hotline \$ 1,000  
 Hays/Caldwell Council on Alc \$ 4,000  
 Women's Center \$ 12,000  
 CAA Legal Aid \$ 2,000  
 Scheib Opportunity Center \$ 14,000  
 Youth Services Bureau \$ 10,000  
 Historical Commission \$ 300  
 P.A.W.S. \$ 2,000

Veteran's Administration Office - leave as is

Data Processing Administrator - Software Mtc. & Serv. = \$7,000

Equipment - need to determine what equipment is needed - tabulate all equipment line items in all Departments to establish equipment needs by categories.

Court Court at Law #2 - Office Supplies = \$500 Postage = \$200 Office Equipment = \$-0- Telephone = \$600

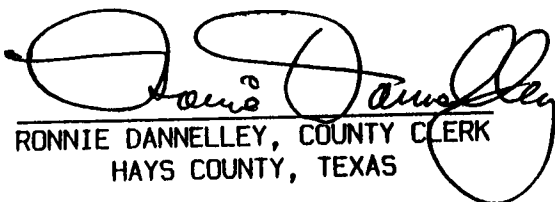
Fire Marshal/EMC - did not receive anticipated grant

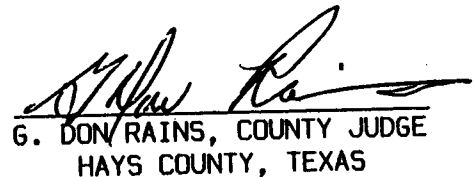
TABC - spent \$1175.85 (mainly copier repair) = \$1500

District Court - Travel = \$100 Dues = \$-0- Misc. Exp. = \$400 Office Equipment Mtc. & Serv = \$1000 DP Mtc. & Serv = \$-0- Telephone = \$800

County Court - leave as is -

Road & Bridge General - Hays Soil Conservation District = \$3,000 Dam Mtc. = \$9,000  
 Lime Kiln Project = \$40,000

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 16th DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

DPS - Sgt. Ralph Meyer appeared - spoke of cuts - data lines are fixed amount - \$5712 = \$2000 - \$5791 Data Software needed for upgrading JP Court system (done periodically)

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Auditor - need a Purchasing Agent to inventory supplies/equipment, bid process, etc.  
 District Judges & County Judge select purchasing agent and set salary.

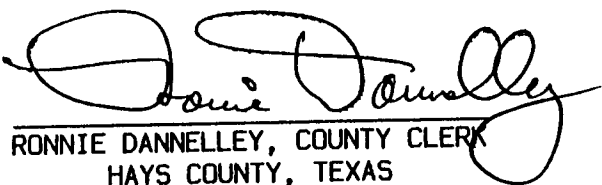
Precincts -

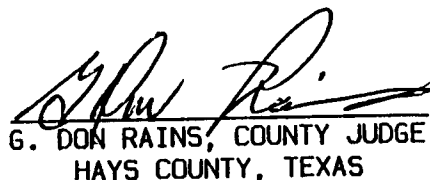
|        | Percentage of Roads | Percentage of Funding FY89 |
|--------|---------------------|----------------------------|
| Pct. 1 | 13%                 | 21%                        |
| Pct. 2 | 29%                 | 27%                        |
| Pct. 3 | 19%                 | 25%                        |
| Pct. 4 | 39%                 | 27%                        |

Policy needs to be established on accepting new roads, old subdivisions, school bus route, etc. - \$1.5 million for R&B Precincts - lengthy discussion was had on Percentages and amounts to be divided among the four precincts - agreed figures were as follows:

|        |                    |
|--------|--------------------|
| Pct. 1 | 20.4 % = \$285,000 |
| Pct. 2 | 28.7 % = \$400,000 |
| Pct. 3 | 22.2 % = \$310,000 |
| Pct. 4 | 28.7 % = \$400,000 |

7 cars for Sheriff's Dept. (3 yr financing) = \$78,000 payment  
 Countywide Equipment = \$60,000

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 21st DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9847 APPROVE PAYMENT OF \$37,950 TO SHELL PIPELINE COMPANY FOR RR12 PROJECT

Administrative Coordinator Patsy Greiner spoke of pipelines that are involved in the RR12 Project - State Highway Department has approved - funds come out of the R-O-W monies - Shell Pipeline has determined that the cost for adjusting its pipeline on RR12 will be approximately \$37,950. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment to Shell Pipe Line Corporation for pipeline adjustments on RR12 - not to exceed \$37,950. All voting "Aye".

9848 APPROVE FENCE PAYMENT TO GENE CHILES ON FM 1826 PROJECT

Patsy Greiner, Admin. Coord., spoke of need to pay for temporary fencing to reroute traffic on the FM 1826 project and to replace with permanent fencing. Temporary fencing = \$1,177.20 Permanent fencing = \$1,943.80 to be paid out of R-O-W funds. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment of \$3,121.00 to Gene Chiles for temporary and permanent fencing on the FM 1826 Project to be paid out of R-O-W Funds. All voting "Aye".

\*AUGUST 21, 1989\*

## 9849 ALLOW DRIPPING SPRINGS RECYCLE GROUP TO USE COUNTY PROPERTY @ RR12 &amp; HWY 290 FOR TWICE MONTHLY PICK-UP

Commissioner Rippy spoke of request from the Dripping Springs Recycle Group - a non-profit organization - to use county property for recycling program. Court approves if property is kept neat & clean and materials are not stockpiled - property to be a pick-up location only. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to allow use of county property at RR12 and Hwy 290 as a pick-up location for the Dripping Springs Recycle Group contingent on approval by City of Dripping Springs - to be terminated on noncompliance. All voting "Aye".

## FINAL REPORT ON SAN MARCOS RIVER WATER QUALITY INVESTIGATION

Commissioner Gonzales spoke of SWTSU having not been entirely helpful - Health Department figures have been satisfactory. Zeal Stefanoff spoke of river drainage - 3 areas of problems: City storm drains @ Hopkins, storm drain @ old fish hatchery bldg. and storm drains @ University Drive/Park - showed Court a sample of a red liquid that was obtained from one of the storm drains (unknown as to what it contains) - spoke of hogs and ducks kept by Aquarena with no permit and conflicting data on reports given out by SWTSU. Commissioner Gonzales stated that Dr. Longley assured him that the reports are correct - Commissioner Gonzales felt like there is possibly a coverup or a misunderstanding - need to follow up - will cost money to continue with investigation - seems to be a problem at the University - would like to have samples tested. Commissioner Payne would like to have red liquid sample tested. Judge Rains stated that he would like to have someone from SWTSU and the City of San Marcos accompany the County on inspections. Bill Coddington spoke of "The Guardian" sending samples that were tested free and the City has a toxic waste ordinance that might perform the test - need to contact Nick Caruso with the City of San Marcos - felt like the problem is serious.

FINAL REPORT OF SAN MARCOS RIVER  
QUALITY INVESTIGATION

Commissioner (Pct. 1) Rafael Gonzales  
August 1989

The San Marcos River is the lifeblood of San Marcos. It is enjoyed and appreciated for its beauty by thousand of people each year, and is a significant tourist draw to the community. The San Marcos River is also the home for several species of plant and animal life that are now considered endangered. It is imperative that we maintain a high quality of water in this unique ecosystem.

Currently, the San Marcos River is being adversely affected by Aquarena Springs Resort, Southwest Texas State University, and the city of San Marcos. The following problems and recommendations are intended to help create a healthier river for our citizens enjoyment, and to avoid any future problems with water quality.

This investigation covered records of the river's water quality as well as on site inspection of the City and Southwest Texas State University.

The following areas of concern are:

## DRAINAGE

It is important to note that the following are storm drains, not sewers and should only have water in them during or after storms.

1). Both (2) storm drains running down both sides of Hopkins Street from C. M. Allen Blvd. past the police station and the Gazebo into the river. Both of these contained what appears to be raw sewage, especially the one running through the Gazebo/Cock House park. (flowing water observed).

2). The other area (1) is a drain line on the bank behind the old

\*AUGUST 21, 1989\*

fish hatchery building (behind police station) that has water of an unknown source constantly draining into the river. (flowing water observed)

The following are two areas of concern coming from the SWT campus.

3). Starting directly below the SWT Physical Plant there is water entering the Sessoms Creek storm drain directly from the concrete wall in the canal with algal build up.

Following the canal further down, more water from an unknown source is entering it, as it crosses under Sessoms Rd. and another drain, from an outlet on the wall across the street from the SWT Physical Plant parking lot. There is a third source entering about fifty feet past the last opening. Algal and foam are present in the flowing water. (flowing water observed)

4). These are the storm drains that are located across from City Park. (flowing water observed)

On August 17, at 4:30 PM, a red/orange discharge was observed coming out of the largest drain (5'). A bird that was observed drinking from said discharge dies while watching him. Followed storm drain for two hours, until it finally became too small for passage. The lines led up University Dr., right on Moon street (with drama bldg.), left between dormitories on Concho Street, and then right on L.B.J. Drive to almost the entrance to campus. This was the stopping point. Red/orange in constantly flowing water.

5). Lack of flood barriers around construction sites.

The following are at Aquarena Springs Resort.

6). Grass-Aquarena Springs Resort cuts the water grasses in Spring Lake which become clogged at various points down river (the city recently had to have police and fire departments clean the clogged grass from the R.R. bridge below city park).

7). Hogs and ducks at Aquarena Springs Resort - both of these farm animals add to the rivers fecal count. (Aquarena Springs Resort does not have a permit for these animals registered with the Texas Water Commission)

RECORDS

1). CITY/COUNTY - the health department is the only record keeping facility that offered unhindered help during the investigation. Terry Ewald always supplied current data and on his own initiative Mr. Ewald conducted several comparative tests (a program he started before the investigation started) to monitor river quality.

2). EDWARDS AQUIFER RESEARCH AND DATA CENTER - This facility has been extremely reluctant to cooperate with local government officials in collecting data on the river. They have released conflicting reports from their own data centers and there appears to be either missing or altered data. This information should be turned over to the Attorney General's office and the F.B.I. since this center is funded by both the state and federal governments (action recommended by the Attorney General's office).

In conclusion, the few problems that are affecting the river are easily correctable if pressure is put on the above problem sources to rectify the situation.

HAYS COUNTY COMMUNITY RECYCLING PROJECT - PROPOSAL

Joe Ptak, spokesperson for the Hays County Community Recycling Project (HCCRP), appeared before the Court and spoke of comprehensive recycling program to protect the river and land - proposal is for the County to provide the facility for collecting, processing, selling, and transporting recyclable and salvagable

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material - compostable material would be used as organic fertilizer for the reclamation of agricultural land and eventually for energy generation through methane digestion - higher volume of recyclables bring a higher price - some items could be available to lower income families - the market is here now - need serious consideration and rapid action - City of San Marcos to operate curbside pickup operation - HCCRP will provide marketing services - proposed site is at IH35 (Kerban) - rates = 18-20 cents per sq. ft. - rail link available - profits would be used for operating costs and into the General fund - County would pay for recyclable materials and in turn sell it (large volume generates higher rates) - CSR people (Probation Dept.) could be used for pickup - met with Nick Caruso (City of San Marcos) for two hours - if County decides to proceed it will take two months to start up and one additional month to initiate curbside collection. Commissioner Ford felt like proposed budget was too low - needs to be increased to \$500,000. Commissioner Gonzales stated that he would like to see the County take an active roll in this project. Joe Ptak spoke of need to get contracts for marketing materials and provide ability for materials to be processed - need an assortment of materials (newspaper, glass & metals) - private sector will take only the metals, leaving plastics, compost, paper, appliances, & bldg. materials. George Morris, Salvage Business Operator, spoke of various uses for garbage - need to go in with creative thinking - recycling 200,000 lbs. of trash in one year - keeps trash out of landfills - disposable diapers can create methane gas that is saleable - would like to see household items such as sinks, etc. sold to individuals for re-use rather than sold as metal salvage. G. W. Wood, Trash Hauler/Private Sector, spoke of recycling - motivation would be to make a profit - felt like profits would be a long way down the road - would like to help - trash has a lot of recyclable items. No action taken by the Court.

9850 APPROVE PAYMENT TO STATE DEPARTMENT OF HIGHWAYS & PUBLIC TRANSPORTATION IN AMOUNT OF \$11,875.87 FOR FISCHER STORE ROAD BRIDGE

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment to the State Department of Highways & Public Transportation in the amount of \$11,875.87 for Fischer Store Road Bridge Project to be paid out of R-O-W funds. All voting "Aye".

9851 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of invoices as presented by the County Auditor in the amount of \$198,787.86. All voting "Aye".

|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Central Storerm  | \$ 4,109.18  | Auditor           | \$ 608.70    |
| Extension Ofc.   | \$ 542.52    | Judicial          | \$ 2,324.16  |
| Juv. Prob        | \$ 1,589.23  | Indigency         | \$ 3,836.03  |
| Transfer Sta.    | \$ 4,212.00  | Maint. Dept.      | \$ 1,870.22  |
| Health Dept.     | \$ 194.90    | Civic Center      | \$ 20.00     |
| Countywide Misc. | \$ 932.05    | Tax A/C           | \$ 95.00     |
| District Clerk   | \$ 85.66     | Co. Clk.          | \$ 689.96    |
| Sheriff          | \$ 274.98    | Jail              | \$ 17,048.28 |
| County Judge     | \$ 53.63     | Admin. Coord.     | \$ 71.00     |
| Dist. Atty.      | \$ 18.00     | J.P. 1-2          | \$ 166.37    |
| J. P. 2          | \$ 36.00     | J.P. 3            | \$ 14.93     |
| J.P. 4           | \$ 173.74    | DPS               | \$ 25.95     |
| Constable 2      | \$ 500.00    | Constable 5       | \$ 27.49     |
| CJD Grant        | \$ 455.00    | Foster Child Care | \$ 6,022.00  |
| TDH Mother/Child | \$ 54.95     | District Court    | \$ 161.70    |
| County Court     | \$ 2,041.04  | R & B General     | \$ 259.75    |
| Precinct 1       | \$ 3,068.89  | Precinct 2        | \$ 940.39    |
| Precinct 3       | \$ 38,167.73 | Precinct 4        | \$ 2,530.67  |
| Self Insurance   | \$ 9,583.56  | Hot Check Fee     | \$ 218.82    |
| Public Works     | \$ 95,713.38 |                   |              |

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BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

County Auditor presented Effective Tax Rate Worksheets:

|               |   |
|---------------|---|
| Hays County   | .3278/\$100 effective tax rate                  |
|               | .3304/\$100 rollback tax rate                   |
|               | .3342/\$100 rollback tax rate(sales tax adjust) |
| Special Road  | .06 /\$100 effective tax rate                   |
|               | .0581/\$100 rollback tax rate                   |
| Springlake Rd | .72 /\$100 effective tax rate                   |
|               | .62 /\$100 rollback tax rate                    |

TAX RATE

| <u>Maintenance &amp; Operation</u> | <u>Rate</u>  | <u>Generated Taxes</u> |
|------------------------------------|--------------|------------------------|
| General Fund                       | 19.92        | 3,549,624              |
| Jury Fund                          | 1.30         | 233,138                |
| Precincts 1-4                      | 3.62         | 638,750                |
| Total M & O                        | <u>24.84</u> |                        |
| <u>Longterm Debt</u>               |              |                        |
| Jail Interest & Sinking            | 4.37         | 777,950                |
| Jail Addition I & S                | .93          | 164,850                |
| Machinery Warrants                 | 1.32         | 211,129                |
| Public Works                       | 1.94         | 341,992                |
| Total Longterm Debt                | <u>8.56</u>  |                        |
| TOTAL TAX RATE                     | 33.40        | 5,917,433              |
| GENERAL M & O                      | 21.23        |                        |
| GENERAL DEBT                       | 5.90         |                        |
| Subtotal                           | <u>27.13</u> |                        |
| R&B M&O                            | 3.62         |                        |
| R&B DEBT                           | 2.65         |                        |
| Subtotal                           | <u>6.27</u>  |                        |
| TOTAL                              | 33.40        |                        |

|        | <u>VALUATION</u> | <u>TAXES GENERATED @ 90% COLLECTION<br/>FOR EACH 1 CENT</u> |
|--------|------------------|---|
| County | 1,979,943,662    | 178,194   |
| R&B    | 1,958,795,456    | 176,291   |

\$424,000 to allocate for health insurance increase, equipment purchases, renovation/construction, cost-of-living, contingencies and county purchasing agent.

Cost-of-Living @ \$100 per month + fringes = \$208,142 (Commissioner Gonzales and Commissioner Payne FOR Judge Rains AGAINST. Commissioner Ford recommended 5% increase not to exceed \$75 as cost-of-living and \$25 merit. \$100 f/40 hr work week and \$85 f/35 hr work week)

Judge Rains spoke of renovation projects: remove paneling in Courthouse rotunda and replaster/paint, Courthouse restrooms and Courthouse Annex first floor.

New Employees - discussion was had on Warrant Officer to serve hot check warrants out of J.P. Court - Judge Rains felt like street Deputies can serve warrants while on patrol - Commissioner Payne suggested giving warrant officer to Constable Pct. 1.

County Auditor Bill Herzog stated that the Sheriff & Jail budget will need to be amended for FY89:(mainly in salary line items)

|                 |              |
|-----------------|--------------|
| Sheriff's Dept. | \$ 78,000    |
| Jail            | \$ 1,500,000 |

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Sheriff Paul Hastings appeared before the Court - spoke of jail being at full capacity now (347 inmates) - spoke of salaries (Sheriff's Dept), was not aware of increases that were given at the end of the year by Former Sheriff Alford Hohman - new positions: parttime mechanic = \$4,000 (\$500 per month)

Dispatcher = \$1,400 (part-time to fulltime)  
Dispatcher = \$7,200 (\$1200 per mo/reclassify)

Sheriff's Dept. Deputies consist of 18 patrol 2 supervisors 1 CID 1 Lt. CID 1 Chief Deputy - trying to control long distance calls made by Deputies.

Jail did not open until March - not full capacity until April - generating some revenues off inmates calls out.

Publications - some newspaper ads were being paid out of this line item and later reimbursed.

Mechanic - salary is \$1600 per month - Commissioner Gonzales felt like Steve Cost is doing a good job and need a salary increase.

Warrant Officer - patrol deputies are serving warrants when time permits - reserves are serving some hot check warrants - Class C (J.P) warrants are not being actively served by street patrol deputies - Warrant Officer would supervise Reserve Deputies - 20 Deputies are being used for 3 shifts/24 hours per day

FY89 Sheriff's Department budget = \$926,498 - \$78,288 needed

Judge Rains stated that we need to recruit more Reserves. Sheriff Hastings stated that their are presently 26 Reserves - need to put them out in vehicles and train in order to utilize them.

Telephone line item - take out of Sheriff's Dept. and put \$24,000 into Jail Telephone line item.

Continuing Education = \$1000

New Employees - Commissioner Ford, Commissioner Gonzales and Commissioner Rippy voted to allow 2 additional Officers - Warrant Officer & Night Shift Deputy @ \$1500 per month each - Commissioner Gonzales stated that the Court hired a JP Clerk to process hotchecks, therefore, we need an Officer to serve the process - County revenues will increase with warrants served.

Prisoner transfer = \$4000

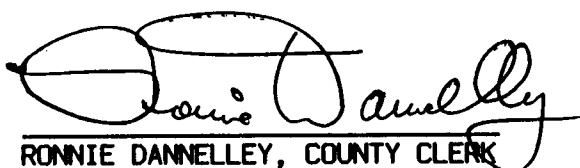
Jail - Salaries: GED Instructor is required to be eligible for commodities (\$1800 per month) 3 Paramedics are required according to Dr. Connell (Medical Services).

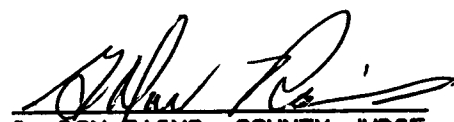
Judge Rains questioned maintenance estimates - need to have Maintenance Supervisor appear before the Court to explain.

Inmate supplies - mattresses have to be bought from TDC ( cannot get from Feds - must be fire retardant).

Food costs = 90 cents per inmate per meal.

Court recessed until 9:00 A.M. August 28, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 28TH DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

\*AUGUST 28, 1989\*

9852 APPROVE CONSOLIDATION OF VOTING PRECINCT LOCATIONS FOR NOVEMBER 7, 1989 ELECTION FOR CONSTITUTIONAL AMENDMENTS

Joyce Cowan, Election Administrator, presented her recommendation of consolidating election precincts for the November 7, 1989 election:

| <u>Precincts</u> | <u>Polling Place</u>                          |
|------------------|-----------------------------------------------|
| 10,13,15         | County Extension Meeting Rm - 401-B Broadway  |
| 11,12            | Dunbar Center - Endicot & Martin Luther King  |
| 16,30,31         | Westover Baptist Church - Bishop & Advance    |
| 20,21            | C.M. Allen Homes Office - River Road          |
| 23,25,27         | Kyle City Hall - Burleson Street              |
| 24,26,28         | Senior Citizens Bldg. - Buda                  |
| 29               | St. John United Church - Uhland (Hwy 21)      |
| 34,36            | San Marcos City Library - 310 W. Hutchison    |
| 35,37            | Oldham-Cummings VFW #6441 - Wimberley (RR12)  |
| 40               | Henly Volunteer Fire Dept. - Henly            |
| 41,49            | DSISD Admin. Bldg. - Dripping Springs         |
| 14,44,45         | Allenwood Homes - Thorpe Lane                 |
| 42,48            | Driftwood Community Center - Driftwood        |
| 43               | Peerman Land Company - Hwy.290/Nutty Brown Rd |
| 46,47            | Travis Elementary School - Old Post Road      |

9853 PROCLAMATION DESIGNATING SEPTEMBER 4-11, 1989 AS UNITED WAY WEEK

Judge Rains read Proclamation designating September 4-11, 1989 as "United Way Week" and presented original to Karen Brittain.

PROCLAMATION

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

WHEREAS, the United Way of Greater San Marcos provides assistance to all of the citizens of Hays County through its support of seventeen (17) social service agencies; and

WHEREAS, the campaign has begun for funds for 1990 for those agencies; and

WHEREAS, the campaign theme, "Neighbor Helping Neighbor", means that we are all helping each other,

NOW, THEREFORE, we the Commissioners' Court of Hays County, Texas, do hereby PROCLAIM the

Week of September 4 - 11, 1989

as

UNITED WAY WEEK

and urge all citizens of Hays County to participate in special observance

HAYS COUNTY COMMISSIONERS' COURT

s/G. Don Rains , County Judge  
s/Rafael Gonzales, Commissioner Pct. 1  
s/Wayne Ford , Commissioner Pct. 2  
s/Craig Payne , Commissioner Pct. 3  
s/Oran Rippy , Commissioner Pct. 4

ATTEST:  
s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

(Commissioners' Court Seal)



\*AUGUST 28, 1989\*

## CAPITAL AREA SMALL BUSINESS ASSISTANCE COUNCIL

Jerry Romero appeared before the Court requesting funds for CASBAC - represents 10 counties - assist small business person with counseling - funding can be matched by SBA - continuing program for business assistance. Judge Rains suggested that Court consider funding at budget workshop later in the meeting.

**9854 APPROVE CHILYMPIAD USE OF COURTHOUSE LAWN ON SEPTEMBER 9, 1989 FOR STREET DANCE**

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve Chilympiad use of courthouse lawn on September 9, 1989 for street dance. All voting "Aye".

**9855 REIMBURSEMENT FOR VETERAN ADMINISTRATOR'S TRAVEL ALLOWANCE**

Commissioner Payne spoke of need to find office space for the Veteran's Service Officer. County Auditor Bill Herzog spoke of 1387 miles that VA Officer has not been compensated for - he is being paid for mileage not to exceed \$250 per month and an auto allowance of \$200. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize reimbursement for Veteran Service Officer's travel in the amount of \$921.00. All voting "Aye".

**9856 COUNTY CLERK BUDGET AMENDMENT - LINE ITEM TRANSFER OF \$500**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize County Clerk budget amendment by transferring \$500 from Permanent Record line item into Continuing Education line item. All voting "Aye".

**9857 ENTER INTO MINUTES THE NAMES OF BIDDERS FOR COMPUTER SYSTEM AND HEALTH & DENTAL INSURANCE - AWARD CONTRACT FOR HEALTH INSURANCE**

County Auditor Bill Herzog stated that the following submitted bids on the computer system: H.T.E. Co. - IBM - Net Data - The Software Group

Bids for Health & Dental Insurance were submitted by:

Alta Health Strategies (Self Funding) - Health & Dental (2 plans)  
 American General - Health & Dental (Non PPO/PPO - 2 plans)  
 Amerident - Dental only  
 Austin Dental Plan - Dental only  
 Blue Cross/Blue Shield (Traditional) - Health & Dental (3 plans)  
 Boon-Chapman (Self Funding) - Health & Dental (2 plans/1 w/PPO)  
 Fidelity Security of Kansas City - Health (1 plan)  
 Med Care Trust (Traditional) - Health (1 plan)  
 Prudential Ins. - Health & Dental (2 plans)  
 San Neal/George Washington - Health & Dental (2 plans/1 w/PPO)  
 Texas Health Plan of Texas (HMO) - Health (3 plans)  
 Transport Life (Self Funding) - Health & Dental (2 plans)

County Auditor Bill Herzog stated that the Court needs to decide which way to go: self funding, traditional, PPO or HMO - need to keep rates "not public info" in order to negotiate. Assistance District Attorney John Costello read the law and felt like because the request for proposals did not mention alternative bidding procedures, the Court would have to make proposals public information. Court decided to proceed. Jackie Jordan, County Insurance Representative, spoke of various bids submitted - current premiums are: Employee = \$84.80 Employee & Children = \$62.56 Employee & Spouse = \$96.74 Family = \$161.98 - Texas Health Plan (HMO) is same as current plan - Amerident can be used in Austin & San Antonio only - Boon-Chapman Plan I is same as the present coverage. County Auditor Bill Herzog stated that self funding rates are the best. Judge Rains stated that the Court needs to give serious consideration to bids submitted by Boon-Chapman, American General and Blue Cross/Blue Shield. Texas Health Plan

\*AUGUST 28, 1989\*

(HMO) Representative spoke - would like to continue with coverage - there are currently 42 members from the County on the plan - current premiums are: Employee = \$83.34 Employee & Spouse = \$188.04 Employee & Children = \$169.26 Family = \$257.84. Boon-Chapman Representative spoke - County is liable for the first \$35,000 per employee, once claims hit \$35,000 the American General insurance company picks up remainder - County has control over benefits allowed, deductible amount, co-insurance, etc. - reports on claims are available to see who are making claims and for what - if County does not continue with Boon-Chapman at the end of the contract year the claims at the tail end are the responsibility of the County. Jim Rotan spoke of Blue Cross/Blue Shield - they are not allowed a PPO plan - they are recognized worldwide - provide drug card. Jim Rotan spoke of self funding - run off claims can amount to 25% of your claims and new carrier will not pick up - you need to have reserves. Commissioner Ford made a motion to go with a traditional health care plan - died for lack of a second. Judge Rains made a motion to go with self funding health care plan by Boon-Chapman (Plan II) - died for lack of a second. Commissioner Ford made a motion to go with Boon-Chapman (Plan I w/Dental) - died for lack of a second. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to table awarding insurance at this time. Commissioner Gonzales and Commissioner Payne voting "Aye" - Failed for lack of another Aye. Commissioner Gonzales spoke - hard to determine which way to go at this time - need to be careful in our selection and cost to employees - concerned about runoff claims. Members of the Court continued to make motions that failed and further discussion was had.

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to award bid for Health & Dental Insurance to Boon-Chapman (American General, Underwriter) using Plan II (85/80%). Commissioner Gonzales, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Ford and Commissioner Payne voting "No". A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to allow Texas Health Plan of Texas (HMO) to offer their health & dental plan, same plan as currently offered, to the County employees. All voting "Aye".

9858 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$141,281.19. All voting "Aye".

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| Central Strm      | \$ 161.22   | Auditor           | \$ 560.97   |
| Treasurer         | \$ 29.40    | Judicial          | \$ 2,556.56 |
| Juvenile Prob     | \$ 75.85    | Election Admin    | \$ 306.72   |
| Indigency         | \$ 7,384.00 | Transfer Sta      | \$ 65.31    |
| Bldg. Maint.      | \$ 1,359.55 | Health Dept.      | \$ 288.55   |
| Countywide Misc.  | \$ 861.06   | Tax A/C           | \$ 55.00    |
| District Clerk    | \$ 423.20   | County Clerk      | \$ 2,842.00 |
| Sheriff           | \$ 1,419.11 | Jail              | \$ 8,820.19 |
| J.P. 2            | \$ 350.00   | J.P. 3            | \$ 282.15   |
| J.P. 4            | \$ 200.00   | J.P. 5            | \$ 163.28   |
| DPS               | \$ 562.87   | Constable 5       | \$ 199.03   |
| Data Proc Admin   | \$ 582.00   | CJD Grant         | \$ 930.00   |
| TDH TB Grant      | \$ 100.00   | Heat Stress Grant | \$ 601.00   |
| District Court    | \$ 555.66   | County Court      | \$ 1,224.00 |
| Perm Transfer Out | \$39,500.00 | R&B General       | \$ 1,852.05 |
| Perm Transfer In  | \$10,500.00 | Precinct 1        | \$ 244.99   |
| Precinct 2        | \$ 3,819.78 | Precinct 3        | \$ 648.78   |
| Precinct 4        | \$ 584.86   | Law Library       | \$ 1,153.60 |
| Public Works      | \$45,018.45 | Pioneer Trail     | \$ 5,000.00 |

PURCHASE OF EQUIPMENT FOR CIVIC CENTER

County Auditor Bill Herzog spoke of \$595.00 needed to pay for equipment (disc harrow) - Invoice from Dietz Tractor Co.: 1 new Dale Phillips Disc \$795 less used Taylor Way Disc trade -\$200. Commissioner Gonzales stated that he would like to have Mr. Hotz appear before the court. Mr. Hotz appeared before the Court. Judge Rains asked Mr. Hotz about increasing revenues. Commissioner Gonzales spoke of need to get other activities to use the facility - Chilympiad

\*AUGUST 28, 1989\*

will not be paying this year - suggesting perhaps adding an air conditioned area to the civic center. Mr. Hotz spoke of horse shows and dog shows scheduled after the fiscal year begins - events like Chilympiad putting all other events off for 6 weeks (very time consuming). Commissioner Payne stated that the Court's main concern is about revenues being down - spoke of overspending the budget - need to be careful and not overspend - need to increase revenues.

9859 APPROVE PURCHASE OF EQUIPMENT FOR THE JAIL

County Auditor Bill Herzog presented invoices for purchases at the Jail:

|            |                               |
|------------|-------------------------------|
| \$ 367.20  | 6-Shelf Unit                  |
| \$ 184.54  | Service Cart/Collaps-A-Truck  |
| \$1,091.00 | Walkie/Talkie & spare antenna |

Funding should come from equipping and operating Jail (C.O. Funds). A motion was made by Commissioner Rippy, seconded by Commissioner Payne to authorize purchase of equipment for the jail - not to exceed \$1500 - out of Jail Contingencies. All voting "Aye".

9860 AMEND BUDGETS FOR SHERIFF'S DEPT., JAIL & DISTRICT CLERK

County Auditor Bill Herzog spoke - budget amendments are needed as follows:

Sheriff's Department

| <u>Line Item</u>     | <u>Increase</u> | <u>Decrease</u> |
|----------------------|-----------------|-----------------|
| Salaries/Staff       | \$ 20,000.00    |                 |
| FICA                 | \$ 1,500.00     |                 |
| Retirement           | \$ 1,400.00     | \$ 4,000.00     |
| Med. Ins. County     |                 |                 |
| THN Ins. County      | \$ 3,300.00     |                 |
| Office Supplies      | \$ 400.00       |                 |
| Postage              |                 | \$ 400.00       |
| Publications         | \$ 500.00       |                 |
| Film                 |                 | \$ 621.00       |
| Data Proc Supplies   |                 | \$ 600.00       |
| Fuel & Lubricants    | \$ 20,000.00    |                 |
| Vehicle Supplies     | \$ 2,000.00     |                 |
| Travel               | \$ 221.00       |                 |
| Continuing Ed        |                 | \$ 844.00       |
| Organized Crime Exp  | \$ 2,778.00     |                 |
| Recruiting Exp       |                 | \$ 174.00       |
| Misc Exp             | \$ 650.00       |                 |
| Vehicle Mtc. & Svc   | \$ 2,000.00     |                 |
| Radio/TTY Rep & Mtc. |                 | \$ 565.00       |
| Data Proc Mtc. & Svc | \$ 2,900.00     |                 |
| Printing             | \$ 1,000.00     |                 |
| Developing           | \$ 372.00       |                 |
| Utilities            | \$ 60.00        |                 |
| Data Lines           | \$ 400.00       |                 |
| Telephone            | \$ 7,500.00     |                 |
| Ofc. Equip.          | \$ 35.00        |                 |
| Vehicle Equip        | \$ 237.00       |                 |
| Radio Equip          | \$ 700.00       |                 |
| Law Enf Equip        |                 | \$ 1,655.00     |
|                      | <hr/>           | <hr/>           |
| Jail Contingencies   | \$ 65,175.00    | \$ 11,637.00    |
|                      |                 | \$ 53,538.00    |

| <u>Line Item</u> | <u>Increase</u> | <u>Jail</u> | <u>Decrease</u> |
|------------------|-----------------|-------------|-----------------|
| Salaries/Staff   | \$1,065,000.00  |             |                 |
| FICA             | \$ 79,982.00    |             |                 |
| Retirement       | \$ 74,550.00    |             |                 |
| Med Ins County   | \$ 41,867.00    |             |                 |
| THN Ins County   | \$ 3,530.00     |             |                 |

\*AUGUST 28, 1989\*

|                        |    |                       |                       |
|------------------------|----|-----------------------|-----------------------|
| Life Ins County        | \$ | 1,000.00              |                       |
| Uniform Allow          | \$ | 13,300.00             |                       |
| Office Supplies        |    |                       | \$ 874.00             |
| Film                   | \$ | 2,500.00              |                       |
| Data Proc Supplies     | \$ | 500.00                |                       |
| Medical Supplies       | \$ | 22,000.00             |                       |
| Food for Prisoners     | \$ | 100,000.00            |                       |
| Inmates Personal Items | \$ | 10,000.00             |                       |
| Maintenance Supplies   |    |                       | \$ 7,500.00           |
| Janitorial Supplies    | \$ | 8,000.00              |                       |
| Continuing Ed          | \$ | 6,600.00              |                       |
| Recruiting Exp         | \$ | 15,000.00             |                       |
| Misc Exp               | \$ | 8,500.00              |                       |
| Contingencies          |    |                       | \$1,519,855.00        |
| Misc Eqp Mtc & Rep     | \$ | 6,000.00              |                       |
| Medical Services       | \$ | 20,000.00             |                       |
| Mtc. & Svc             | \$ | 5,500.00              |                       |
| Printing               | \$ | 5,500.00              |                       |
| Developing             | \$ | 1,700.00              |                       |
| Utilities              | \$ | 35,000.00             |                       |
| Telephone              | \$ | 2,200.00              |                       |
|                        |    | <u>\$1,528,229.00</u> | <u>\$1 528.229.00</u> |

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend budgets for Sheriff's Department and Jail as presented by the County Auditor (Sheriff = \$53,538 Jail = \$1,528,229). Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippey voting "Aye". Commissioner Payne voting "No".

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend budget of District Clerk by transferring \$500 from Permanent Records into Continuing Education. All voting "Aye".

9861 APPROVE EXTENDING CURRENT PROPERTY & CASUALTY INSURANCE TO COINCIDE WITH LIABILITY INSURANCE COVERAGE AND AUTHORIZE AUDITOR TO ADVERTISE FOR BIDS

County Auditor Bill Herzog spoke of current property & casualty insurance coverage to expire September 30, 1989 - coverage could be extended until November 15 to coincide with liability insurance coverage. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve extending current property & casualty insurance to coincide with liability insurance coverage contingent on receiving extension authorization from insurance company in writing and authorize Auditor to advertise for bids. All voting "Aye".

9862 APPROVE PAYMENT FOR DAMAGE TO A VEHICLE BY PCT. 1 ROAD EQUIPMENT

County Auditor Bill Herzog spoke of a vehicle that was hit by a rock thrown from a tractor mower with damages in the amount of \$280.20 - insurance deductible is \$1000. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve payment in the amount of \$280.20 out of the Self Insurance Fund for damage to a vehicle by Pct. 1 road equipment. All voting "Aye".

9863 KIRBY SPRINGS RANCH PHASE 2 (LOTS 1-45) - 2ND READING (PCT. 4)

Patsy Greiner, Administrative Coordinator, spoke of subdivision having only 1 entrance/exit for 45 lots. Mark McManus spoke of private road with 60' r-o-w - home owners association is created and 80% of subdivision is under contract presently. A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "Kirby Springs Ranch Phase 2" subdivision on second reading. All voting "Aye".

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9864 BLUE CREEK RANCH SUBDIVISION - 1ST READING (PCT. 4)

Mark McManus presented "Blue Creek Ranch Subdivision" on first, second and third readings - will be before the City of Dripping Springs for approval - private roads. Patsy Greiner spoke of need for more information on the plat. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Blue Creek Ranch Subdivision" on first readings. All voting "Aye".

9865 BUTTERCUP MOUNTAINS (LOTS 1-12) - 2ND READING (PCT. 3)

Patsy Greiner spoke - major entrance road is 30' r-o-w (additional easement/will not be able to obtain from property owner James Sanders) - property lines to the center of the road (private roads). Commissioner Payne stated that pins need to be indicated on the plat. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Buttercup Mountains" subdivision on second reading. All voting "Aye".

9866 ZUNIGA TRACT, LOT 1 RESUB - 3RD READING (PCT. 2)

Commissioner Ford spoke - City of San Marcos has approved - 30' easement. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve "Zuniga Tract Lot 1 Resub" on third reading. Commissioner Gonzales, Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

9867 TEICHELMANN'S SUBDIVISION, LOT 1 - 1ST,2ND,3RD READINGS (PCT. 4)

Charles Suart presented "Teichelmann's Subdivision" on first, second and third readings. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Teichelmann's subdivision" on first, second and third readings. All voting "Aye".

BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

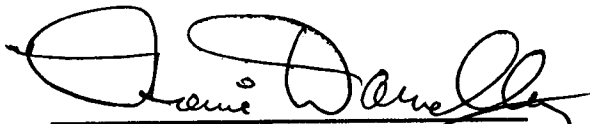
Jail - Sheriff Paul Hastings, Jail Administrator Rod Ellis and Jail Maintenance Supervisor Chuck Fritsche appeared before the Court. Judge Rains asked how figures were obtained for maintenance and janitorial supplies. Chuck Fritsche spoke of special order repair parts being very costly and can take weeks/months to obtain. Sheriff Hastings stated that we need to maintain a stock of repair items - we cannot operate without them on hand. Mr. Fritsche stated that janitorial supplies that was suppose to be ordered for one year was in-fact cut down to a six month supply, however, it has not lasted six months - they are presently buying as much as they can from Texas Dept. of Corrections to save money. Rod Ellis spoke of job being to keep things rolling - need the Courts help to do this.

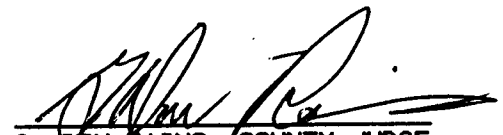
Maintenance Work Orders for the month of July 1, 1989

|                           | A   | B   |
|---------------------------|-----|-----|
| Detention Doors           | 20  | 114 |
| Plumbing                  | 50  | 144 |
| Equipment                 | 32  | 82  |
| Electrical                | 12  | 40  |
| HVAC                      | 0   | 30  |
| Telephone                 | 5   | 27  |
| Intercommunication System | 3   | 28  |
| Fire & Smoke System       | 1   | 11  |
| CCTV                      | 2   | 22  |
| Pneumatic Tube System     | 3   | 9   |
| Miscellaneous             | 18  | 90  |
| TOTALS                    | 146 | 597 |

A - Total for July 1989  
 B - Five Months of Operation

Court recessed until August 30, 1989 Budget Workshop.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 30th DAY OF AUGUST , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET

Wimberley Little League - Ed Cooper spoke - request is for \$3800 - Little League program borrowed \$65,000 to build fields - bank note is \$9,000 per year and they are \$3800 short - sponsorship has gone down - there are 180 kids involved in the program - spoke of Court funding Senior Citizens programs - the youth need programs too and the county will benefit in the long run.

Jail - Sheriff Paul Hastings and Jail Admin. Rod Ellis appeared - recommended the following "Open Accounts" to allow purchases when needed ("Stock" items are needed):

|   |              |
|---|--------------|
| Open Acct. High Pressure Sodium Outside Lights    | \$ 6,250.00  |
| Open Acct. Fluorescent Fixtures                   | \$ 8,252.00  |
| Open Acct. Heating & Air Conditioning Units       | \$ 14,176.00 |
| Open Acct."Stock" - Delany Flush Valves           | \$ 620.00    |
| ICS/Open Acct. - Showers                          | \$ 7,074.00  |
| Open Acct."Stock" - Intercom Remote Stations      | \$ 350.00    |
| Open Acct."Stock" - Smoke & Fire Detectors        | \$ 1,000.00  |
| Open Acct."Stock" - Intercom Consoles             | \$ 2,060.00  |
| Open Acct."Stock" - Cameras                       | \$ 1,000.00  |
| Open Acct. - motors                               | \$ 1,000.00  |
| Open Acct. - phones                               | \$ 2,000.00  |
| Open Acct."Stock" - Detention door/panels         | \$ 10,000.00 |
| Open Acct. - Pneumatic Tube Systems               | \$ 2,000.00  |
| Open Acct. - Boilers                              | \$ 2,250.00  |
| Open Acct. - Recirculating Pumps                  | \$ 1,000.00  |
| Open Acct. - Inmate Televisions                   | \$ 1,000.00  |
| Open Acct. - Electrical plugs,fuses,switches,etc. | \$ 1,000.00  |
| Open Acct. - Generator                            | \$ 1,500.00  |
| Open Acct. - Fire Protection Equipment            | \$ 2,000.00  |
| Open Acct. - Security Door                        | \$ 5,000.00  |
| Open Acct. - Paint                                | \$ 4,000.00  |
| Open Acct. - Overhead Door Parts                  | \$ 1,000.00  |
| Open Acct. - Furniture Repair Parts               | \$ 1,000.00  |
| When Needed - Flag Pole Repair & Flags            | \$ 1,000.00  |
| Needed Now - Window Tints                         | \$ 2,000.00  |
| Needed Now - Duct Work for Computer Room          | \$ 1,000.00  |
| Open Acct. - Misc. parts, lubricants, etc.        | \$ 3,000.00  |
| Open Acct. - Bazark Dimmers & Control Panels      | \$ 2,000.00  |
| Open Acct. - Washer Extractor/Gas Dryer           | \$ 2,000.00  |
| Open Acct/Order When Needed - Kitchen Equip Parts | \$ 10,000.00 |

\*AUGUST 30, 1989\*

Janitorial Supplies - absolute must- would like to have funds available to purchase as needed:

|                           |              |
|---------------------------|--------------|
| Janitorial supplies       | \$ 15,000.00 |
| Laundry&Kitchen supplies  | \$ 6,324.00  |
| Paper goods               | \$ 17,016.00 |
| General cleaning supplies | \$ 5,798.00  |
| Inmate Cell supplies      | \$ 25,915.00 |

Maintenance Equipment Repair or Replacement (contract services)

|                                    |              |
|------------------------------------|--------------|
| Pest Control                       | \$ 1,200.00  |
| Generator Inspection               | \$ 5,000.00  |
| Detention Doors                    | \$ 10,000.00 |
| Detention Door computers           | \$ 10,000.00 |
| Fire Alarm System                  | \$ 15,000.00 |
| Lighting Control computers         | \$ 10,000.00 |
| Rogen Intercom System              | \$ 10,000.00 |
| Boilers                            | \$ 10,000.00 |
| Gas Pump                           | \$ 2,000.00  |
| Sprinkler System & Inspection      | \$ 1,000.00  |
| Heating & Air Conditioning         | \$ 10,000.00 |
| Air Balance & Computer AC controls | \$ 10,000.00 |
| Overhead Doors                     | \$ 1,000.00  |
| Telephones                         | \$ 4,000.00  |
| Kitchen equipment                  | \$ 10,000.00 |
| Fire Extinguishers & Inspections   | \$ 1,000.00  |

Judge Rains spoke - need to identify items that can be purchased by C.O. money - need to inventory supplies you have on hand and itemize supplies needed.

Sheriff's Department - additional two Deputies needed: Warrant Officer and Night Shift Officer - salaries reflect merit increases at \$50 per month after one year service - street deputy starts @ \$1500 per month and corrections officers @ \$1400 per month. Current monthly salaries for the Sheriff's Dept. with the two new Deputies = \$54,907 X 12 months = \$658,884 + \$13,920 (proposed increases) + \$60,000 (holiday/Overtime pay) = \$732,804. Vacancies are being filled by jail personnel - have not been paying overtime (giving comp time & using Reserves when available) - felt like Deputies should make \$1800 per month minimum - will not give increases until personnel has been employed a year - overtime is approved by a Supervisor - they have a choice of Overtime or Comp time - we have to abide by the Labor Laws.

Budget needs : insurance, new employees, equipment (\$200,000 f/computer equipment & 7 new Sheriff cars), salary increases (\$200,000) and renovation (\$100,000).

Election Administrator Joyce Cowan and Danny Dever appeared - equipment needs are real (voting boxes and counters) - Danny Dever spoke of software that could be available and utilized with the County Auditor & County Treasurer system - could use a modem or move Election Administrator to the Courthouse Annex - would have to go with Business Records this next year because contract expires September 30th.

Data Processing Administrator - Danny Dever spoke - employee salary increase requested - \$33,600 computer upgrade to increase speed & response time needed - additional memory - \$3,000-6,000 - Sheriff/Jail needs additional memory & storage - spoke of overtime experienced by his department because of 24 hr jail operation - would like to be informed of any salary increases and equipment funds that will be budgeted - spoke of state of the art system that could be acquired to serve all county departments and all needs.

Administrative Coordinator - Patsy Greiner requested \$75.00 per month for travel allowance from continuing education line item.

County Court at Law #1 - Judge Howard Warner appeared - spoke of salaries being frozen for some employees - requested salary increases for all employees - compared salaries of Judges in surrounding areas - District Judges/D.A. salaries awarded by the State Legislature = \$76,000+ - spoke of new procedures being adopted to help collect more monies, placing unclaimed cash bonds in interest bearing accounts, filing Judgment Nisi against bonding companies & defendants who have not showed up in Court. Pending cases were 2600 beginning the first of the year - by August this was reduced to 1100 (many cases were dismissed) -

\*AUGUST 30, 1989\*

Civil cases have risen because of Judgement Nisi - Juvenile cases now pending are approximately 12.

Hays County Youth Baseball & Softball Programs - Jim Pape appeared - passed out a summary of participation:

| <u>Location</u>               | <u>Number of Teams</u> | <u>Approx. Number of Youth Participating(1989)</u> |
|-------------------------------|------------------------|--|
| Dripping Springs Little Lge   | 26                     | 340  |
| Hays Youth League             | 27                     | 350  |
| Greater San Marcos Little Lge | 72                     | 940  |
| Wimberley Little League       | 14                     | 170  |
|                               |                        | 1,800  |

Requesting whatever funding is available - youth programs keep our children engaged in wholesome activities several times a week - spoke of coaches being good role models - many of the coaches are teachers, law enforcement officers, etc.- programs like this can help juvenile delinquency problems and dropouts - feels like this would be a good investment - there are 52 sponsors to equip teams, however, participation has jumped from 400 to 900 creating 72 teams in the San Marcos League - \$350 to sponsor a team - cost \$350 to \$800 to outfit a team John McBride , VP of San Marcos Little League Assn., spoke of schools no pass no play rule - the youth can still participate in little league program even if they have problems in school with grades. Jim Pape spoke of the exposure of youth to this program - if you reach 1 in 100 kids you can keep them out of the Court system which is a substantial savings - need to build additional fields or cutback on the amount of games played - City of San Marcos provides fields, water and electricity (5-6 year estimate:San Marcos has put in approx. \$87,000)- request any funding available on a countywide basis - \$18,000 proposed request.


Tax Assessor-Collector - Ruth Clayton appeared - spoke of cuts in her budget - requested funds are needed for office supplies and postage - spoke of salaries and the loss in purchasing power and 11% increase in cost-of-living - requested sizable ost-of-living increases for county employees.

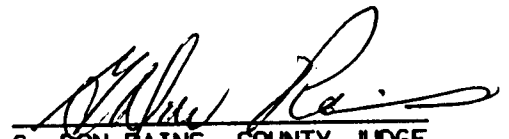
Jail - discussion continued - stock items could be purchased out of C.O. funds - Rod Ellis spoke of quality of equipment such as mops & brooms - cheap items are not always economical - meals are running 71 cents per meal - feeding 300 prisoners + 50 correction officers - project meals at 85 cents = \$370,000 janitorial supplies = \$50,000 - Commissioner Ford spoke of replacement parts - equipment was not purchased (i.e. welding machine, etc.) -what should have been done to equip the jail for the first year was not done.  
Initial stock inventory (to be purchased out of C.O.'s):

|                               |             |
|-------------------------------|-------------|
| #1 Sodium Outside Lights      | \$ 6,250.00 |
| #2 Florescent fixtures        | \$ 8,252.00 |
| #3 Heating & Air Conditioning | \$11,200.00 |
| #4 Delany Flush Valves        | \$ 120.00   |
| #8 Motors                     | \$ 1,000.00 |
| #9 Inmate Visitation Phones   | \$ 1,000.00 |
| #10 Inmate Access Phones      | \$ 1,000.00 |
| #11 Detention Door/panels     | \$10,000.00 |
| #12 Pneumatic Tube Systems    | \$ 2,000.00 |
| #13 Boilers                   | \$ 2,250.00 |
| #14 Recirculating Pumps       | \$ 1,000.00 |
| #17 Fire Protection Equipment | \$ 2,000.00 |
| #22 Bazark Dimmers/panels     | \$ 2,000.00 |
|                               | \$48,072.00 |

Maintenance supplies: \$67,312.00 - \$48,072.00 = \$19,240.00 (budget \$20,000)  
Janitorial Supplies = \$50,000.00 Maintenance & Service=\$50,000.00

District Clerk - W. H. Moore spoke - need additional funds for continuing education (raised to \$1213) - spoke of software needed for child support - per law passed by the Legislature (\$4000)-requested salary increases for employees.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS



STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 1ST DAY OF SEPTEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANIELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP - FY90 HAYS COUNTY BUDGET**

J.P. 1-1 - J.P. Macel Sullivan spoke of need for \$800 for equipment repair & maintenance due to use of copy machine by the Courts (\$215 increase)

Constable Pct. 5 - Billy Reeves spoke of needing what he had requested.

J.P. 1-2 - J.P. Becky Sierra was concerned about equipment line item - needs file cabinets & typewriter(\$1625)

District Court - Billy Forester spoke of need for fulltime baliff (\$6800) - Court did not approve.

DPS - DP Software = \$1000 allowed and DP Equipment (data lines) = \$6,000 allowed

J.P. 5 - \$163 added

Transfer Station - \$2400 additional added

District Attorney - no additional changes

Oak Wilt - \$5000 added

Building Maintenance - \$6,000 for parking lot behind the annex approved \$8,000 approved for 3rd floor courtroom restoration

Discussion was had on Courthouse restoration - remove panelling from rotunda - do away with ladies public restroom and increase County Clerk's office with that space and re-do the men & women restrooms downstairs using Commissioners' Courtroom safe and County Clerk's small records room (cost estimate = \$20-25,000)

Office Space - Commissioner Payne spoke of leaving A.D. Carroll EMC at the Annex. Commissioner Ford spoke of reasons for EMC office to be in the Courthouse (antenna, generator, etc.). Patsy Greiner, AC, stated that EMC needs a specified space for emergency management (radios, etc) in order to receive funding.

Sheriff - reduce Overtime/Holidays to \$40,000. - Discussion was had on built in merit increases

Salaries - Commissioner Ford proposed \$50 cost-of-living increase per month per employee except for new employees and others who have received up to this amount during the fiscal year + \$50 merit/step increase to be distributed by the Department Head - part-time employees to receive 29 cents per hour for cost-of-living

Reserves = \$1.3 million - Judge Rains suggested paying for Sheriff's cars (\$110,000) and Aud/Treas Computer (\$75,000) out of reserves.

Additional equipment requested: Election Admin = \$22,500 (\$15,000 counter + \$7,500 voting booths) Auditor = \$250 (desk) J.P.1-2 = \$650 (desk) TAC = \$1300 DP Admin. = \$30,000 (computer memory) Adm. Coord = \$10,000 (data proc)

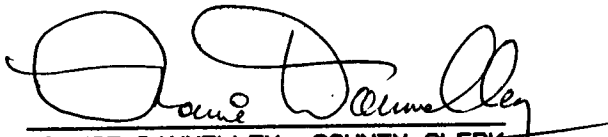
District Attorney = \$4,200 (copier & printer) Dist. Court = \$1000 (files)  
District Clerk = \$4,000 (software) Sheriff = \$4,500 (radios) + \$17,000 (equip.  
cars) J.P. 1-1 = \$200 DPS = \$1,000 + \$1,000 + \$5,000 Constable #2 = \$388  
Constable #4 = \$1500

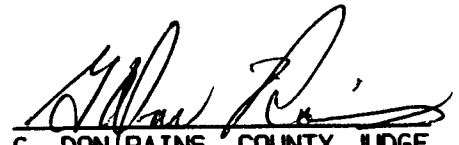
Building Maintenance - County Auditor Bill Herzog stated that he was unable to determine what was spent on construction at the Annex and what was spent on maintenance - 101% of the Bldg. Mnt. budget has already been spent. Maintenance Supervisor Bryan Hoot appeared - will obtain a printout and delineate construction items.

Discussion was had on Amdro vs. Logic - \$10,000 was budgeted to purchase either Amdro or Logic. Commissioner Ford spoke of spending on projects without Court approval - need to have Court approval and assign Public Works Project numbers to all projects. \$75,000 was approved for renovation - projects to be approved by the Court prior to money being spent. Bryan Hoot stated that utilities need to be taken out of the maintenance budget and create a new department for utilities. Janitorial Services - pays for uniforms, mats, etc.- cannot afford a cut - these are set prices = \$9500 - spoke of energy savings programs. Bryan Hoots salary was increased to \$24,000. Maintenance Supplies and Janitorial Supplies = \$53,372 pro-rated out of line items

Purchasing Agent - Judge Rains opposed to District Judge's being involved in process of hiring a County Purchasing Agent. County Auditor Bill Herzog explained his opinion of why the District Judges are involved in hiring. Commissioner Ford felt like hiring a clerk in the Auditor's office to handle purchasing should suffice. Purchasing Specialist to be hired @ \$18,000-19,500 - to be hired on a temporary basis - need to draw up a job description for Court approval.

Court recessed until 10:00 a.m. September 5, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~000~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 5th DAY OF SEPTEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9868 ACCEPT "DEER RUN ROAD" (8000 LF) INTO COUNTY MAINTENANCE SYSTEM

Louis Kilgore - Deer Run Property Owners Assn. - requested county acceptance - \$8,000 will be turned over to the County to purchase materials (maintenance fees collected by the Association). Commissioner Payne spoke of history of the road - 50' r-o-w = 1.4 mi. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to accept "Deer Run Road" into the County maintenance system with \$8,000 to be held in escrow and used to purchase road materials. All voting "Aye".

\*SEPTEMBER 5, 1989\*

## PETITION

We, the undersigned residents of Deer Run Estates in Hays County, hereby petition the commissioners of Hays County to accept Deer Run Drive of the above subdivision as a county maintained roadway.

|                          |                         |
|--------------------------|-------------------------|
| Louis Killgore           | Lot 14 Deer Run Estates |
| Marion Killgore          | Lot 14 Deer Run Estates |
| Connie C. McRoberts      | 29A                     |
| Donald B. Wood           | 30A                     |
| Nelle L. Wood            | 30A                     |
| Grover & Margie Needham  | 9 & 12                  |
| Deena Gardow             | Tract 7                 |
| Douglas Gardow           | Lot 7                   |
| Larry and Carolyn Lorenz | #30-B                   |
| Jim & Claudia O'Bryant   | Lot 23                  |
| Sterling Woolsey         | Lot 23                  |
| Lillie Kemp Johnston     | Lot 24                  |
| Lupe Normand             | Tracts 17 & 22          |
| George Normand           | Tracts 17 & 22          |
| Ray L. Shugart           | 29A                     |

Signed Sept. 29, 1989

## AN AGREEMENT

Whereas the Property Owners Association of Deer Run Estates desire that the roadway of Deer Run Drive be accepted as a county maintained road and subsequently be paved by the county the following agreement is entered into by the above association and Craig Payne Commissioner of Precinct 3, Hays County.

In return for a sum of \$8,000.00 paid by the association to Hays County and to be used toward the purchase of material to pave Deer Run Drive the county will pave the above drive once it is accepted for maintenance by the county. The \$8,000.00 is to be kept in escrow by the county until such time as work begin on paving the drive.

s/ Craig Payne  
Craig Payne  
Precinct 3, Hays County

s/ Louis Killgore  
Louis Killgore, President  
DRE Property Owners Assoc.

## 9869 APPROVE USE OF COUNTY PROPERTY FOR RECYCLING PROGRAM - PCT. 2

Commissioner Wayne Ford spoke of Niederwald area - county owns triangular piece of property on FM2001/CR120 (Kai Vista Dr) - would like to use this property for recycling program. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to allow use of County property for recycling program in Pct. 2 Niederwald area. Commissioner Gonzales spoke of his concerns about County liability. All voting "Aye".

## 9870 PCT. 2 - PERMISSION TO DISPOSE OF COUNTY PROPERTY

Commissioner Ford read list of county property in his precinct that he would like to dispose of (old batteries, broken desk, chairs, etc.). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to grant permission to Precinct 2 Commissioner to dispose of salvagable materials. All voting "Aye".

## CONSIDER HIRING ATTORNEY TO REPRESENT COUNTY ON ACCIDENT INVOLVING RAILROAD CROSSING

Commissioner Ford spoke of insurance company wanting the Pct. 2 Commissioner to sign documents requesting information - unsure as to whether he should sign this document - not sure that he is qualified - unable to get answers from the District Attorney's office.

\*SEPTEMBER 5, 1989\*

**PCT. 2 - CONSIDER ROADS FOR COUNTY MAINTENANCE**

Commissioner Ford spoke of roads that were never formally accepted for county maintenance (i.e. Kai Vista Road, Sunrise Acres Road, Blanco River Crossing and Brushy Creek Subd [unrecorded subd]). Commissioner Payne spoke - roads maintained prior to 1981 are accepted by prescriptive easement. Commissioner Ford stated that he would like to present a list of roads to be accepted for county maintenance as a matter of record. No action taken at this time.

**COURTHOUSE ANNEX AIR CONDITIONING DILEMMA - DISCUSSION**

Commissioner Wayne Ford asked the County Treasurer about the air conditioning in her office - Friday the temperature was 85 degrees. Dottie Sims, County Treasurer, spoke - no improvement in her office has been felt - receiving no results from Maintenance Supervisor Bryan Hoot - the only cool areas are in the Insurance office and the restrooms. Ruth Clayton, Tax Assessor-Collector, spoke of attitude of Mr. Hoot in response to calls about the air conditioning. Commissioner Ford asked Judge Rains to speak with Mr. Hoot to adjust his attitude and see if the air conditioning problem can be corrected. County Treasurer Dottie Sims spoke of the problem of noise from the air conditioning unit.

**9871 APPROVE PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog spoke of the Maintenance Department (\$1084.96) and Mapping Project (\$99.11) being over in their line item budgets. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve payment of county invoices (\$90,496.84) with exception of the Maintenance Department and the Mapping Project invoices. All voting "Aye".

|                    |             |                   |              |
|--------------------|-------------|-------------------|--------------|
| Central Storeroom  | \$ 84.00    | Auditor           | \$ 306.32    |
| Treasurer          | \$ 1.50     | Judicial          | \$ 1,370.75  |
| Juvenile Prob      | \$ 19.90    | Election Admin    | \$ 1,008.00  |
| Indigency          | \$ 1,627.48 | Bldg. Maint.      | \$           |
| Health Dept.       | \$ 35.91    | Civic Center      | \$ 595.00    |
| Countywide Misc.   | \$ 406.00   | TAC               | \$ 43.62     |
| County Clerk       | \$ 25.00    | Sheriff           | \$ 875.96    |
| Jail               | \$ 3,663.34 | J.P. 1-2          | \$ 180.00    |
| J.P. 2             | \$ 20.72    | Constable 1       | \$ 15.25     |
| Constable 2        | \$ 83.66    | Constable 5       | \$ 39.00     |
| Data Proc Admin    | \$ 14.80    | TDH TB Grant      | \$ 19.69     |
| TDH Mother & Child | \$ 7,750.10 | Heat Stress Grant | \$ 276.00    |
| District Court     | \$ 46.00    | County Court      | \$ 300.00    |
| R&B General        | \$ 2,152.42 | Precinct 1        | \$ 618.36    |
| Precinct 2         | \$ 4,279.30 | Precinct 3        | \$ 306.70    |
| Precinct 4         | \$ 455.77   | Self Insurance    | \$ 274.12    |
| Law Library        | \$ 67.00    | Public Works      | \$ 63,535.17 |

**9872 APPROVE MINUTES OF JULY 1989**

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve minutes of July 1989 as presented. All voting "Aye".

**9873 TRANSFER STATION/AMEND BUDGET LINE ITEM FOR PURCHASE OF A GLASS CRUSHER (EQUIPMENT= \$575.00)**

Commissioner Payne spoke of purchasing a glass crusher for the Transfer Station - transfer \$575 out of hauling line item into small equipment purchase line item - glass recycling will bring in revenues. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve budget amendment for the Transfer Station to purchase a glass crusher by transferring \$575.00 out of the hauling line item into small equipment line item. All voting "Aye".



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has been authorized; and

WHEREAS, the terms and conditions of the tax abatement are available in the Tax Abatement Agreement; and

WHEREAS, the County Judge is the agent for the Commissioners Court;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

the County Judge is hereby authorized to sign on behalf of Hays County the Tax Abatement Agreement with Rohr Industries, Inc. as approved by the Hays Consolidated Independent School District and the City of San Marcos.

RESOLUTION PASSED AND ADOPTED ON THIS 11TH DAY OF SEPTEMBER, 1989, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Rafael Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

9875 PROCLAMATION DESIGNATING THE 2ND MONDAY EACH SEPTEMBER AS "VOLUNTEER FIRE FIGHTERS APPRECIATION DAY"

Commissioner Wayne Ford presented a proclamation designating the 2nd Monday each September as "Volunteer Fire Fighters Appreciation Day" for the Courts approval. A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt the Proclamation designating the 2nd Monday each September as "Volunteer Fire Fighters Appreciation Day". All voting "Aye". Certificates of Appreciation were presented to: Driftwood Volunteer Fire Department, South Hays County Volunteer Fire Department, Buda Volunteer Fire Department, Uhland Volunteer Fire Department, Kyle Volunteer Fire Department, Niederwald Volunteer Fire Department, Dripping Springs Volunteer Fire Department, Henly Volunteer Fire Department and the Deer Creek Volunteer Fire Department.

PROCLAMATION

STATE OF TEXAS

COUNTY OF HAYS

WHEREAS, the Volunteer Fire Fighters of Hays County provide assistance to all of the citizens of Hays County through their efforts in preventing and fighting fires throughout the County; and

WHEREAS, the Volunteer Fire Fighters of Hays County give so unselfishly of their time and energies to protect lives and property of Hays County residents; and

WHEREAS, the Volunteer Fire Fighters of Hays County often risk personal injury and endure discomforts and hardships at all hours of the day and night; and

WHEREAS, the citizens and businesses of Hays County rest more secure in their knowledge that the Volunteer Fire Fighters are always prepared and ready to respond when these emergencies arise; and

WHEREAS, the Volunteer Fire Fighters of Hays County never expect anything other than a thank you for their actions, it is only proper and fitting that everyone in the communities should make known their support

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and appreciation to these individuals.

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that the Second Monday of each September, hereinafter, is designated as

"VOLUNTEER FIRE FIGHTERS APPRECIATION DAY"

s/ G. Don Rains  
G. Don Rains  
County Judge

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

(COMM. CRT. SEAL)

9876 OAKWOOD HILLS ROAD DISTRICT - PUBLIC HEARING

Judge Rains called public hearing open - no one from the public spoke. Commissioner Payne asked if the County could build the road once bonds were issued. District Attorney Charles Chapman stated that this could possibly be done through an interlocal agreement - will research. Commissioner Payne felt like proper notice had not been made for this public hearing - would like to reset. A motion was made by Commissioner Payne, seconded by Commissioner Ford to call for public hearing on petition for issuance of road bonds by Oakwood Hills Subdivision Road District to be held October 2, 1989 at 10:00 o'clock A.M. All voting "Aye".

9877 APPROVE PAYMENT TO EXXON FOR PIPELINE ADJUSTMENT (\$50,228) ON FM12 PROJECT

Administrative Coordinator Patsy Greiner spoke - original estimate was \$56,000+ and was reduced by \$6,000. A motion was made by Commissioner Rippey, seconded by Commissioner Gonzales to approve payment to Exxon for pipeline adjustment in the amount of \$50,228.00 for the FM12 Project. All voting "Aye".

STATEMENT OF OFFICIAL ACTION BY THE COMMISSIONERS' COURT  
OF HAYS COUNTY, TEXAS

On the 11th day of September, 1989, the Commissioners' Court of Hays County, Texas, authorized EXXON PIPELINE COMPANY to proceed with the adjustment of its facilities to accommodate the following highway project:

Utility Adjustment Number: CSJ 0683-05-003  
Highway No.: R.M. 12, End of R.M. 12 North to  
Travis County Line

By such Order, a certified copy of which is attached hereto, the Commissioners' Court agreed that Hays County will reimburse Exxon Pipeline Company 100 percent of its full cost of performing said adjustment not to exceed \$50,228.00 (Fifty Thousand Two Hundred Twenty-Eight and No/100 Dollars) upon completion of the adjustment of such facilities and receipt of Exxon Pipeline Company's invoice therefor.

Signed this 11th day of September, 1989.

By: s/ G. Don Rains  
G. Don Rains, County Judge  
Hays County, Texas

Attest:

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

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9878 FM 1826 PROJECT-APPROVE PAYMENT OF \$2,233.40 FOR TEMPORARY & PERMANENT FENCING FOR PARCEL #1 (TE)

A proposal from Sonny Hawkin Fence Building & Repair was submitted to David M. Word, property owner of Parcel #1 (TE) - temporary fence = \$754.00 (\$1.00 per ft) new fence to be installed like existing fence = \$1,479.40 (\$1.80 per ft ). A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve payment of \$2,233.40 for temporary and permanent fencing for Parcel #1 (TE)for the FM 1826 project. All voting "Aye".

9879 DESIGNATE A MEETING PLACE FOR COMMISSIONERS' COURT FOR FY90

Commissioner Wayne Ford spoke of Legislation that passed - must designate a meeting place for the Commissioners' Court - Court was previously required to meet at the Courthouse - meeting place must be in the City limits of the County Seat. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to designate the County Courthouse as the Regular Term Meeting Place for the Commissioners' Court and the Courthouse Annex as the Alternate Meeting Place. All voting "Aye".

9880 ADOPT FEES OF SHERIFF & CONSTABLES (LOCAL GOVERNMENT CODE SEC. 118.131)

County Clerk Ronnie Dannelley spoke of request from the Texas Association of Counties for Sheriff & Constables Fees for each County - law requires that you notify all Counties in the State of any fee changes. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt the current fee schedule for the Sheriff and Constables of Hays County. All voting "Aye".

Notices

Service Fees

|                   |      |
|-------------------|------|
| Subpoenas         | \$40 |
| Summons           | \$40 |
| Writ of Attach.   | \$45 |
| Writ of Restit.   | \$45 |
| Writ of Garnish.  | \$45 |
| Writ of Execution | \$45 |
| Orders of Sale    | \$45 |
| Forcible Detainer | \$40 |

|                            |      |
|----------------------------|------|
| Small Claims Citation      | \$40 |
| Justice Court Citation     | \$40 |
| All other Court's Citation | \$40 |

Other fees

|                          |      |
|--------------------------|------|
| Posting Notices          | \$10 |
| Taking & Approving Bonds | \$20 |

9881 ADOPT RESOLUTION SUPPORTING THE 1990 ECONOMIC SUMMIT IN SAN ANTONIO

A motion was made by Judge Rains, seconded by Commissioner Ford to adopt resolution supporting San Antonio as a site for the 1990 Economic Summit. All voting "Aye".

|                |   |                                |
|----------------|---|--------------------------------|
| STATE OF TEXAS | * | BEFORE THE COMMISSIONERS COURT |
|                | * |                                |
| COUNTY OF HAYS | * | OF H A Y S C O U N T Y, TEXAS  |

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, President George Bush will be the Host for the 1990 Economic Summit; and

WHEREAS, President Bush has indicated that he is considering holding the summit in Texas; and

WHEREAS, the City of San Antonio has been mentioned as one of the sites receiving consideration; and

WHEREAS, the Mayor and City Council of San Antonio have extended an



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invitation to President Bush to Host the 1990 Economic Summit in San Antonio and offered the full backing and support of the city government to the President; and

WHEREAS, it would be very advantageous to the economic development of the Greater Austin-San Antonio Corridor Council to have the Economic Summit held in the Corridor.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

the Board of Directors of the Greater Austin-San Antonio Corridor Council endorses the selection of San Antonio as a site for the 1990 Economic Summit and points out the many historic and cultural resources available in San Antonio and the Greater Austin-San Antonio Corridor; and

BE IT FURTHER RESOLVED THAT:

the Corridor Board offers the full support of all member governments in providing a warm and cordial welcome to the distinguished international visitors and members of the media and general public who would be in our region for the Summit.

RESOLUTION PASSED AND ADOPTED ON THIS 11TH DAY OF SEPTEMBER, 1989, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne (R)  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

s/ Ronnie Dannelley  
Ronnie Dannelley,  
County Clerk

#### 9882 DISTRICT COURT - BUDGET AMENDMENT FOR RENOVATION WORK

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize budget amendment for the District Court by transferring \$300 from office equipment repair & maintenance line item into office remodel line item. All voting "Aye".

#### 9883 BUILDING MAINTENANCE DEPARTMENT - BUDGET AMENDMENT

Maint. Supervisor Bryan Hoot has determined that \$18,878.56 was spent out of his maintenance budget for Courthouse Annex renovation project - need to reimburse the Building Maintenance line item for these invoices. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to authorize Building Maintenance Department budget amendment by transferring \$18,878.56 from renovation line item into building maintenance line item. All voting "Aye".

#### CONTRACT FOR THE PURCHASE OF SOFTWARE & HARDWARE FOR COUNTY AUDITOR AND COUNTY TREASURER'S OFFICE

Data Processing Administrator Danny Dever spoke of proposals - Auditor's office and Treasurer's office staff will be included in recommendation process - will come back to the Court at a later date to award contract.

#### 9884 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve payment of County invoices as presented by the County Auditor in the amount of \$70,397.90. All voting "Aye".

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|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| Auditor           | \$ 828.79   | Treasurer         | \$ 433.67   |
| Extension Ofc.    | \$ 312.01   | Judicial          | \$ 1,000.00 |
| Juvenile Prob     | \$ 84.29    | Election Admin    | \$ 26.37    |
| Transfer Station  | \$ 36.35    | Bldg. Maint.      | \$ 6,019.48 |
| Health Dept.      | \$ 456.75   | Civic Center      | \$ 1,608.37 |
| Countwide Misc.   | \$ 834.01   | Tax A/C           | \$ 375.02   |
| District Clerk    | \$ 456.41   | County Clerk      | \$ 226.95   |
| Sheriff           | \$ 949.81   | Jail              | \$16,814.21 |
| County Judge      | \$ 119.45   | Admin. Coord.     | \$ 76.24    |
| Co.Crt.@ Law #1   | \$ 187.18   | Dist. Attorney    | \$ 579.07   |
| J.P. 1-1          | \$ 55.20    | J.P. 1-2          | \$ 153.82   |
| J.P. 2            | \$ 65.50    | DPS               | \$ 656.67   |
| Constable 1       | \$ 31.36    | Constable 2       | \$ 287.70   |
| Constable 4       | \$ 603.61   | Constable 5       | \$ 228.79   |
| Veteran's Adm     | \$ 1,213.09 | Data Proc Adm     | \$ 272.96   |
| Co.Crt.@ Law #2   | \$ 103.34   | TDH TD Grant      | \$ 48.00    |
| TDH M&C Grant     | \$ 900.00   | Fire Marshall/EMC | \$ 43.14    |
| Heat Stress Grant | \$ 678.00   | District Court    | \$ 116.23   |
| County Court      | \$ 677.15   | R&B General       | \$ 434.28   |
| Precinct 1        | \$ 935.12   | Precinct 2        | \$ 9,776.50 |
| Precinct 3        | \$ 2,980.82 | Precinct 4        | \$ 1,834.39 |
| Hot Check Fee     | \$ 103.09   | Public Works      | \$16,774.71 |

9885 RYAN'S WOODS - ACCEPT ROADWAY CONSTRUCTION & BEGIN 1-YR OWNER MAINTENANCE

Adm. Coord. Patsy Greiner stated that roads are completed and Rogers Pavings will be maintaining for one year. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to accept construction of roads in Ryan's Woods subdivision and to begin one-year owner maintenance. All voting "Aye".

9886 RADIANCE SUBDIVISION - APPROVAL OF ADDRESSES

Robert Shaw presented a Petition to the Commissioners' Court requesting approval of the current street addresses now being used in the Radiance Subdivision. Patsy Greiner, Administrative Coordinator, spoke of the Austin addressing scheme requiring larger numbers on addresses - this subdivision is in the Austin Zip Code. Mr. Shaw explained that the City of Austin has generated numbers that neither the Post Office or the residents of the subdivision use and now the Post office wants to use numbers that are generated by a governmental body. Judge Rains explained that we need addresses for emergency services and they all need to be the same for the Post Office, City of Austin and Hays County. Commissioner Ford suggested that we approve the addresses that are presently being used. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to allow the residents of "Radiance Subdivision" to use same addresses as are presently being used. All voting "Aye".

PETITION TO THE COMMISSIONERS  
OF HAYS COUNTY, TEXAS  
September 11, 1989

Whereas, the community of Radiance in the Radiance subdivision in Hays County, Texas has existed for seven years, and  
 Whereas, the community named, platted, built and maintains its streets and roads, at its own expense, and  
 Whereas, the U.S. Post Office required residents in the beginning to use a rural route and box number system as opposed to the street addresses we requested, and  
 Whereas, later, in about 1986, the USPO decided to have residents use street numbers, necessitating residents to change addresses with friends, vendors, etc., and  
 Whereas, at that time, representatives of the Radiance community and the USPO agreed on the currently used street numbers, and  
 Whereas, the community has constructed stone address markers with these previously agreed-upon street numbers at street-side in front of each house, and  
 Whereas, the USPO now is requesting Radiance residents to again change street numbers to comply with a "grid" structure radiating from



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Radiance Phase I,  
Resub of Lot 23

| <u>Lot#s</u> |                   |
|--------------|-------------------|
| D-01         | 11 Concord Circle |
| D-02         | 13 Concord Circle |
| D-03         | 15 Concord Circle |
| D-04         | 17 Concord Circle |
| D-05         | 19 Concord Circle |
| D-06         | 21 Concord Circle |
| D-07         | 23 Concord Circle |
| D-08         | 25 Concord Circle |
| D-09         | 27 Concord Circle |
| D-10         | 29 Concord Circle |

Radiance Colony,  
Lot #

|     |                |
|-----|----------------|
| C-1 | 20 Colony Road |
| 2   | 23 Colony Road |
| 3   | 31 Colony Road |
| 4   | 33 Colony Road |
| 5   | 35 Colony Road |
| 6   | 37 Colony Road |
| 7   | 39 Colony Road |

9887 AUTHORIZATION FOR HEALTH INSURANCE COVERAGE FOR HEALTH DEPARTMENT EMPLOYEES (3)

County Auditor Bill Herzog spoke of three fulltime employees at the Health Department (In-Home Health Specialist) that need insurance coverage - hours worked per week by these employees is 32-40 hrs. A motion was made by Judge Rains, seconded by Commissioner Ford to allow three Health Department employees to be covered through the County Health Insurance Plan. Commissioner Payne stated that he was reluctant to support this action because of the hours worked per week - should be 40 hours. All voting "Aye".

9888 ADOPT FY90 HAYS COUNTY BUDGET

Proposed merit & cost of living = \$210,000  
Proposed mid-year increases for Sheriff's Dept./Jail = \$26,889.

District Clerk W. H. Moore spoke of Legislature mandating that child support must be reported to the State - computer program is \$4000. Judge Rains spoke of fee for processing child support - can charge up to \$35 per year. W. H. Moore stated that they currently handle approximately 600 accounts. Commissioner Ford suggested a \$25 fee up front at time of filing a divorce with child support to be effective October 1, 1989. To be placed on September 18th agenda.

County Auditor Bill Herzog passed out a worksheet on various fund balances, revenues and expenses:

|                             | Property Taxes | Beginning Balances | Revenues   | Expenses   | Difference |
|-----------------------------|----------------|--------------------|------------|------------|------------|
| General Fund                | 3,463,076      | 1,300,000          | 9,471,974  | 9,624,340  | 1,147,634  |
| Jury Fund                   | 233,138        | 25,000             | 249,994    | 253,330    | 21,664     |
| R & B General               |                | 45,000             | 191,750    | 211,028    | 25,722     |
| Pct. #1                     | 125,450        | 10,000             | 285,000    | 285,000    | 0          |
| Pct. #2                     | 190,000        | 25,000             | 400,000    | 400,000    | 0          |
| Pct. #3                     | 139,300        | 100,000            | 310,000    | 410,000    | 0          |
| Pct. #4                     | 184,000        | 25,000             | 400,000    | 425,000    | 0          |
| Self Ins. Fund              | -              | 0                  | 50,000     | 50,000     | 0          |
| Cummings Fund               | -              | 100                | -          | 100        | 0          |
| Hot Ck Fee Fund             | -              | 0                  | 30,000     | 30,000     | 0          |
| Law Library                 | -              | 7,500              | 7,000      | 7,000      | 7,500      |
| Juv. Detention Construction | -              | 1,800,000          | 75,000     | 1,875,000  | 0          |
| Jail I & S                  | 777,950        | 33,244             | 834,950    | 834,950    | 33,244     |
| Jail Add I & S              | 164,850        | 20,774             | 184,850    | 184,850    | 20,774     |
| Machinery Warrants          | 211,129        | 50,410             | 233,129    | 233,129    | 50,410     |
| Public Works I & S          | 341,992        | 77,135             | 362,992    | 362,992    | 77,135     |
| TOTALS =                    | 5,830,885      | 3,484,163          | 13,086,639 | 15,186,719 | 1,384,083  |

\*SEPTEMBER 11, 1989\*

Constable Billy Reeves appeared - spoke of budget request - vehicle needs an engine overhaul (approx. cost = \$2500) - 135,000+ miles on the vehicle and 194,000 miles on spare car - additional staff needed (part-time 20hours per week) at a cost of \$6,630 to be effective January 1st - spoke of his salary request of \$27,000. Commissioner Ford, Commissioner Gonzales and Commissioner Rippy supported addition of \$2500 for vehicle repair and maintenance (engine overhaul). Commissioner Gonzales spoke of Constables in general - we need to understand that some Constables are doing a better job than others - need to be fair - Pct. #1 and Pct. #5 do an excellent job and he supports their request.

Constable Pct. 4 - is retired and pays for his own medical insurance - Court will allow medical expense of \$1,017 to be transferred to vehicle maintenance & repair if insurance plan allow him to be dropped.

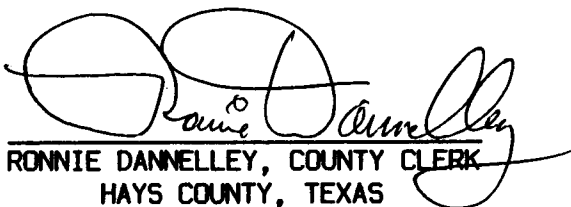
Constable Pct. 3 - Don Amerson spoke - asked why he was not given increases like the other Constables - request salary of \$21,500 (current salary = \$18,200) - spoke of his involvement in drug bust and undercover work - salary as a Deputy Sheriff was \$1832 per month/naw making \$1500 per month.


Administrative Coordinator - Misc = \$85 Continuing Education = -0- Travel Allowance = \$900 APPROVED

Tax Assessor-Collector - Approved Office Supplies = \$3500

Pioneer Trail Road District - entered into the budget the annual payment of \$4300.

Tentative Budget is ready to file - \$150,000 for equipment will come out of reserves. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to adopt the tentative FY90 Hays County Budget. All voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~oOo~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 18TH DAY OF SEPTEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9889 ADOPT THE "HAYS COUNTY ETHICS POLICY"

Commissioner Wayne Ford spoke of proposed Hays County Ethics Policy - patterned after Travis County's policy - has been attempting to get the ethics policy adopted since March 1989. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt the Hays County Ethics Policy. Commissioner Gonzales stated that he was not ready to vote on the policy at this time. Judge Rains, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Gonzales voting "No". Commissioner Payne abstained. Motion Passed by a majority.

\*SEPTEMBER 18, 1989\*

HAYS COUNTY ETHICS POLICY

Sec. 1. The purpose of this policy is:

- (1) To increase public confidence that the resources of their government are not used for unwarranted direct or indirect enrichment of governmental decision-makers or their close advisers;
- (2) To eliminate or at least diminish any incentive for private interest to conduct private financial transactions with governmental decision-makers or their close advisers for the purpose of securing a special advantage in competition for governmental contracts for services and goods; and
- (3) To establish an enforcement mechanism for this policy through the County's contracting procedures and rules for behavior which should be proscribed in addition to that prohibited by other law.

DEFINITIONS

Sec. 2. In this policy:

- (1) "Bidder" is any person who seeks to enter into a legally required bid contract with Hays County
- (2) "Contractor" is any person who seeks to enter into a discretionary contract with Hays County.
- (3) "County judicial official" means a judge of a statutory county court, justice of the peace, and a master, magistrate, or referee appointed by one of those judges.
- (4) "County official" means a county judge, county commissioner, sheriff, county attorney, district attorney, criminal district attorney, county tax assessor-collector, county clerk, district clerk, county treasurer and county auditor.
- (5) "Department head" means a county employee other than those listed by subsections (3), (4) and (10) of this section who receive a salary from Hays County, are appointed by the Hays County Commissioners Court, and are supervised directly by the Commissioners Court.
- (6) "Is doing business" and "has done business" means:
  - (i) paying or receiving any money or other valuable thing in exchange for personal services or for purchase or use of any property or property interest, either real or personal, either legal or equitable; or
  - (ii) loaning or receiving a loan of money, services, or goods or otherwise creating or having in existence any legal obligation or debt.
- (7) "Key person" means
  - (i) any person currently holding a position as a County Judicial Official, County Official, Precinct Official, County Administrator, Hays County Judge or a Hays County Commissioner, Department Head and Assistant Hays County District Attorneys.
  - (ii) any person who has held any such position within 365 days before the dates on which a competitive bid or quotation is due or a discretionary contract is executed by a contractor.
  - (iii) any person in whom another key person has a substantial interest, or
  - (iv) any person designated by a vote of the Commissioners Court to be a key person with regard to a particular bid, quotation, or contract due to that person's authority, influence, or involvement in the development, negotiation, or analysis of a particular bid, quotation, or contract.

\*SEPTEMBER 18, 1989\*

(8) "Offeror" is any person who seeks to enter into a legally required alternative competitive proposal procedure contract with Hays County.

(9) "Person" means any natural person, sole proprietorship, partnership, limited partnership, corporation, trust, estate, or other legal entity, except a governmental entity or subdivision thereof.

(10) "Precinct official" means a constable

(11) "Substantial interest" means

(i) ownership of ten (10) percent or more of the voting stock or shares of a person or ownership of \$2,500 or more of the fair market value of a person;

(ii) an equitable or legal interest with a fair market value of \$2,500 or more in real estate owned by a person; or

(iii) being in the employment of a person.

### Sec. 3. Contracting with the County

(a) The Hays County Commissioners Court shall maintain a current dated list of all key persons and shall furnish a copy of such list upon request to any person. A copy of such list shall be furnished to each known bidder, offeror, or contractor. An updated copy of such list shall be made an exhibit to each contract subject to this Section 3.

(b) Legally required bid contracts. In all cases where contracts are legally required to be awarded pursuant to competitive bids, all bids submitted must include the following:

(1) A statement disclosing the name of every key person with whom the bidder is doing business or has done business during the 365 day period immediately prior to the date on which the competitive bid is due;

(2) An affidavit in the form prescribed by the Commissioners Court from time to time stating that the natural person executing the competitive bid has no knowledge of any key persons with whom the bidder is doing business or has done business during the 365 day period immediately prior to the date on which the competitive bid is due whose names are not disclosed in the bid; and

(3) A provision forfeiting the contract, allowing the County to retain all performance by the bidder pursuant to the contract and to recover all consideration or the value of all consideration paid to the bidder pursuant to the contract, in the event that

(i) the bidder was doing business at the time of submitting the bid or had done business during the 365 day period immediately prior to the date on which the competitive bid was due with an undisclosed key person, or

(ii) the bidder does business with a key person after the date on which the competitive bid is due and prior to full performance of the contract and fails to disclose the name of any such key person in writing to each member of the Commissioners Court and the County Clerk within ten (10) days after commencing business with such key person.

(c) Legally required alternative competitive proposal procedure contracts.

(1) In all cases where contracts are legally required to be awarded pursuant to the alternative competitive proposal procedure provided for in Section 10 of the County Purchasing Act, all quotations must include the following:

(i) a statement disclosing the name of every key person with whom the offeror is doing business or has done business during the 365 day period immediately prior to the date on which the quotation is due; and

\*SEPTEMBER 18, 1989\*

(ii) an affidavit in the form prescribed by the Commissioners Court from time to time stating that the natural person executing the quotation has not knowledge of any key persons with whom the offeror is doing business or has done business during the 365 day period immediately prior to the date on which the quotation is due whose names are not disclosed in the quotation.

(2) All contract legally required to be awarded pursuant to the alternative competitive proposal procedure provided for in Section 10 of the County Purchasing Act shall contain a provision forfeiting the contract, allowing the County to retain all performance by the offeror pursuant to the contract and to recover all consideration or the value of all consideration paid to the offeror pursuant to the contract, in the event that

(i) the offeror was doing business at the time of submitting the quotation or had done business during the 365 day period immediately prior to the date on which the quotation was due with an undisclosed key person, or

(ii) the offeror does business with a key person after the date on which the quotation is due and prior to full performance of the contract and fails to disclose the name of any such key person in writing to each member of the Commissioners Court and the County Clerk within ten (10) days after commencing business with such key person.

(3) Whether an offeror is a key person and the extent to which an offeror is doing or has done business with key persons and the nature of any such business shall be one of the most important evaluation factors in awarding contracts pursuant to the alternative competitive proposal procedure provided for in Section 10 of the County Purchasing Act.

(d) Discretionary contracts.

(1) In all cases where contracts are not legally required to be awarded pursuant to competitive bids and are not legally required to be awarded pursuant to the alternative competitive proposal procedure provided for in Section 10 of the County Purchasing Act, including, but not limited to, all contracts exempted pursuant to Section 4 of the County Purchasing Act, no contract shall be awarded to any contractor who is a key person or who is doing business or had done business with a key person during the 365 day period immediately prior to the date of execution of the contract.

(2) All contracts which are not legally required to be awarded pursuant to competitive bids and are not legally required to be awarded pursuant to the alternative competitive proposal procedure provided for in Section 10 of the County Purchasing Act, including but not limited to, all contracts exempted pursuant to Section 4 fo the County Purchasing Act, shall include the following:

(i) an affidavit in the form prescribed by the Commissioners Court from time to time stating that the natural person executing the contract on behalf of the contractor has no knowledge of any key persons with whom the contractor is doing business or had done business during the 365 day period immediately prior to the date of execution of the contract; and

(ii) a provision forfeiting the contract, allowing the county to retain all performance by the contractor pursuant to the contract and to recover all consideration or the value of all consideration paid to the contractor pursuant to the key person at the time the contract was executed, had done business with a key person during the 365 day period immediately prior to the date of execution of the contract, or did business with key person at any time after the date of execution of the contract but prior to full performance of the contract.

(e) Minutes of Court. In the event that a bidder or offeror discloses the name of a key person with whom they have commenced business after the date on which the competitive bid or quotation is due pursuant to



\*SEPTEMBER 18, 1989\*

Section 3 (b) 3 (ii) or Section 3 (c) (2) (ii) hereof, such disclosure shall be noted in the minutes of the next legally appropriate Commissioners Court voting session.

(f) Appearance and Communication. Appearances before the Commissioners Court or communications with members of the Commissioners Court with the intent to influence a decision by the Commissioners Court by key persons is prohibited if the key person has or will receive any compensation for such appearance or communication from any source other than Hays County. This prohibition may not be waived by the Commissioners Court unless a person affected by this prohibition alleges and can show that the prohibition will interfere with such person's legal rights. The Commissioners Court shall consider such a waiver according to the same procedure set out above for waiver of other provisions of this Section 3.

(g) Waiver. Any or all provisions of this Section 3 may be waived by the Commissioners Court if the Commissioners Court, by order, either declares that the bidder, offeror, or contractor is uniquely qualified to provide expertise so needed that to fail to award or to forfeit the contract would result in significant damage to the public interest or declares that the extent to which a bidder, offeror, or contractor is doing or has done business with one or more key persons is so inconsequential as to produce a ridiculous result from the enforcement of this Section 3. An order waiving any of the provisions of this Section 3 must be disclosed verbally and in writing during a regularly scheduled open meeting of the Commissioners Court and voted on in a separate regularly scheduled open meeting of the Commissioners Court which is at least seven days after the meeting in which it was first publicly disclosed. Such an order shall include, but shall not be limited to the names of the key persons, the nature and purpose of the contract, the amount of public funds required, and the reasons for the waiver.

(h) Exemptions. In the event that Hays County shall have a legal duty to seek to enter into a contract with a specific person, such person and such contract shall be exempt from this Section 3 for the purposes of such contract only.

THE STATE OF TEXAS

COUNTY OF HAYS

AFFIDAVIT

BEFORE ME, the undersigned authority \_\_\_\_\_ on this day personally appeared \_\_\_\_\_, who, being by me duly sworn, upon oath says: that he/she is duly qualified and authorized to make this affidavit for and on behalf of \_\_\_\_\_, bidder/offeror/contractor, of \_\_\_\_\_ County, Texas, and is fully cognizant of the facts herein set out and affirms to the truth and accuracy of the certifications made herein by signing this affidavit; that the bidder/offeror/contractor has received the list of key persons dated \_\_\_\_\_, 19\_\_\_\_, and attached to this affidavit as exhibit "A"; that he/she has personally read the said exhibit "A"; that he/she can read the English language; and that he/she has no knowledge of any key person with whom the bidder is doing business or has done business during the 365 day period immediately prior to the date of this affidavit whose name is not disclosed in the bid, offer, or contract.

\_\_\_\_\_  
BIDDER/OFFEROR/CONTRACTOR

\_\_\_\_\_  
SIGNATURE OF AFFIANT

\_\_\_\_\_  
TYPED OR PRINTED NAME OF AFFIANT

\*SEPTEMBER 18, 1989\*

\_\_\_\_\_  
TITLE OF AFFIANT

\_\_\_\_\_  
ADDRESS OF AFFIANT

SUBSCRIBED AND SWORN to before me by the said \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, to certify which witness my  
hand and seal of office.

\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_  
County, Texas

\_\_\_\_\_  
Typed or printed name of notary  
My commission expires: \_\_\_\_\_

9890 AUTHORIZATION TO PAY INVOICES

County Auditor Bill Herzog spoke of invoices that need to be approved by the Court:

|                     |  |
|---------------------|--|
| McGlothlin Carpets  | \$1,875.16 (\$900 CCL \$975.16 DA/EMC) |
| West Publishing Co. | \$ 331.00 (Law Library-LEC)            |
| Hoffman's Supply    | \$3,965.44 (Shelves-LEC)               |
| Klipplies           | \$ 20.00 (Pct. 1 chairs)               |
| AT&T                | \$2,062.71 (Data Communication lines)  |
| Lara's Carpet       | \$ 222.00 (CCL)                        |

Danny Dever, DP Admin., spoke of AT&T invoice being for the data communication line with Comal County that was suppose to have been disconnected in November. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize payment of \$2,062.71 invoice to AT&T out of Countywide Misc. line item. All voting "Aye".

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize payment of invoices to West Publishing Co. (\$331.00) and Hoffman's Supply (\$3,965.44) out of the Jail Construction funds. All voting "Aye". Discussion was had on carpet purchased for the County Court at Law offices - was not approved by the Court prior to purchase and installation. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize payment of invoice to McGlothlin Carpets (\$900 for County Court at Law) and Lara's Carpet (\$222 for County Court at Law) out of the renovation line item. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

Commissioner Gonzales spoke of budget amendment that was authorize on July 31, 1989 for \$400 to purchase two chairs for Pct. 1 - invoice from Klipplies came to \$420.00. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize transfer of \$20 in Pct. 1 budget from Office Supplies line item to Office Furniture line item to pay for purchase of two chairs. All voting "Aye".

9891 COURT ORDER EXEMPTING BID REQUIREMENT FOR PURCHASE OF MEDICAL EQUIPMENT THROUGH THE HEALTH DEPARTMENT

Health Department Manager Terry Ewald spoke - Invoice = \$7,340 items are used for health interest - was not purchased at one time, however, the invoices came in at the same time. District Attorney Charles Chapman stated that the Court can grant an exemption from the \$5,000 bid requirement if it is for public health. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to grant exemption for \$5,000 bid requirement for purchase of medical equipment for the Health Department. All voting "Aye".

\*SEPTEMBER 18, 1989\*

## 9892 SET DATE FOR PUBLIC HEARING TO ADOPT PROPOSED BUDGET FOR FY90

A motion was made by Commissioner Payne, seconded by Commissioner Ford to call for public hearing to adopt the proposed Fiscal Year 1990 Hays County Budget to be held September 25, 1989 at 10 o'clock in the Commissioners' Courtroom. All voting "Aye".

## PROPOSAL FOR AUDITORS/TREASURERS COMPUTER SYSTEM

Data Processing Administrator Danny Dever spoke of two companies for consideration: The Software Group (Plano) and Net Data (Sulfur Springs) - specs were 114 pages long - TSG proposed a NCR Adds system - Net Data proposed an IBM system - Maintenance support(hardware assistance): TSG is 8AM to 5PM weekdays Net Data is 24 hours a day 7 days a week including holidays. Judge Rains asked if both Companies could handle the entire County's computer needs. Danny Dever stated that he felt like it would not totally take care of all business but is compatible with our present system. County Auditor Bill Herzog spoke - has seen both systems in use and checked recommendations - both companies have good software and good support ratings - office staff was polled based on functions and their choice was The Software Group (TSG) - would like to further negotiate - have questions on training, source code, response time and check printing setup. County Treasurer Dottie Sims spoke of main concern being with support - wants something that works - goes along with recommendation of the staff for TSG. Danny Dever stated that his recommendation was to go with the Net Data group using IBM hardware. Randy Duke (IBM) spoke of source code being supplied up front with Net Data - this is very important - hardware can run up to 70 terminals or can add more with additional equipment - hardware support is available 24 hours a day 365 days a year. The Software Group Rep spoke of hardware - need to look at the overall system (hardware & software) - source code is escrowed so that changes cannot be easily made. Net Data spoke of demos not being a good way to purchase software - one county employee has used TSG in a prior job and is familiar with their software - spoke of source code being on the machine - flexibility is there. District Attorney Charles Chapman spoke of need to review the contracts - recommended negotiating further and then award the contract - need to hold a workshop with proposed contract and no dollar amounts discussed. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to hold a workshop with vendors present to negotiate on September 21, 1989 at 1:30 P.M. All voting "Aye".

## 9893 INCREASE FEE FOR COLLECTING CHILD SUPPORT IN DIVORCE CASES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to increase fee for collecting child support in divorce cases with children involved from \$5.00 to \$25.00 - a one time fee collected at time of filing case with the District Clerk's office. All voting "Aye".

## 9894 APPROVE BUDGET AMENDMENT - TRANSFER STATION - TO PURCHASE AIR CONDITIONER

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve purchase of air conditioner/heat pump unit (\$695) for the transfer Station and to amend the budget by transferring \$500 from Continuing Education and \$195 from Misc. into Equipment line item. Judge Rains, Commissioner Gonzales, Commissioner Payne and Commissioner Rippey voting "Aye". Commissioner Ford voting "No".

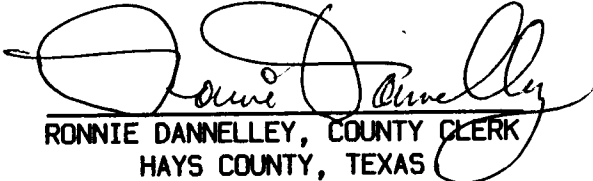
## 9895 APPROVE PAYMENT OF COUNTY INVOICES

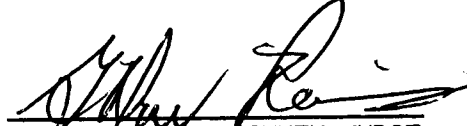
A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$169,491.59. All voting "Aye".

\*SEPTEMBER 18, 1989\*

|                   |              |                   |             |
|-------------------|--------------|-------------------|-------------|
| Central Strm      | \$ 356.65    | Lic.& Permit Rev  | \$ 30.00    |
| Auditor           | \$ 275.56    | Treasurer         | \$ 43.75    |
| Extension Ofc.    | \$ 1.00      | Judicial          | \$ 1,172.07 |
| Juv. Prob.        | \$ 2,023.30  | Election Admin    | \$ 41.00    |
| Indigency         | \$ 544.44    | Transfer Sta.     | \$ 4,109.00 |
| Building Maint.   | \$ 4,206.46  | Civic Center      | \$ 1,009.70 |
| Countywide Misc.  | \$ 42,087.54 | Tax A/C           | \$ 14.58    |
| District Clerk    | \$ 625.73    | County Clerk      | \$ 6,438.95 |
| Sheriff           | \$ 2,824.85  | Jail              | \$21,013.54 |
| Admin. Coord      | \$ 18.36     | Co.Crt.@ Law#1    | \$ 51.41    |
| District Atty.    | \$ 36.00     | J.P. 1-2          | \$ 46.78    |
| J.P. 2            | \$ 168.30    | J.P. 3            | \$ 29.44    |
| DPS               | \$ 24.50     | Constable 1       | \$ 14.50    |
| Constable 4       | \$ 70.26     | Constable 5       | \$ 742.38   |
| CJD Grant         | \$ 400.00    | In-Home Spec      | \$ 238.15   |
| Fire Marshal/EMC  | \$ 55.85     | Heat Stress Grant | \$ 77.00    |
| District Court    | \$ 242.15    | County Court      | \$ 2,508.62 |
| Road&Bridge Gen   | \$ 914.21    | Precinct 1        | \$ 942.12   |
| Precinct 2        | \$ 13,061.71 | Precinct 3        | \$ 7,728.74 |
| Precinct 4        | \$ 3,773.90  | Hot Check Fee     | \$ 1,191.47 |
| Jail Construction | \$ 681.49    | Public Works      | \$24,756.13 |
| Pioneer Trails    | \$ 24,900.00 |                   |             |

Court recessed until September 21, 1989 at 1:30 P.M. for Workshop Meeting.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 21st DAY OF SEPTEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

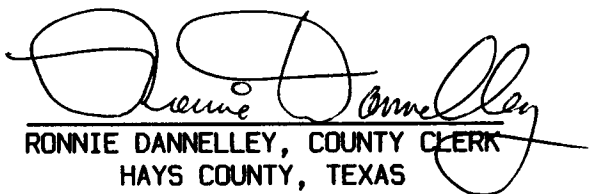
**WORKSHOP - AUDITOR/TREASURER COMPUTER SYSTEM**

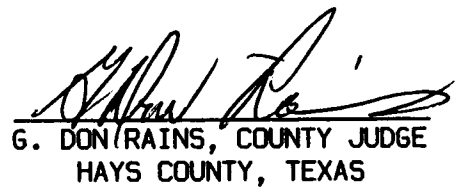
Data Processing Administrator Danny Dever spoke of Jordan & Associates not supplying a source code which has created the current problems - Net Data will supply the source code on the machine and The Software Group will place the source code in escrow - Mr. Dever would like to have source code available in case there is a problem with the vendor and modifications are needed and vendor will not cooperate. Glen Smith, President of The Software Group, spoke of source code issue - want to make sure problems are addressed to the software group - do not want source code on the machine - they provide total care total solution care - no problem with obtaining the source code in the future. David Graves of Net Data spoke of source code given up front - provides flexibility in the future - felt like it was an important issue. District Attorney Charles Chapman discussed proposed software license agreement. Randy Duke (IBM) spoke of no other vendors in the State of Texas running hardware used by The Software Group. The Software Group spoke of their hardware capabilities. DP Admin. Danny Dever spoke of hardware maintenance support: Net Data (IBM) available 24

\*SEPTEMBER 21, 1989\*

hrs per day 365 days per year The Software Group (NCR) available 8AM-5PM weekdays with additional charges after hours. Court asked what equipment presently being used could be utilized - The Software Group did not recommend use of any of the equipment - Net Data could use only some of the printers. Discussion was had on difference in software language use by each company. County Auditor Billy Herzog asked about training - do vendors guarantee proposals without additional charges. Net Data will provide training hours as proposed - additional training and support is available at a cost of \$20-30 per hour - IBM hardware training classes are free of charge. The Software Group will provide training as proposed with additional class training at \$48 per hour - they supply training manuals, training guides and a training checklist. Mr. Herzog asked about response time. IBM hardware assistance - calls are tracked - response time is not in the contract but is usually within 2 hours. The Software Group standard 4 hour response time for hardware and generally 1 hour for software. Net Data software response time - contractually whatever it takes - generally 2-4 hours. Danny Dever asked about modification costs (i.e. accomodate check styles). The Software Group - no charge for first set of modifications to accomodate check stock. Net Data - charge of \$560 to modify check style. Policy on changes and updates: Net Data annual maintenance contract provides free of charge all enhancements at end of the year, changes in Legislation and buggs in the program - the Entity initiating the enhancement pays for changes if they are made immediately or its free if they get on the list for yearly updates. The Software Group provides Legislative changes and yearly enhancements - the have more programmers fulltime on staff. Judge Rains asked the vendors to leave the room so that staff could make candide comments. Bill Herzog stated that a majority of the staff preferred The Software Group - he had been leaning toward Net Data, however, he was impressed with the users base offered by The Software Group - from a software standpoint he would go with The Software Group. Judge Rains stated that he was concerned about the source code issue. Dottie Sims spoke of various reports that her office needs - would go with whoever could provide the services needed. Danny Dever spoke of his position - preferred IBM hardware - stated that he needs to support the Department Heads and will - negotiations might help with jail system conversion - we could negotiate on equipment. A negotiation committee could be appointed by the Court (Charles Chapman, Danny Dever, Bill Herzog, Dottie Sims and Wayne Ford). Judge Rains spoke of need to file suit against Jordan & Associates.

Court recessed until next Regular Meeting on September 25, 1989 at 9:00 a.m.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 25TH DAY OF SEPTEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9896 ADOPT PROCLAMATION "PUBLIC HEALTH WEEK IN HAYS COUNTY" (SEP. 24-30)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt proclamation designating week of September 24 - 30, 1989 as "Public Health Week in Hays County". All voting "Aye".

\*SEPTEMBER 25, 1989\*

PROCLAMATION

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

WHEREAS, good health is the right of every Hays County resident, and the mission of public health is to promote and protect the health of our citizens through education, disease and injury prevention, regulation, research and delivering preventive health services; and

WHEREAS, the ability to be a productive worker, student and citizen is directly tied to one's health, and having good health among Hays Countians is necessary for the economic well being of our County; and

WHEREAS, a working partnership among governmental agencies, voluntary organizations, private health care providers, professional associations, health advocates, and consumers is essential in providing public health services and meeting the needs in Hays County; and

WHEREAS, the contributions and challenges of public health in Hays County and in our State need to be recognized and supported by all our citizens,

NOW, THEREFORE, We the Commissioners' Court of Hays County, Texas, do hereby Proclaim the week of

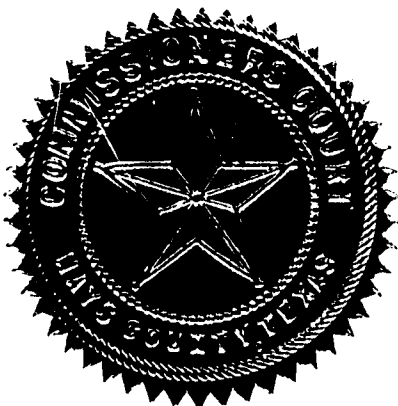
September 24 through September 30, 1989

as

"PUBLIC HEALTH WEEK IN HAYS COUNTY"

And commend all the organizations and individuals involved in public health services in Hays County for their tireless work, their dedication to public health, and their mission of protecting and promoting the health of our citizens.

ADOPTED this the 25th day of September, 1989.



HAYS COUNTY COMMISSIONERS' COURT

*[Signature]*  
COUNTY JUDGE

*[Signature]*  
COMMISSIONER, PRECINCT #1

*[Signature]*  
COMMISSIONER, PRECINCT #2

*[Signature]*  
COMMISSIONER, PRECINCT #3

*[Signature]*  
COMMISSIONER, PRECINCT #4

ATTEST:  
*[Signature]*  
H A Y S COUNTY CLERK

\*SEPTEMBER 25, 1989\*

## DISASTER DECLARATION - THREAT OF WILD FIRES

Judge Rains stated that this date he would declare a state of disaster based on the threat of large wild fires in Hays County and an emergency order prohibiting outdoor burning. This item will be placed on the next Commissioners Court agenda to continue the disaster declaration.

## DISASTER DECLARATION

## NUMBER 1 - THREAT OF WILD FIRES

WHEREAS, Hays County has not had any appreciable rainfall for an extended period; and

WHEREAS, weather forecasters offer little promise of a change in these hot, dry conditions in the near future; and

WHEREAS, these hot, dry conditions pose the threat of large, fast-moving wild fires; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a wide scale; and

WHEREAS, the Texas Disaster Act of 1975 and the Order of the Hays County Commissioners Court dated December 14, 1981, authorize declaration of a state of disaster "if the threat of disaster is imminent", and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such a disaster authorizes the imposition of controls on activities which tend to increase the likelihood of such fires; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires;

BE IT THEREFORE PROCLAIMED that I, G. DON RAINS, County Judge, do hereby declare a state of disaster based on the threat of large wild fires in HAYS COUNTY, Texas; and

BE IT ALSO PROCLAIMED that this state of disaster will continue until rescinded in accordance with the above-cited statute and order, but in no instance will this declaration continue for more than seven days without authorization by the Hays County Commissioners Court.

BE IT ALSO PROCLAIMED that this state of disaster is being declared solely for the purpose of implementing controls aimed at mitigating the hazard posed by the wild fires during the current hot, dry weather.

IN WITNESS WHEREOF, I affix my signature this 25th day of September, 1989.

Filed in the Office of the Hays County Clerk.

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

s/ Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK

DATE: September 25, 1989

HAYS COUNTY, TEXAS

EMERGENCY ORDER

## NUMBER 1.1-PROHIBITION OF OUTDOOR BURNING

WHEREAS, in accordance with provisions of the Texas Disaster Act of 1975 and the Order of the Hays County Commissioners Court dated December 14, 1981, a state of disaster has been declared based on the imminent threat of disaster from wild fire; and

WHEREAS, declaration of such a disaster authorizes the imposition of controls on activities which tend to increase the likelihood of such fires; BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for all unincorporated areas of HAYS COUNTY, TEXAS for the duration of the abovementioned declaration;

(1) ACTIONS PROHIBITED:

A person violates this order if he burns any combustible materials outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning by others.

(2) ENFORCEMENT

(a) Upon notification of suspected outdoor burning, the fire

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department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.

(b) As soon as possible the Hays County Fire Marshal's Office shall be notified, and officer/investigator shall be sent to the scene, to investigate the nature of the fire.

(c) If, in the opinion of the officer/investigator/and the fire chief, the goal of this order can be attained by informing the responsible party about the prohibitions established by this order, the officer may at his discretion, notify the party about the provisions of this order and request compliance with it. In such instances, a report shall be made, containing the date, time and place of the warning, along with the name of the party receiving the warning, and forwarded to the office of the County Fire Marshal.

(d) At the discretion of the County Fire Marshal and/or the fire chief, second or flagrant violation of this order may be prosecuted.

BE IT ALSO ORDERED violation of this order may be prosecuted in accordance with a misdemeanor punishable by a fine not to exceed \$1,000 or a jail term not to exceed 180 days.

BE IT ALSO ORDERED that the purpose of this order is the mitigation of the hazard posed by wild fires during the current hot, dry weather by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

IN WITNESS WHEREOF, I affix my signature this 25th day of Sept., 1989.

Filed in the office of the Hays County Clerk.

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

s/ Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK

DATE: September 25, 1989

9897 AMEND HILLSIDE TERRACE SUBDIVISION - CHANGE STREET NAME FROM ARMON STREET TO DENISE ELLEN

Frances Vasquez appeared before the Court - spoke of loss of her youngest child "Denise Ellen" in 1987 in a fire - request that Armon Street be named after her daughter - petition was presented signed by 12 residents that live on Armon Street supporting change of street name: "We the people residing residents, and homeowners of Armon St. do agree and request to have our street name changed from Armon St. to Denise Ellen in memory of a 9 yr. old accidental fire victim on Christmas of 1987."

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize street name in Hillside Terrace Subdivision - change Armon Street to Denise Ellen in memory of Denise Ellen Vasquez who died in a fire on Christmas day 1987. All voting "Aye".

9898 AWARD RIGHT TO NEGOTIATE CONTRACT FOR AUDITOR/TREASURER COMPUTER SYSTEM

Danny Dever, Data Processing Administrator, spoke of IBM hardware VS NCR hardware - he will stand behind the Court's decision whatever it might be. John Bryant spoke of accountability of elected officials - Auditor is not accountable to the voters but to the District Judges of which only one is elected by Hays County voters - spoke of not being able to obtain audits - need to look at a countywide computer system - spoke of situation we could find ourselves in if we do not go with IBM system. Mr. Bryant asked Mr. Dever questions about the bid process, source code issue, operating system utilization by other vendors possible and will cost become a factor. Mr. Dever spoke to each question - all bids were receive timely, however, The Software Group had to resubmit theirs on Hays County's form for better comparison - source code will be made available in the County Clerk's office in escrow rather than on the machine - we would rather modification be made by the vendor - both systems have their pros & cons - at this point we need to hammer out the contract - cost will be one of the factors but not the main factor - we have put a lot of emphasis on training and support and we have to look at the other factor of hardware maintenance. Net Data Rep spoke of good business decision vs. political decision - has been



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unable to get anyone on the Court to call present clients of The Software Group for reference - goals are a better product, better support and no traps - TSG software is not better - gave a report of how many hours were spent by employees on the two systems: 22 hours (ND) vs. 69 hours (TSG) IBM vs. Adds Mentor systems - spoke of problems with Adds Mentor in Lamb County - felt like Net Data offers the best product - spoke of support 24 hours per day 365 days per year for hardware - spoke of source code not being made available to Upshur County - spoke of honesty up front and flexibility of the system.

The Software Group Rep stated that he felt like statements made by Net Data were untrue.

IBM Rep Randy Duke spoke of free choice in the future to expand your system countywide if you go with IBM - need options for the future - San Marcos Telephone Company has been on the IBM system for 10 years.

The Software Group Rep Keith Nixon spoke - felt like their system can give growth.

Commissioner Payne stated that he liked both companies - felt like Net Data was the better choice because there is more choice of vendors . Commissioner Gonzales stated that he would rely on the users opinions.

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to negotiate with The Software Group. District Attorney Charles Chapman spoke of wording on the agenda - recommends continuing negotiation of contract with both vendors and then to award the contract - Court to give vendors direction for the contract - need a contract that will be beneficial to Hays County and specifically for Hays County (not a general contract). Commissioner Ford and Commissioner Gonzales withdrew their motions. Judge Rains agreed that the Court needs to negotiate with the vendors - cannot afford to make another mistake - this is a serious issue - would like to negotiate with both vendors. Danny Dever stated that he agrees that the Court negotiate with both vendors - need a contract in writing to base their decision on. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales that all contract negotiations and discussions be made in open court and in workshops and that vendors be restrained from contacting staff or elected officials except in open meetings. Judge Rains and Commissioner Payne were opposed to restricting personal contract with vendors. Commissioner Ford felt like this is an important issue. D.A. Charles Chapman stated that Independent Elected Officials cannot be prevented from contact - felt like the motion is simply a request. Motion were withdrawn.

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to award right to negotiate a contract with The Software Group for Auditor/Treasurer computer system. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "Nay".

#### 9899 PUBLIC HEARING - ADOPT PROPOSED HAYS COUNTY BUDGET FOR FY90

County Auditor Bill Herzog spoke of \$15,733,978 FY90 budget - tax rate of 32.78 cents - 24.22 cents Mtc.& Oper. 8.56 cents longterm debt - Pioneer Trail Road District tax rate of 52.75 cents - Springlake Road District tax rate of 62.31 cents. John Bryant asked about Juvenile Detention Center construction costs. Judge Rains spoke - funds were approved to draw the plans using the old jail facility - projected cost = \$600-700,000. - no decision has been made to proceed with construction. John Bryant spoke of concerns regarding funding of Constables - funding has increased dramatically - asked about number of warrants being served by the Constables. Constable Pct. #1 Lupe Cruz, Constable Pct. #3 Don Amerson and Constable Pct. #5 Billy Reeves were present and spoke of their duties. Constable Reeves spoke of priorities and duties - receive civil process from all Courts and from out-of-county - trying to make service so efficient that Law Firms will not use private servers which will reduce revenues for the County. John Bryan spoke of Civic Center revenues paid only for the utilities - perhaps we need to get rid of it or lease it out. Judge Rains spoke of letting Chilympiad off on rent for 1987, 1988 and 1989 - Cinco de Mayo purchased items for the Civic Center to enhance future revenues. Civic Center Manager James Hotz spoke of bookings: travel trailer rallies, horse shows (add'l 15 this year) and weekly calf roping & team roping contests. Mr. Bryant spoke of certificates of obligation - need to be voted on by the people - spoke of longterm debt that has increased by \$1 million. Judge Rains spoke - Hays County did not have any debt when he came into office - planning on the jail was already underway and the old jail was going to be closed down if we didn't proceed - public hearings were held on the C.O.'s and the public did not appear - spoke of \$3.5 million in C.O.'s for R-O-W's already committed to the State -

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spoke of various projects that needed to be done and that are being done. Commissioner Ford spoke of more dollars coming our way from the State since we went forward with the Public Works Projects - felt like the Court had made a wise investment for Hays County. Mr. Bryant stated that the public cannot attend public hearings held during regular working hours. Ruth Clayton, Tax Assessor-Collectro asked if her employees would be penalized for salary increases they had received during the last year. Judge Rains stated that they would receive the difference. James Hotz, Civic Center Manager, spoke of need for an additional employee fulltime. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve one fulltime employee @ \$12,000 per year + fringes for the Civic Center and to increase the Civic Center revenues to \$45,000.00. Mr. Hotz spoke of needing to put stalls back after Chilympiad and it will take about 3 weeks to accomplish this task. Auditor's projected revenues had been \$30,000 based on past revenues prior to horse stalls being constructed. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "Nay".

Constable Pct. #5 Billy Reeves requested a copy machine for the Buda building - approximate cost = \$2,500 - will be used by J.P.#5, Constable #5 and Sheriff's Dept. - presently using a small \$400 copier that copies only letter size and one copy at a time and cartridge replacement is expensive. Judge Rains spoke of need to check on specs and prices and Court will amend the budget at a later date for purchase of a copier for the Buda building.

Constable Pct. #1 Lupe Cruz spoke of need for a copier in his office and requested a salary for his Reserve Deputy Constable position.

Constable Pct. #3 Don Amerson spoke of his salary - would like an increase - he started as a Deputy Sheriff @ \$1500 per month and five years later he still makes \$1500 per month as a Constable. Commissioner Payne stated that he had voted against an increase - if the Constable is increased then J.P.#3 should also be increased. Constable Amerson spoke of assistance he gives to other Agencies besides serving civil process. Constable #5 Billy Reeves spoke of Constables assisting Organized Crime Units on investigations because the Constable are knowledgeable of their community. Constable Amerson stated that he was making \$1836 per month when he quit the Sheriff's Dept. Constable Reeves spoke of comparing a Constable with a Justice of the Peace - Constables are at a greater risk in their duties. Judge Rains supports increasing Constable Pct. #3 salary to \$21,500 - Commissioner Gonzales, Commissioner Ford and Commissioner Rippy also support salary increase for Constable Amerson - Commissioner Payne opposed to increase.

Dottie Sims, County Treasurer, spoke of need for postage line item = \$2500 - she is over in postage now and the Court cut that even more this coming year.

J.P. 1-2 Becky Sierra spoke of postage increase needed in her Dept. because of new hot check section (need an additional \$200)- office supplies increase will be needed due to projected caseload increase (\$425 increase).

Ruth Clayton, Tax A/C - spoke of extra postage (\$1000) in her line item that could be transferred to another department (delinquent tax attorney will mail out delinquent tax notices).

Court decided to transfer \$400 from Tax A/C postage line item to be divided evenly between J.P.1-2 (\$200) and Treasurer (\$200) for postage.

Tom Parten, San Marcos/Hays County EMS, spoke of 5% cut will cause 5% more cut from the City of San Marcos (matching funds) creating a \$8,376 reduction - request same funding as FY89. Court agreed to put back the \$4000 that was cut from the SM/HC EMS out of contingency line item.

Commissioner Gonzales spoke of equal funding for road & bridge precincts - C.O.money was not divided equally: Pct. #1 received \$401,000 Pct. #2,#3,#4 received \$533,000 each. Commissioner Gonzales stated that most industry and homes in the County are in Pct. #1 - Pct. #1 houses the Sheriff's mechanic and the South Hays County Volunteer Fire Department - traffic county in Pct. #1 would be higher than #3 and #4 - Pct. #1 & #2 spend more to maintain roads in the black dirt - hill country roads have a rock base and their dirt roads with many miles serve only a few people in comparison. Commissioner Rippy stated that the monies that are spent in the Pct. 1 area (i.e. Civic Center and Social Services) should balance out the overall budget. District Attorney Charles Chapamn spoke of lateral road funds that are divided by tax evaluation.

John Bryant asked about various line items in the Countywide Misc. Department - County Auditor Bill Herzog explained that these line items did not belong with any one department (i.e. bulk purchases of gasoline, longevity) but later charged out to individual departments. Mr. Bryant stated that he was concerned about accountability. Commissioner Ford spoke of fuel storage - purchased in bulk and then charged to various departments depending on usage.

Commissioner Gonzales spoke of Constable Pct. #1 Lupe Cruz office needs and part-time Reserve with a used vehicle. Commissioner Payne supports part-time

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reserve. Constable Cruz stated that Reserve would be used to served Civil papers.

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to adopt FY90 Hays County Budget with changes made this date. Commissioner Gonzales stated that the Sheriff's Department is already overloaded with work - we could get two employees and 2 cars for Constable Pct. #1 for the cost of one employee and one vehicle in the Sheriff's Dept. Commissioner Ford spoke in support of Sheriff's Department Warrant Officer and vehicle. Commissioner Payne supports several thousand dollars for a part-time Constable Reserve Deputy. Motions were withdrawn.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to put \$3000 in Constable Pct. #1 budget for Reserve Deputy compensation. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Payne voting "Aye" - Commissioner Rippy voting "Nay".

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to adopt FY90 budget with changes made this date. Judge Rains, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Gonzales voting "Nay".

#### KIRBY SPRINGS RANCH, PHASE II (89-012) - PCT. #4

Mark McManus presented "Kirby Springs Ranch, Phase II" subdivision on third reading - will be presented to the City of Dripping Springs for approval - private road with homeowners association - irrevocable letter of credit is needed along with elevations and floodplain study. No action taken at this time.

#### DISCUSS COUNTY BONDSMEN AND THEIR COLLATERAL

Commissioner Gonzales spoke of a copy of a deed of trust that was given to him Re: Dan Roberts - appraisal was \$150,000 for a piece of property that the tax rolls shows a value of \$6,000. Commissioner Gonzales sent a letter to Sheriff Hastings requesting the names of the Bonding Companies doing business in Hays County, the collateral of each company, tax statements supporting the collateral, certificates of deposits if that is the collateral, how many outstanding bonds each company has and the value of the outstanding bonds. District Attorney Charles Chapman advised that this information was subject to the open records act - the Sheriff is responsible for bail bonds unless a Bail Bond Board is created.

Ross Palm, property owner in the Inwood Forest Subdivision, spoke of Dan Roberts having put up his water system serving their subdivision as collateral - the State Health Department is concerned about the water quality in this water system - bond security is appraised at \$150,000, however, the value of the property on the tax rolls is \$6,000 - if the County has to take over the water system are they responsible for bringing the system up the state standards? - request that the Commissioners Court help the property owners get their water up to state standards - asked how the county officials can allow an appraisal of \$150,000 when the tax appraisal is \$6,000 - the water well is not licensed and the County and State Health Departments have been notified - has been in pending litigation for several years with Mr. Roberts.

Commissioner Gonzales spoke of tax value of \$6,000 - concerned about county liability - would like for the Sheriff to be aware of this fact.

Ron Byrd, State Health Department - Temple Office, spoke of lack of compliance by Dan Roberts as to construction of the well - it is too close to a septic system - aquifer could be contaminated - Mr. Roberts is no longer a certified operator of the system - State Health Dept. is seeking assistance from the State Attorney General's office - if county forfeites on this bail bond and the county owns the water system then the county could become a part of the suit.

Ed Phillips, Attorney for Dan Roberts, spoke of not being aware that this subject was going to be discussed - he just happened to be in the Courthouse today - spoke of monthly samples sent to the Health Department have been good - spoke of this item not being on the agenda as being discussed - water is fit for human consumption as long as equipment is operating.

Sheriff Hastings appeared and advised the Court that there is still litigation pending Re: Bail Bonds

Commissioner Gonzales spoke of problems with obtaining information from the Sheriff's Department.

Sheriff Hastings spoke of \$6,000 appraisal is on the land - he has an appraisal

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that was accepted by former Sheriff Alford Hohman for \$150,000 which also appraises the water lines and the business. Commissioner Ford asked the Sheriff if he was aware of the water problems. Sheriff Hastings stated that he was not. Sheriff Hastings spoke of need for a Bail Bond Board - he tried to get one together with no success. Commissioner Ford stated that he was unsure as to what is the issue here today. Commissioner Gonzales stated that he was concerned about the value of the property. No action was taken.

9900 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of county invoices based on Departments not exceeding their budgeted amounts. All voting "Aye". Total = \$229,590.62

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| SHVFD Util        | \$ 3.66     | Central Strm      | \$ 5,437.95 |
| Auditor           | \$ 894.87   | Treasurer         | \$ 85.16    |
| Extension Ofc.    | \$ 134.33   | Judicial          | \$ 2,066.90 |
| Juv Prob.         | \$ 132.63   | Election Adm.     | \$ 1,138.60 |
| Indigency         | \$10,701.60 | Bldg. Maint.      | \$ 5,712.12 |
| Health Dept.      | \$ 127.79   | Civic Center      | \$ 251.19   |
| Countywide Misc.  | \$48,479.85 | Tax A/C           | \$ 9.80     |
| District Clk.     | \$ 174.80   | County Clk.       | \$ 6,754.82 |
| Jail              | \$29,686.57 | County Judge      | \$ 1,758.04 |
| Admin. Coord.     | \$ 258.31   | Dist. Atty.       | \$ 750.36   |
| J.P. 1-1          | \$ 81.57    | J.P. 1-2          | \$ 131.18   |
| J.P. 3            | \$ 59.61    | J.P. 5            | \$ 132.73   |
| DPS               | \$ 1,562.37 | Constable 1       | \$ 306.91   |
| Constable 2       | \$ 500.00   | Constable 5       | \$ 161.70   |
| D.P. Admin        | \$ 506.50   | CJD Grant         | \$ 1,022.38 |
| TDH TB Grant      | \$ 10.50    | Foster Child Care | \$ 2,603.00 |
| TDH M&C Grant     | \$ 8,430.81 | Fire Marshal/emc  | \$ 43.85    |
| Heat Stress Grant | \$ 426.00   | District Court    | \$ 2,329.66 |
| County Court      | \$ 2,419.75 | R&B General       | \$ 2,295.15 |
| Precinct 1        | \$ 6,810.77 | Precinct 2        | \$37,060.84 |
| Precinct 3        | \$13,121.14 | Precinct 4        | \$ 1,776.97 |
| Hot Check Fee     | \$ 172.35   | Jail Construction | \$ 6,580.10 |
| Public Works      | \$19,106.19 | Transfer Station  | \$ 3,951.60 |
| Sheriff's Dept.   | \$ 3,427.64 |                   |             |

9901 APPROVE MINUTES OF AUGUST 1989

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Minutes of August 1989 as presented. All voting "Aye".

9902 OPEN BIDS FOR FRONT-END LOADER/BACK HOE

County Auditor Bill Herzog and bidders that were present took bids received into the County Judge's office to open. After bids were opened the County Auditor submitted them the Court:

|   |             |
|---|-------------|
| Preco Machinery Sales Inc.                |             |
| Used JCB Model 1400B Backhoe loader       | \$19,995.00 |
| Case Power and Equipment                  |             |
| 1987 model CASE 580K Wheel Loader Backhoe | \$22,827.00 |
| 1989 model CASE 580K Wheel Loader Backhoe | \$29,952.00 |
| Wainroy 010-048" smooth lip bucket        | \$ 912.00   |
| Wainroy 020-049 Swinger (installed)       | \$ 5,875.00 |
| Used Swinger installed                    | \$ 2,496.00 |
| Holt Co. of Texas                         |             |
| Used Caterpillar 416 Backhoe loader       | \$26,500.00 |
| Wain-Roy Swinger 36" bucket               | \$ 5,551.00 |
| New Caterpillar 416 backhoe loader        | \$33,650.00 |
| Kuenstler Machinery                       |             |
| New John Deere Model 310c Tractor/Loader  | \$29,240.00 |
| Used John Deere Model 310C Tractor/Loader | \$25,863.00 |
| Wain-Roy Quick Change Swinger Coupler     | \$ 5,945.00 |

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to acknowledge receipt of bids for front-end loader/back hoe. All voting "Aye". To be awarded at a later date.

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CEDAR RIDGE ESTATES - CONSIDER ACCEPTING FOR COUNTY MAINTENANCE 3,178  
FT. OF ROADS: MARY STEPHENSON LANE AND DONNA DRIVE

Commissioner Payne spoke of roads in the Cedar Ridge Estates subdivision - they are in good shape - exceeds county specifications. Commissioner Rippy asked if density tests were performed - need documentation before approval. Acceptance postponed until density tests are submitted.

## 9903 EXTENSION ON EMS CONTRACT WITH CITY OF SAN MARCOS FOR 60 DAYS

Judge Rains spoke of EMS contract expiring the end of September 1989 - recommends extending for 60 days. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize County Judge Don Rains to enter into an extension of the EMS contract with the City of San Marcos for 60 days. All voting "Aye".

## 9904 AUTHORIZE OFFERS TO PROPERTY OWNERS ON RR 12 PROJECT

Patsy Greiner, Admin. Coordinator, requested authorization to send out offers to property owners on the RR 12 Project north of Dripping Springs:

| <u>Parcel#</u>  | <u>Acreege</u> | <u>R-O-W offer</u> |              |
|-----------------|----------------|--------------------|--------------|
| 10, part #2     | 1.374          |                    | \$ 16,758.40 |
| 10E             | 0.113          |                    | \$ 690.00    |
| 11              | 0.384          |                    | \$ 4,684.00  |
| 12A, parts 1&2  | 0.328          |                    | \$ 4,000.00  |
| 13              | 0.613          |                    | \$ 7,477.00  |
| 13E             | 0.134          |                    | \$ 817.00    |
| 14              | 0.429          |                    | \$ 5,232.00  |
| 14A             | 0.344          |                    | \$ 4,196.00  |
| 14B             | 2.504          |                    | \$ 30,541.00 |
| 14E             | 0.081          |                    | \$ 494.00    |
| 15, parts 1,2&3 | 6.992          |                    | \$ 24,366.00 |
| 15E,parts 1,2&3 | 0.449          |                    | \$ 1,739.00  |
| 16              | 0.007          |                    | \$ 85.00     |
| 17              | 0.002          |                    | \$ 24.00     |
| 18              | 1.405          |                    | \$ 4,940.00  |
| 19              | 0.071          |                    | \$ 866.00    |
| 20              | 1.090          |                    | \$ 9,971.00  |
| 21              | 0.221          |                    | \$ 2,022.00  |
| 24              | 0.516          |                    | \$ 4,720.00  |
| 25              | 1.166          |                    | \$ 9,000.00  |
| 26              | 0.122          |                    | \$ 1,116.00  |
| 28              | 0.098          |                    | \$ 896.00    |
| 29              | 0.031          |                    | \$ 284.00    |
| 30              | 0.066          |                    | \$ 604.00    |
| 31              | 0.045          |                    | \$ 412.00    |
| 32              | 0.045          |                    | \$ 412.00    |
| 33              | 0.044          |                    | \$ 402.00    |
| 34              | 0.169          |                    | \$ 1,546.00  |
| 35              | 0.058          |                    | \$ 531.00    |
| 36              | 0.045          |                    | \$ 412.00    |
| 37              | 0.139          |                    | \$ 1,272.00  |
| 38              | 0.103          |                    | \$ 942.00    |

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize the sending out of offer letter for right-of-way on the RR12 project - total amount = \$141,451.40. All voting "Aye".

## 9905 APPROVE THREE R-O-W PURCHASES FOR FISCHER STORE ROAD BRIDGE PROJECT

Parcel #1, Part #1 - 0.420 ac. @ \$325 per ft. of river frontage for 82.16 river feet = \$26,700.00 Parcel #2, Part #1 - 0.639 ac. @ \$325 per ft. of river frontage for 163.37 river feet = \$53,095 Parcel #3, Part #1 - 0.211 Ac. @ \$4,000 per acre = \$827.00

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A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve r-o-w purchases for Fischer Store Road Bridge Project. All voting "Aye".

Judge Rains left the meeting at this time - Commissioner Payne presided over the remainder of the meeting.

9906 APPROVE REIMBURSEMENT FOR VETERAN ADMINISTRATOR'S TRAVEL

Commissioner Gonzales spoke of travel expenses for Tom Tvrdik, Veterans Service Officer, are exceeding the travel allowance budgeted by the Court - amount needed to be reimbursed is \$161.92. Former Mayor of San Marcos Augustine Lucio spoke of the veterans being served by Mr. Tvrdik - appreciates his assistance to those in need. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to reimburse the Veteran Administrator for travel in the amount of \$161.92. All present voting "Aye".

9907 ALLOW P.E.C. TO USE COUNTY PROPERTY FOR TEMPORARY TRANSFER STATION

Commissioner Ford spoke of triangle on County Road #131 and FM2001 - P.E.C. request permission to use this property for two days for transfer station. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to allow P.E.C. to use county property at C.R.#131 and FM2001 for temporary transfer station. All present voting "Aye".

DISCUSSION OF NON-REIMBURSEMENT OF CHILD CARE DEDUCTIONS BY BENEFIT-AMERICA TO COUNTY EMPLOYEES

Jackie Jordan, County Insurance Rep, spoke of planned year having ended July 31st - was amended to now end on September 30 same as the county fiscal year - has received complaints that employees have not received their checks timely, however, her investigation shows that employees should be paid up at this time - if they have not received their checks they should contact her. Mrs. Jordan spoke of some employees who have not signed up for insurance coverage to begin October 1st - if she does not receive their paperwork they will not get their payroll check (most are Jail employees who work nights).

DISCUSSION - OFFICE SPACE FOR V.A. OFFICER, CONSTABLE PCT. #1, FIRE MARSHAL/EMC AND J.P. 1-2

Commissioner Payne suggested that J.P. 1-2 Becky Sierra get part of the old Sheriff's office. Constable Pct#1 Lupe Cruz spoke of his office space needs - offices were already allocated by the Court - he will be getting a secretary through the SWTSU internship program - would like to be in the Courthouse for accessibility with the Courts. J.P. 1-2 Becky Sierra spoke of five employees in her office that are working in one room off two desks - if she could get the new office adjacent to her existing office she would use it for her private office and her staff could spread out in the existing space. Commissioner Payne recommended that A.D. Carroll, Fire Marshal/EMC, be moved to the Courthouse Annex. A.D. Carroll spoke of his duties - need to be where the emergency generator is and where the antenna is located for the emergency communication system. Commissioner Ford made a motion that J.P. 1-2 and Constable Pct. #1 be given the new office space on the second floor of the Courthouse, V.A. Officer move to Annex in office currently used by Constable #1, Fire Marshal/EMC move to DP Administrator's office on 2nd floor courthouse and DP Administrator move to courthouse annex in office currently used by Fire Marshal/EMC. Motion died for lack of a second. A motion was made by Commissioner Payne to give new office space on second floor of courthouse to J.P. 1-2. Died for lack of a second. A motion was made by Commissioner Gonzales to give new office space on second floor of courthouse to Constable Pct. #1 and the Fire Marshal/EMC as previously allocated by the Court. Died for lack of second. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to allocate office space as follows: J.P. 1-2 and Fire Marshal/EMC get new office space at courthouse  
Constable Pct. #1 get DP Administrator office/Jury room @ courthse  
DP Administrator get EMC ofc space at courthouse annex  
Veteran Serv. Ofcr get Constable #1 ofc space @ courthouse annex

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Commissioner Gonzales and Commissioner Ford voting "Aye". Commissioner Payne and Commissioner Rippy voting "Nay". Motions Died Marilyn Blackley, DP Admin. employee, stated that they needed to be near the central processing unit that is housed in the District Clerk's office at the Courthouse - if they are moved to the annex response time will be slowed down. No further action was taken this date.

9908 APPROVE 1990 HOLIDAY SCHEDULE

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt the 1990 Holiday schedule for Hays County as presented. All voting "Aye".

HAYS COUNTY HOLIDAYS FOR 1990

|                  |           |             |
|------------------|-----------|-------------|
| NEW YEAR'S DAY   | MONDAY    | JANUARY 1   |
| PRESIDENT'S DAY  | MONDAY    | FEBRUARY 19 |
| GOOD FRIDAY      | FRIDAY    | MARCH 23    |
| MEMORIAL DAY     | MONDAY    | MAY 28      |
| INDEPENDENCE DAY | WEDNESDAY | JULY 4      |
| LABOR DAY        | MONDAY    | SEPTEMBER 3 |
| COLUMBUS DAY     | MONDAY    | OCTOBER 8   |
| VETERANS' DAY    | MONDAY    | NOVEMBER 12 |
| THANKSGIVING     | THURSDAY  | NOVEMBER 22 |
|                  | FRIDAY    | NOVEMBER 23 |
| CHRISTMAS        | MONDAY    | DECEMBER 24 |
|                  | TUESDAY   | DECEMBER 25 |

APPROVED this the 25th day of September, 1989.

s/ G. Don Rains \_\_\_\_\_  
G. Don Rains, County Judge

s/ Rafael Gonzales \_\_\_\_\_  
Rafael Gonzales, Pct. 1

s/ W. R. Ford \_\_\_\_\_  
Wayne Ford, Pct. 2

s/ Craig Payne \_\_\_\_\_  
Craig Payne, Pct. 3

s/ Oran Rippy \_\_\_\_\_  
Oran Rippy, Pct. 4

DISTRICT ATTORNEY REQUEST FOR AUCTION OF TELEVISION AND PHOTOCOPIER

District Attorney Charles Chapman spoke of need to auction a television and an IBM photocopier in his office - both need repairs and he wants to get them out of his office. No action was taken at this time.

9909 AUTHORIZE REIMBURSEMENT TO PCT. 2 FOR FENCE REPAIR ON R-O-W ACQUISITIONS

Commissioner Ford spoke of fencing on County Road 119 project = \$4,822.50 (\$1.25 per foot) - county purchased materials at a savings and replaced one mile of fencing. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize reimbursement to Pct. 2 for fence repair on County Road 119 project in the amount of \$4,822.50. All present voting "Aye".

9910 PRECINCT 2 - ACCEPTANCE OF ROADS FOR COUNTY MAINTENANCE

Commissioner Ford spoke of researching roads in Precinct 2 to see if they have been accepted for county maintenance - many roads have county road numbers, however, no official acceptance - would like to have these roads accepted and made a part of the Commissioners' Court records. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept the following roads in Precinct #2 for County maintenance:

- Old West Trails Subdivision (RFM 2001)
- Old West Trail
- Saddleblanket Trail

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Park South Subdivision (CR#131)  
Park South Drive  
Rollings Hills, Section I (CR#131)  
2 roads not previously accepted  
Kai Vista Road (FM 2001)  
Blanco River Crossing (CR#136)  
Sec. I Rio Robles  
Stageline Drive  
Homestead Road  
Old Settler Road  
Sec. II Tonkawa Camp  
Toltec Cove  
Green Pastures Subdivision (CR#157&127)  
Entire length of: Miller Lane, Connector Rd.,  
Dickerson Road, Willow Trail, Dogwood Trail, Lawnsdale  
Trail, Treetop Lane, Anna Drive, Daisy Lane  
  
Lilac Way & Summit Drive from Valley View Drive to  
Daisy Lane  
  
Cresthill Causeway from Valley View Drive to Treetop  
Lane

All present voting "Aye". \*\*SEE AMENDMENT RESOLUTION #10438 VOL. N PAGE

PROGRESS REPORT ON ASBESTOS REMOVAL AT OLD HOSPITAL PROPERTY

Commissioner Ford requested a progress report on asbestos removal at the old hospital property - sees no evidence of work having been done. Maintenance Supervisor Bryan Hot spoke - work has been done and cleanup completed - final inspection is needed.

9911 AUTHORIZATION FOR COUNTY PROPERTY TO BE USED FOR XMAS TREES SALES AND BINGO ADVERTISING

Commissioner Rippy stated that the Dripping Springs Lions Club has requested use of county property for their Christmas Tree sale and request has also been made by Bingo organization to allow advertising for bingo games on county property. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize use of County property for Lions Club Xmas Tree sales and for Bingo advertising. All present voting "Aye".

9912 APPROVE PURCHASE OF COMPUTER EQUIPMENT IN HEALTH DEPARTMENT

San Marcos Health Department has received an invoice for \$7,750.10 for a computer that was purchased for the Maternal & Child Health Grant - grant will reimburse 100%. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve purchase of computer equipment for the Maternal & Child Health Grant in the amount of \$7,750.10. All present voting "Aye".

CONSTABLE PCT. 1 - BUDGET FOR ADDITIONAL OFFICE FURNITURE

Commissioner Payne spoke of office furniture needs for Constable Pct. #1 - Court allowed \$1400 for furniture, however, it was not purchased this fiscal year - would like to spend \$675 for a mobile telephone. County Auditor Bill Herzog stated that purchase needs to be made immediately and get invoice on the next batch of checks this week.



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FY90 SALARY INCREASES - REQUEST FOR CLARIFICATION FROM W. H. MOORE

This item was not on the Agenda.

W. H. Moore, District Clerk, asked the Court for clarification on who will be receiving salary increases in FY90. Commissioner Ford advised:

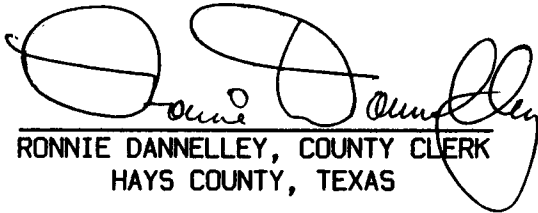
- \$50.00 cost of living for those with 1 yr. service as of October 1st
- \$50.00 merit increase for those with at least 1 yr. service or at the time they have 1 yr. service with the County \*

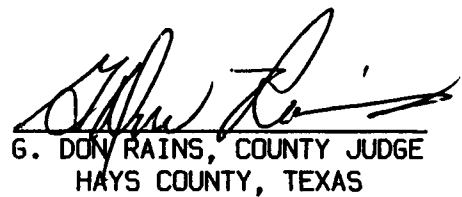
\* Merit to be given at discretion of the Department Head

Those who have received salary increases in the last year will receive only the difference - if they did not receive the full \$100 per month

Mr. Moore spoke of apparently misunderstanding what the Court had told him at a prior meeting concerning salary increases and he has misinformed his employees - only four of his employees will qualify for increases. Mr. Moore stated that he is very disappointed that his new employees will get nothing - starting pay for his employees is extremely low: one employee of 3 months receives \$875 per month and the other (w/4 yrs job related experience) receives \$925 per month. Commissioner Ford spoke of the press and others that are giving out wrong information on salary increases. W. H. Moore spoke of fighting a heavy turnover in his office - employees need to be compensated - need to set pay scales. It was stated that if the District Clerk's office worked a 40 hour week vs. 35 hour week, the employees would receive a 14.25% salary increase.

Court recessed until Special Meeting to be held September 29, 1989.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 29th DAY OF SEPTEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9913 AWARD CONTRACT ON FRONT END LOADER/BACK HOE

Commissioner Ford spoke of having analyzed bids - the Holt Company of Texas bid on a used Caterpillar backhoe loader =\$26,500 and swinger/bucket = \$5,551 is his choice - this equipment meets the specs.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract for front-end loader/backhoe to Holt Company of Texas in the amount of \$32,051. (\$26,500 + \$5,551) to be financed 100% (3 years). All voting "Aye".

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9914 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog stated that these invoices will come out of FY89 budget - need to delete invoices in Precinct #1.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County invoices as presented with the deletion of those in Precinct #1. All voting "Aye".

|                 |             |                 |             |
|-----------------|-------------|-----------------|-------------|
| Central Strm    | \$ 2,489.01 | Auditor         | \$ 2,418.78 |
| Extension Ofc.  | \$ 21.30    | Judicial        | \$ 590.00   |
| Juvenile Prob.  | \$ 2,631.84 | Indigency       | \$ 829.28   |
| Building Mtc.   | \$ 175.45   | Health Dept.    | \$ 245.30   |
| Countwide Misc. | \$ 7,791.40 | Sheriff         | \$ 798.51   |
| Jail            | \$ 777.22   | County Judge    | \$ 91.00    |
| Co Crt @ Law #1 | \$ 22.50    | J.P. 1-1        | \$ 66.90    |
| J.P. 2          | \$ 161.90   | J.P. 4          | \$ 52.00    |
| J.P. 5          | \$ 74.66    | Constable 1     | \$ 625.00   |
| Veteran's Adm.  | \$ 147.95   | Data Proc Admin | \$ 765.85   |
| TDH TB Grant    | \$ 100.00   | District Court  | \$ 874.18   |
| County Court    | \$ 1,063.69 | Precinct 2      | \$ 58.46    |
| Precinct 4      | \$ 602.54   | Hot Check Fee   | \$ 2,084.65 |
| Law Library     | \$ 879.70   | Public Works    | \$ 2,635.30 |

9915 FINAL ADOPTION OF FY90 BUDGET, SET TAX RATE AND LEVY TAXES FOR FY90

County Auditor Bill Herzog passed out the following:

ITEMIZED TAX RATE FOR  
FY90 BUDGET

| VALUATION       | GENERAL & JURY FUNDS                | TAX RATE | TAX LEVY EST. | TAX COLL.   |
|-----------------|-------------------------------------|----------|---------------|-------------|
| \$1,979,943.662 | Maintenance & Operation             |          |               |             |
|                 | General M & O                       | 19.54    | \$3,868,810   | \$3,481,928 |
|                 | Jury M & O                          | 1.19     | 235,613       | 212,051     |
|                 | TOTAL GENERAL M & O                 | 20.73    | \$4,104,423   | \$3,693,979 |
|                 | Longterm Debt                       |          |               |             |
|                 | Jail I & S                          | 4.37     | \$ 865,235    | \$ 778,711  |
|                 | Jail Add I & S                      | .93      | 184,135       | 165,721     |
|                 | Machinery Warrants                  | .56      | 110,887       | 99,789      |
|                 | TOTAL LONGTERM DEBT                 | 5.86     | \$1,160,247   | \$1,044,221 |
| \$1,958,795,456 | ROAD & BRIDGE                       |          |               |             |
|                 | Maintenance & Operation<br>Pcts 1-4 | 3.62     | \$ 709,084    | \$ 638,175  |
|                 | TOTAL R & B M & O                   | 3.62     | \$ 709,084    | \$ 638,175  |
|                 | Longterm Debt                       |          |               |             |
|                 | Machinery Warrants                  | .63      | \$ 123,404    | \$ 111,064  |
|                 | Public Works                        | 1.94     | 380,006       | 342,005     |
|                 | TOTAL LONGTERM DEBT                 | 2.57     | \$ 503,410    | \$ 453,069  |
|                 | TOTAL COUNTY TAX (EFFECTIVE RATE)   | 32.78    | \$6,477,164   | \$5,829,444 |

TAX RATES SPECIAL RD DISTRICTS

|             |                   |       |           |           |
|-------------|-------------------|-------|-----------|-----------|
| \$8,815,648 | SPRINGLAKE RD.    | 62.31 | \$ 54,930 | \$ 49,437 |
| \$ 925,910  | PIONEER TRAIL RD. | 52.75 | \$ 4,884  | \$ 4,396  |

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## BUDGET CHANGES

|                                         |                              |                 |
|-----------------------------------------|------------------------------|-----------------|
| <u>Civic Center</u>                     | Add employee                 | \$14,454        |
|                                         | Increase Rev in Civic Center | <u>\$14,500</u> |
|                                         | Change in budget             | -6              |
| <u>Constable #5</u>                     | Copier - no budget provision | -0-             |
|                                         | Change in budget             | -0-             |
| <u>Constable #1</u>                     | Add reserve                  | 3,000           |
|                                         | Countwide Contingencies      | <u>- 3,000</u>  |
|                                         | Change in budget             | -0-             |
| <u>Constable #3</u>                     | Cost of Living Increase      | - 1,200         |
|                                         | Add Salary & F.B.            | <u>3,974</u>    |
|                                         | Change in budget             | 2,774           |
| <u>EMS Service Supplement</u>           | Add add'l funding            | <u>4,188</u>    |
|                                         | Change in budget             | 4,188           |
| <u>Treasurer</u>                        | Postage                      | 200             |
| <u>JP 1-2</u>                           | Postage                      | 200             |
| <u>Tax Assessor</u>                     | Reduce Postage               | <u>- 400</u>    |
|                                         | Change in budget             | -0-             |
| OVERALL CHANGE IN BUDGET (GENERAL FUND) |                              | \$+6,956        |

Mr. Herzog went over the sheets he handed out.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to increase General Fund Contingencies to \$25,000 (\$11,250 increase). All voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt the final FY90 Hays County budget. Judge Rains, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Gonzales voting "Nay".

A motion was made by Commissioner Payne, seconded by Commissioner Ford to set the County Tax Rate at 32.78 cents (20.73 cents General M&O, 5.86 cents Gen. Longterm debt, 3.62 cents R&B M&O, 2.57 cents R&B Longterm debt) and levy taxes for FY90 at \$6,477,164. All voting "Aye".

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to set tax rate for Springlake Road District at 62.31 cents and levy taxes for FY90 at \$454,930 and Pioneer Road District at 52.75 cents and levy taxes for FY90 at \$4,884. All voting "Aye".

## 9916 AMEND FY89 BUDGET FOR ALL DEPARTMENTS

County Auditor Bill Herzog presented worksheet of FY89 budget amendments that need to be approved. Departments whose bottom line was short are:

|                   |          |
|-------------------|----------|
| Judicial & Law    | \$ 8,325 |
| Maint. Bldgs.     | \$ 8,176 |
| Sheriff           | \$ 186   |
| Civic Center      | \$ 2,713 |
| District Atty.    | \$ 6,667 |
| Co. Court @ Law#1 | \$ 1,283 |
| Extension ofc     | \$ 1,125 |
| J.P. 1-1          | \$ 7,374 |
| J.P. 1-2          | \$ 293   |
| CJD Juv. Ofcr     | \$ 781   |
| V.A. Ofcr         | \$ 591   |

|                    |                                               |
|--------------------|-----------------------------------------------|
| Sanitarian Grant   | \$ 1,241 (reimbursement not received this FY) |
| Matrnl&chld Health | \$ 2,668 (reimbursement not received this FY) |
| Anti-drug task     | \$ 3,687 (reimbursement not received this FY) |

|         |          |
|---------|----------|
| Pct. #1 | \$ 266   |
| Pct. #2 | \$10,645 |

Bill Herzog stated that the General Fund Departments are over in the amount of

\*SEPTEMBER 29, 1989\*

\$39,342.00 total - suggested that \$28,000 be transferred out of the Insurance Line Item and \$11,342 out of the Annex Improvement Line Item. (see worksheets in file)

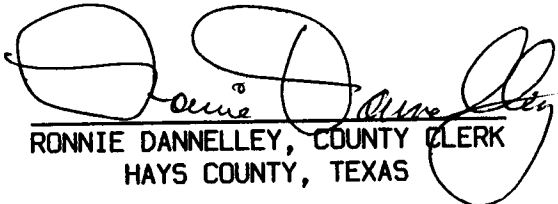
A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to amend the FY89 budget for all Departments in the General Fund as recommended by the County Auditor. All voting "Aye".

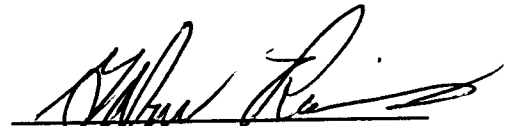
A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend FY89 Road & Bridge Fund by transferring \$266 to Precinct #1 and \$14,000 to precinct #2 out of Road & Bridge General. All voting "Aye".

AUDITOR/TREASURER COMPUTER SYSTEM

County Auditor Bill Herzog spoke of negotiations - not ready to award contract at this time.

Court was adjourned until 10:00 a.m. October 2, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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-OCTOBER 2, 1989-

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 2ND DAY OF OCTOBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9917 DESIGNATE OFFICE SPACE ON SECOND FLOOR OF THE COURTHOUSE

J. P. Pct. 1 Pl. 2 Becky Sierra appeared before the Court requesting office space adjacent to her existing office - she has 5 employees working in one office space. Constable Pct. 1 Lupe Cruz requested that office space be designated as previously order by the Court - felt like a Peace Officer should be in the Courthouse. A. D. Carroll, Fire Marshal/EMC, requested office space as previously designated by the Court - needs to have generator, antenna, phone lines, etc. as presently exists at the Courthouse. Danny Dever, D.P. Administrator, spoke of computer wiring already installed - needs to remain in the County Court @ Law Jury Room - most of the computer users are located in the Courthouse, none at the annex. J.P. Sierra stated that she was willing to move to the courthouse annex if it is fixed up. Judge Rains spoke of his vision to move JP 1-2 to the annex and to provide a courtroom - recommended that JP 1-2 be allowed space for the time being at the courthouse and leave Constable 1 at the annex.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to allow J.P. 1-2 to move into office space adjacent to her existing office at the courthouse. All voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Payne to allow Constable Pct. 1 to move into office space previously designated to Fire Marshal/EMC - next to J.P. 1-2. Commissioner Gonzales stated that the Fire Marshal/EMC needs to be at the courthouse with the generator - need to stick to original designation of office space. Constable Pct. #1 stated that he would stay at the Courthouse Annex. Commissioner Payne withdrew his motion.

9918 PUBLIC HEARING - "OAKWOOD HILLS ROAD DISTRICT" PETITION TO ISSUE ROAD BONDS AND ORDER CALLING PROPOSED BOND ELECTION

Judge Rains called public hearing to order. Nancy Howard spoke - asked about cost and control of money. Commissioner Payne advised that the County will handle the funds and unused money will be used to retire the debt. Jacob Morrow asked what it will cost the taxpayers. Commissioner Payne felt like it would cost the taxpayers involved approximately 25 cents per \$100 valuation. Wynne Turnage spoke of being very much in favor of building a better road. Bill Daniels spoke of his concerns about the financial obligation - residents would feel better if they knew what it will cost them. Commissioner Payne stated that CAD Chief Appraiser Bill Backus had advised him of the following cost estimates:

|   |                                 |
|---|---------------------------------|
| 15 year pay out on \$ 75,000 bond issue = | 23.59 cents per \$100 valuation |
| 20 year pay out on \$ 75,000 bond issue = | 21. cents per \$100 valuation   |
| 15 year pay out on \$100,000 bond issue = | 32. cents per \$100 valuation   |
| 20 year pay out on \$100,000 bond issue = | 28. cents per \$100 valuation   |

Bill Daniels stated that the residents are in favor of a road district. Commissioner Payne stated that the bond election must pass by 62% vote in order to issue road bonds - the road district has already been created at no cost to the residents and now you will vote on issuance of bonds. Commissioner Gonzales spoke of fact that the County could build this road for 1/2 the cost - spoke of the taxpayers in this district taxes will double to pay for the road - may cause

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a burden on the older taxpayer - these people are paying the same as all other county taxpayers - county has equipment to build the roads - asked Commissioner Payne why he was not going to build this road. Commissioner Payne spoke of road being a private road - County is not obligated to build this road - need to bring it up to county specs and then he will accept it for county maintenance and eventually pave - would like to go with \$75,000 bond issue.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to call for bond election to be held for "Oakwood Hills Subdivision Road District" - bonds not to exceed \$75,000 - election to be held November 7, 1989. Commissioner Ford, Commissioner Payne, Commissioner Rippey and Judge Rains voting "Aye". Commissioner Gonzales abstained.

A motion was made by Commissioner Payne, seconded by Commissioner Rippey to hold election at The Silo located at County Road 003 and Ranch Road 12 and Election Judge to be Jerry Pinnix. All voting "Aye".

AN ORDER BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS CALLING A BOND ELECTION TO BE HELD WITHIN SAID COUNTY IN AND FOR OAKWOOD HILLS SUBDIVISION ROAD DISTRICT, A BODY CORPORATE OF SAID COUNTY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS ORDER.

WHEREAS, it is hereby found and determined that a petition signed by a majority of the qualified voters of "OAKWOOD HILLS SUBDIVISION ROAD DISTRICT" (the "District") has heretofore been presented to this Court requesting a hearing on the question of calling a bond election in the District; and

WHEREAS, it is hereby found and determined that due notice of such hearing has been given by posting and by publication; and

WHEREAS, it is hereby found and determined that all persons desiring to appear and be heard on the question of calling such election have been heard and their testimony duly considered; and

WHEREAS, it is hereby found and determined that the proposed improvement will benefit all of the taxable property within the District by construction and/or upgrading of roadways and access and provision of traffic control to improve through traffic flow access and circulation. The development within the District will be improved due to improved access by vehicular traffic, improved public health and safety services (fire, police, ambulance, etc.) and exposure to other public thoroughfares.

WHEREAS, this Court deems it advisable to call an election on the question of whether this Court shall be authorized to issue bonds of the District for the purposes hereinafter stated; therefore,

BE IT ORDERED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS:

SECTION 1: That an election be held in the District on the 7th day of November, 1989, which date is the next uniform election date authorized by Section 41.001, Texas Election Code, that occurs after the 30th day after the day this order is made, at which election the following proposition shall be submitted:

"WHETHER or not the bonds of Oakwood Hills Subdivision Road District of Hays County, Texas, shall be issued in a amount not to exceed \$75,000, bearing interest at rates not to exceed 10% per annum, and maturing at such times as may be fixed by the Commissioners' Court, serially or otherwise, not later than 20 years from their date, for the purpose of the construction, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes, or in aid thereof, throughout Oakwood Hills Subdivision Road District of Hays County, Texas, and whether or not ad valorem taxes shall be levied annually on all taxable property within said Road District sufficient to pay the annual interest on said bonds and provide a sinking fund sufficient to pay said bonds at maturity?"

SECTION 2: That paper ballots shall be used for said election and the ballots shall be prepared in accordance with the Texas Election Code, so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid proposition which shall be set forth on said ballots in substantially the following form:

-OCTOBER 2, 1989-

"THE ISSUANCE OF BONDS IN AN AMOUNT NOT TO EXCEED  
\$75,000 AND THE LEVYING OF THE TAX IN PAYMENT THEREOF"

SECTION 3: That the boundaries of the district heretofore established by this Court are hereby designated as and shall constitute one election precinct and the following are hereby appointed officers of said election:

JERRY PINNIX Presiding Judge

On election day the polls shall be open from 7:00 A.M. until 7:00 P.M. at THE SILO - located at County Road 003 & RR12 in accordance with the instruction given in the notice of election.

Absentee voting shall be conducted at 401-C Broadway, San Marcos, Texas 78666 in accordance with the provisions of the Texas Election Code. Absentee voting by personal appearance shall occur between the hours of 8:00 A.M. and 5:00 P.M. on each day from October 18, 1989 through November 3, 1989, which is not a Saturday, a Sunday or an official State holiday.

SECTION 4: All resident qualified electors of Oakwood Hills Subdivision Road District shall be permitted to vote at said election. The manner of holding and conducting said election shall be governed by the Texas Election Code of the State of Texas regulating general elections, except as modified by the provisions of Article 6702-1, V.A.T.C.S., as amended, and, as may be required by law, election materials and proceedings for this election shall be printed in both English and Spanish.

SECTION 5: That the Notice of Election attached hereto and made a part hereof shall serve as proper notice of said election. Said notice, including a Spanish translation thereof, shall be posted by the County Clerk at three public places in Oakwood Hills Subdivision road District and the Courthouse door of said County for three weeks prior to said election and said notice, including a Spanish translation thereof, shall also be published for three successive weeks in a newspaper of general circulation in the District, published in Hays County, Texas.

SECTION 6: The findings made in the preamble to this Order are hereby made a part of this Order for all purposes as is set out herein.

PASSED AND APPROVED, this the 2nd day of October, 1989.

s/ G. Don Rains  
COUNTY JUDGE, HAYS COUNTY, TEXAS

ATTEST:

s/ Ronnie Dannelley  
COUNTY CLERK & EXOFFICIO CLERK  
OF THE COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS

(COMM.CRT. SEAL)

9919 ADOPT RESOLUTION CONTINUING DISASTER DECLARATION NUMBER 1 - THREAT OF WILD FIRES

Judge Rains spoke of emergency declaration Re: threat of wild fires - need to continue the disaster declaration. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to adopt resolution continuing disaster declaration number 1 - threat of wild fires. All voting "Aye".

-OCTOBER 2, 1989-

RESOLUTION

STATE OF TEXAS \* IN THE COMMISSIONERS COURT  
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

WHEREAS, Hays County has not had any appreciable rainfall for an extended period; and

WHEREAS, weather forecasters offer little promise of a change in these hot, dry conditions in the near future; and

WHEREAS, these hot, dry conditions in the near future; and large, fast-moving wild fires; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a wide scale; and

WHEREAS, the Texas Disaster Act of 1975 and the Order of the Hays County Commissioners Court dated December 14, 1981, authorize declaration of a state of disaster "if the threat of disaster is imminent"; and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such a disaster authorizes the imposition of controls on activities which tend to increase the likelihood of such fires; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, G. Don Rains, County Judge, on the 25th day of September, 1989, declared a state of disaster based on the threat of large wild fires in Hays County; and

WHEREAS, that this state of disaster will at the end of seven days following its issuance without authorization by the Hays County Commissioners court;

BE IT THEREFORE RESOLVED, that this state of disaster is hereby continued until it is rescinded by the County Judge or by action of the Commissioners Court; and

BE IT FURTHER RESOLVED, that the issue of the continuance of this state of disaster shall be placed on the agenda of each regularly scheduled meeting of the Commissioners Court until it is rescinded.

PASSED AND APPROVED this the 2ND day of OCTOBER, 1989.

[Signature]  
COUNTY JUDGE  
[Signature]  
COMMISSIONER, PRECINCT 1  
[Signature]  
COMMISSIONER, PRECINCT 2  
[Signature]  
COMMISSIONER, PRECINCT 3  
[Signature]  
COMMISSIONER, PRECINCT 4

ATTEST:  
[Signature]  
COUNTY CLERK

# 9919



-OCTOBER 2, 1989-

9920 AMEND PRECINCT CONSOLIDATIONS, APPROVE TEMPORARY ABSENTEE POLLING PLACES, SET NUMBER OF CLERKS AND APPOINT JUDGES AND ALTERNATES - GENERAL ELECTION

Joyce Cowan, Election Administrator, presented her recommendations for consolidating precincts, temporary absentee polling, Judges and set number of clerks for November 7, 1989 election.

1) Change consolidation of Pcts. for 11-7-89

- a. change Pcts. 10, 13 & 15 to only Pcts. 10 & 13
- b. change Pcts. 16, 30 & 31 to only Pcts. 30 & 31
- c. put Pct. 15 with Pct. 16
- d. put Pct. 14 with Pcts. 11 & 12 (14 originally combined with 44 & 45)

2) Approve Temporary Absentee Polling.

| <u>Place</u>                       | <u>Date</u>     | <u>Precincts</u>  |
|------------------------------------|-----------------|-------------------|
| Wimberley Senior Citizens building | Oct. 24 & 31    | 35, 37            |
| Kyle City Hall                     | Oct. 25 & Nov 1 | 23,25,27,29       |
| Dripping Springs City Ofc.         | Oct. 26 & Nov 2 | 40,41,42,43,48,49 |
| Buda City Hall                     | Oct. 27 & Nov 3 | 24,26,28          |

3) Approve Judges for November 7th, 1989 Election

| <u>Pct.#</u> | <u>Judge</u>       | <u>Alternate Judge</u> |
|--------------|--------------------|------------------------|
| 10 & 13      | Rose Brooks        | Elias F. Salinas       |
| 11,12 & 14   | Nell Burleson      | Rosemary Suniga        |
| 15 & 16      | Johnnie Armstead   | Carol Kutscher         |
| 20 & 21      | Margie Villalpando | Mary Ann Till          |
| 23, 25 & 27  | Etheline Dunham    | Nilda Nava             |
| 24, 26 & 28  | Lois Franklin      | Tim Raven              |
| 29           | Tim Sorrells       | Robert Ronson          |
| 30 & 31      | Sarah J. Beasley   | Deanna Badget          |
| 34 & 36      | Aart Millecam      | Berry James            |
| 35 & 37      | Leland Cadenhead   | Chester Franklin       |
| 40           | Malcolm Light      | Ellis Linsey           |
| 44 & 45      | Estella Lerma      | Gracie Garcia          |
| 42 & 48      | Judy Templeton     | Anita Saxon            |
| 43           | Jo Overton         | John M. Bryant         |
| 46 & 47      | Mary Compton       | Inez Patton            |
| 49 & 41      | Sybil Floyd        | Clem Best              |

4) Set the number of clerks for each consolidated pct.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve consolidation of precincts as presented by the Election Administrator. All voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to appoint Judges and Alternates as recommended by the Election Administrator for the November 7, 1989 Constitutional Amendment Election. All voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve the temporary absentee polling places for the November 7, 1989 Constitutional Amendment Election. All voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to set the number of Clerks for the November 7, 1989 election not to exceed four per polling place. All voting "Aye".

DISCUSSION - DISPOSITION OF UNOBLIGATED FUNDS IN THE APPRAISAL DISTRICT

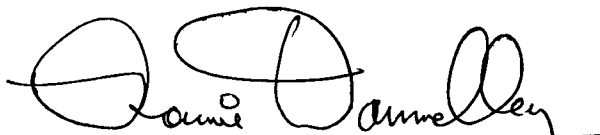
Tax Assessor-Collector Ruth Clayton spoke of unobligated funds of \$130,000 (\$22,945 County's share) - October 12, 1989 at 3:30 P.M. there will be a CAD

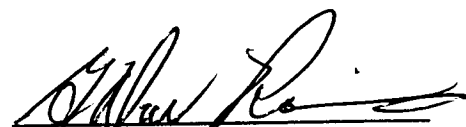
-OCTOBER 2, 1989-

meeting addressing this issue - recommends that funds be used to purchase land to build on - rent on present building is extremely high - CAD Board would like input from the contributing entities - would like to see the County have representation at the meeting.

DISCUSS RE-APPOINTING REPRESENTATIVE TO THE APPRAISAL DISTRICT

Judge Rains spoke of votes (905) that the County has Re: CAD Board of Directors - Lupe Carbajal had advised that he is not interested in being reappointed by the County - appointment needs to be made before October 16, 1989.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 6th DAY OF OCTOBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9921 CEDAR RIDGE SUBDIVISION ROAD - ACCEPT FOR COUNTY MAINTENANCE

Commissioner Payne submitted compaction tests performed by Trinity Engineering Testing Corp. on roads in the Cedar Ridge Subdivision. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to release Letter of Credit and accept roads in Cedar Ridge Subdivision for County maintenance (3,178 ft. of roads - Mary Stephenson Lane, Donna Drive, Cindi Circle and Lindi Lane). All present voting "Aye".

9922 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog presented invoices for payment - asked about 2 claims: Pct. 2 used dumptruck (no Court approval) Asbestos removal at old hospital building. Court advised that a letter of approval has been received by the County Judge on asbestos removal - OK to pay. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve payment of county invoices with exclusion of Pct. 2 dumptruck. All present voting "Aye". Later on in the meeting a telephone call was received from Commissioner Ford requesting the Court to approve payment for the used dumptruck for Pct. 2. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve payment for used dumptruck for Pct. 2. All present voting "Aye".  
Total = \$176,230.35

|                |             |                  |             |
|----------------|-------------|------------------|-------------|
| Auditor        | \$ 698.53   | Treasurer        | \$ 266.58   |
| Extension Ofc. | \$ 156.81   | Judicial         | \$ 1,100.00 |
| Juvenile Prob  | \$ 453.92   | Election Admin   | \$ 827.18   |
| Indigency      | \$ 150.00   | Transfer Station | \$ 71.58    |
| Building Mtc.  | \$ 8,041.30 | Health Dept.     | \$ 486.32   |

-OCTOBER 6, 1989-

|                   |             |                  |             |
|-------------------|-------------|------------------|-------------|
| Civic Center      | \$ 4,741.26 | Countywide Misc. | \$56,344.03 |
| Tax A/C           | \$ 355.13   | District Clerk   | \$ 988.80   |
| County Clerk      | \$ 75.15    | Sheriff          | \$ 1,337.76 |
| Jail              | \$21,345.50 | County Judge     | \$ 96.65    |
| Admin. Coord.     | \$ 115.88   | Co.Crt.@Law #1   | \$ 77.83    |
| District Atty.    | \$ 510.44   | J.P. 1-1         | \$ 569.21   |
| J.P. 1-2          | \$ 121.07   | J.P. 2           | \$ 60.83    |
| DPS               | \$ 1,576.89 | Constable 1      | \$ 38.93    |
| Constable 2       | \$ 54.31    | Constable 5      | \$ 154.58   |
| Veterans Admin    | \$ 710.36   | Data Proc Adm    | \$ 123.06   |
| Co.Crt.@ Law #2   | \$ 22.14    | TDH TB Grant     | \$ 16.00    |
| TDH M&C Grant     | \$ 887.24   | Fire Marshal/EMC | \$ 45.76    |
| Heat Stress Grant | \$ 344.00   | District Court   | \$ 126.60   |
| County Court      | \$ 2,967.38 | R&B General      | \$ 2,929.66 |
| Precinct 1        | \$ 668.04   | Precinct 2       | \$ 8,071.10 |
| Precinct 3        | \$ 1,949.26 | Precinct 4       | \$ 23.95    |
| Self Insurance    | \$ 378.60   | Hot Check Fee    | \$ 45.85    |
| Law Library       | \$ 45.00    | Public Works     | \$56,059.88 |

**9923 APPROVE USE OF COURTHOUSE LAWN FOR SIGHTS & SOUNDS OF CHRISTMAS CELEBRATION ON NOVEMBER 30, DECEMBER 1 & 2, 1989**

Kelly Franks appeared before the Court requesting use of Courthouse Lawn for the 3rd annual Sights & Sounds of Christmas Celebration to be held November 30, December 1 & 2, 1989. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve use of Courthouse lawn for Sights & Sounds of Christmas celebration on November 30, December 1 & 2, 1989. All present voting "Aye".

**CONSIDER APPROVAL OF APPLICATION FOR TAX ABATEMENT - HARPER'S HALL JOINT VENTURE**

Lupe Carbajal appeared before the Court with application for tax abatement for property at 139 and 143-45 East Hopkins Street (Harper's Hall Joint Venture). Harper's Hall has already been remodeled and they now wish to renovate the corner building (above The Frontier & The Daisy) - renovation estimate = \$350,000 for both projects - request abatement on improvements only - City of San Marcos has granted a four year abatement - property owners are Bob Barton, Jr. and Guadalupe R. Carbajal - legal description of property: part of lot 5, block 20, original town of San Marcos and part of lots 1 & 2, block 21, original town of San Marcos - estimated number of jobs to be created: ten (10). District Attorney Charles Chapman stated that the County will need an agreement in writing. Judge Rains read a proposed resolution (same as C-Tec). Commissioner Gonzales stated that he would like to see all papers before approving. No action taken.

**9924 AUTHORIZE DRIPPING SPRINGS RECYCLE GROUP TO USE COUNTY PROPERTY**

Ed Thomassen appeared before the Court - spoke of recycle program in Dripping Springs - request permission to use county property in Pct. 4 yard to set up a trailer or 20X8' bin (triangle area adjoining the water supply company). A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to allow Dripping Springs Recycle Group to use county property in Pct. 4 - use can be terminated by either party on 30 days notice. All present voting "Aye".

**OAKRIDGE ESTATES - ROAD NAME DISCUSSION**

Patsy Greiner, Administrative Coordinator, spoke of Oakridge Drive in Oakridge Estates subdivision (Hunter Road) - City of San Marcos already has an "Oakridge Drive" in zip code 78666 - spoke of CAPCO criteria for changing street names - problem is for 2 streets to have the same name in the same area of the county for emergency service (911) - Legislature has given Commissioners' Court authority to designate street names for unincorporated areas. Bill Germer,

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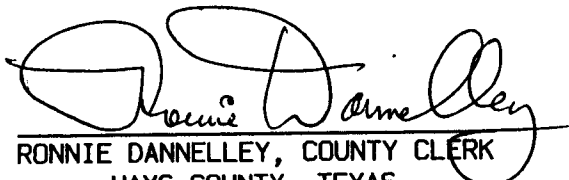
resident of Oakridge Estates subdivision, spoke of great inconvenience to change name of road - had petition signed by residents in the subdivision opposed to change of road name - did not see a problem with "Oakridge Estates Drive" vs. "Oakridge Drive". Mrs. Greiner stated that if the current street name is not changed the residents will have to use route and box addresses - post office will not deliver mail to two different streets with the same name. Another Oakridge Estates subdivision resident spoke of having been previously told by the Post office that there would be no problem with the street name - with the help of Commissioner Gonzales they now have a street name sign at entrance to the subdivision. No action was taken.

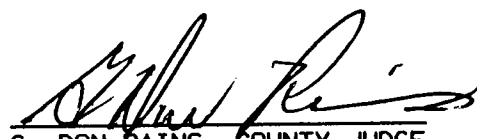
9925 KIRBY SPRINGS PHASE II (89-012) - 3RD READING

Mark McManus presented "Kirby Springs Phase II" subdivision on third reading - stated that the Developer will voluntarily comply with all county subdivision regulations even though subdivision is in ETJ of Dripping Springs. Terry Ewald, Health Department, stated that he needs a floodplain study. Patsy Greiner stated that all requirements have been met except for City of Dripping Springs approval on plat. (see copy of Application for Grant of Variance and Resolution Granting Variance by City of Dripping Springs - in subdivision file) A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve "Kirby Springs, Phase II" subdivision on third reading contingent on receiving floodplain study. All present voting "Aye".

9925 SHELTON SUBDIVISION LOTS 1 & 2 (89-026) - 1ST,2ND,3RD READINGS

Ray Kotowski presented "Shelton Subdivision" on first, second and third readings. Patsy Greiner, Adm. Coord., stated that lot numbers and street names are needed on the plat and an aquifer note. Commissioner Payne requested that a note be added to plat to show that it is part of the Rainbow Ranch unrecorded subdivision. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Shelton Subdivision Lots 1 & 2" on first, second and third readings contingent on plat meeting all requirements. All present voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 16TH DAY OF OCTOBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9926 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog spoke of Juvenile Probation Department is already over in travel line item. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$55,240.24. All present voting "Aye".

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|                   |             |                |             |
|-------------------|-------------|----------------|-------------|
| Central Storeroom | \$ 84.00    | Auditor        | \$ 275.02   |
| Treasurer         | \$ 87.56    | Extension Ofc  | \$ 124.82   |
| Judicial          | \$ 382.80   | Juvenile Prob  | \$ 697.00   |
| Building Mnt.     | \$ 2,268.13 | Civic Center   | \$ 200.70   |
| Countywide Misc.  | \$21,474.91 | District Clerk | \$ 33.18    |
| County Clerk      | \$ 95.33    | Sheriff        | \$ 1,191.54 |
| Jail              | \$ 2,507.62 | Admin. Coord.  | \$ 6.50     |
| District Atty.    | \$ 95.74    | J.P. 1-2       | \$ 78.60    |
| J.P. 3            | \$ 7.08     | DPS            | \$ 309.95   |
| Constable 3       | \$ 8.50     | CJD Grant      | \$ 930.00   |
| Foster Child Care | \$ 8,201.00 | In Home Spec.  | \$ 82.11    |
| TDH M&C Grant     | \$ 9.24     | District Court | \$ 112.50   |
| R&B General       | \$ 10.00    | Precinct 1     | \$ 517.84   |
| Precinct 2        | \$ 435.81   | Precinct 3     | \$ 1,865.85 |
| Precinct 4        | \$ 470.65   | Hot Check Fee  | \$ 294.45   |
| Jail Construction | \$ 1,019.01 | Public Works   | \$11,362.80 |

VETERAN ADMINISTRATOR'S OFFICE - REQUEST TO ADVERTISE FOR NEW VAN OR SUBURBAN FOR V.A. PURPOSES

Commissioner Gonzales spoke of budget amendments in travel during FY89 - it might be best for county to furnish the vehicle to VA Service Officer. County Auditor Bill Herzog stated that V.A. Officer is currently receiving \$200 auto allowance and \$250 mileage expense per month. Commissioner Gonzales stated that he does not feel like a county employee should transport individuals in his personal vehicle. Commissioner Rippy stated that he would like for Tom Tvrdik to appear before the Court to address his needs. Commissioner Gonzales felt like a van is needed that has a wheel chair ramp. No action was taken - postponed until the next meeting.

9927 CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS - NOMINATION

Judge Rains spoke of need to nominate a county representative to the CAD Board of Directors this date - some of the nominees that have been made by other entities are: Pat Benner, Bill Haney, Judy Allen, Ernest Kimbro and Rudy Garnett. Calculation of votes to select five board of directors for the Hays County Appraisal District was passed out:

| #      | Voting Unit             | 1988 Tax Levy   | Votes %  | Votes |
|--------|-------------------------|-----------------|----------|-------|
| 1      | Hays Co. & Spec. Road   | \$7,376,714.43  | 18.0917  | 905   |
| 2      | Buda, City of           | \$ 91,438.78    | 0.2594   | 13    |
| 3      | Hays, City of           | \$ 2,589.95     | 0.0074   | 0     |
| 4      | Kyle, City of           | \$ 208,978.02   | 0.5929   | 30    |
| 5      | Mountain City, City of  | \$ 9,313.21     | 0.0264   | 1     |
| 6      | San Marcos, City of     | \$3,909,567.04  | 11.0920  | 555   |
| 7      | Dripping Springs I.S.D. | \$4,168,999.82  | 11.8281  | 591   |
| 8      | Hays C.I.S.D.           | \$7,853,803.00  | 22.2824  | 1,114 |
| 9      | San Marcos C.I.S.D.     | \$9,271,275.65  | 26.3040  | 1,315 |
| 10     | Wimberley I.S.D.        | \$3,353,940.78  | 9.5157   | 476   |
| TOTALS |                         | \$35,246,620.68 | 100.0000 | 5,000 |

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to make no nominations to the CAD Board of Directors. Votes to be cast by County before November 14, 1989. All present voting "Aye".

9928 ADOPT RESOLUTION APPROVING TAX ABATEMENT FOR BOB BARTON SR. & GUADALUPE CARBAJAL (HARPERS HALL AND DONALSON BUILDING)

Lupe Carbajal appeared before the Court requesting tax abatement for property located on part of Lot 5 Block 20, Original Town of San Marcos and for part of Lots 1 & 2, Block 21, Original Town of San Marcos - AKA Harper's Hall and the Donalson Building (The Daisy and The Frontier/corner building). Mr. Carbajal had appeared at the last meeting with this request and Commissioner Gonzales had

-OCTOBER 16, 1989-

requested more information. Commissioner Gonzales stated that he was satisfied with paperwork he had received and asked Mr. Carbajal to clarify his request. Mr. Carbajal's request is for a four year tax abatement on improvements to this property only - approximate improvements = \$350,000.00. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to adopt resolution authorizing the County Judge to sign on behalf of Hays County the Tax Abatement Agreement with Bob Barton Sr. and Guadalupe Carbajal as approved by the City of San Marcos. Commissioner Ford requested that a committee be established by the various entities in Hays County to set up guidelines - we need uniformity between the entities on tax abatements. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \* BEFORE THE COMMISSIONERS' COURT  
COUNTY OF HAYS \* OF H A Y S COUNTY, TEXAS

ON THIS DAY at a meeting of the Commissioners' Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the resolution being as follows:

WHEREAS, a tax abatement between the County and Bob Barton, Sr. and Guadalupe Carbajal has been authorized; and

WHEREAS, the terms and conditions of the tax abatement are available in the Tax Abatement Agreement; and

WHEREAS, the County Judge is the agent for the Commissioners' Court;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners' Court of Hays County, Texas that:

the County Judge is hereby authorized to sign on behalf of Hays County the Tax Abatement Agreement with Bob Barton, Sr. and Guadalupe Carbajal as approved by the City of San Marcos

RESOLUTION PASSED AND ADOPTED ON THIS THE 16TH DAY OF OCTOBER, 1989. TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
COUNTY JUDGE

s/ Rafael Gonzales  
COMMISSIONER PRECINCT #1

s/ Wayne Ford  
COMMISSIONER PRECINCT #2

(ABSENT)  
COMMISSIONER PRECINCT #3

s/ Oran Hill Rippey  
COMMISSIONER PRECINCT #4

ATTEST:  
s/ Ronnie Dannelley  
HAYS COUNTY CLERK

9929 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS ON SMALL ENGINE REPAIRS

Commissioner Payne has requested that the Court authorize the County Auditor to advertise for bids - wants a per hour bid - on small engine repairs. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Auditor to advertise for bids on small engine repairs - Commissioner Pct. 3 to develop specs. All present voting "Aye".

-OCTOBER 16, 1989-

9930 PCT. #2 - APPROVE PUBLIC WORKS PROJECT #216

Commissioner Ford spoke of Public Works Project #216: Hays Country Oaks Subdivision (Oakwood Drive, Country Oaks Drive and Scenic Oak Trail) - pavement has rippled - road repair projected cost = \$15,000.00. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Public Works Project #216 in Precinct 2. All present voting "Aye".

9931 RESOLUTION REQUESTING STATE TO REIMBURSE LOCAL UNITS OF GOVERNMENT FOR ALL COSTS INCURRED IN IMPLEMENTING STATE IMPOSED MANDATES

Commissioner Wayne Ford spoke of letter from State Representative Dan Morales - cities, counties, school districts and other local taxing jurisdictions have been forced to seek additional revenue, due in significant part, to state-imposed mandates - as a result, property tax rates are now among the highest in the nation. Representative Morales intends to re-introduce his proposal to compel the state to reimburse local units of government for all costs incurred in implementing state-imposed mandates.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution requesting State to reimburse local units of government for all costs incurred in implementing State imposed mandates. All present voting "Aye".

STATE OF TEXAS . \* BEFORE THE COMMISSIONERS COURT  
 COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, property tax rates at the local level have seen an unprecedented increase; and

WHEREAS, local taxing jurisdictions have been forced to seek additional revenue, due in significant part, to state-imposed mandates; and

WHEREAS, Texas property tax rates are now among the highest in the nation; and

WHEREAS, State Representative Dan Morales intends to re-introduce in the November special session of the Legislature his proposal to compel the state to reimburse local units of government for all costs incurred in implementing state-imposed mandates;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

the proposal is strongly supported by the Commissioners Court of Hays County, Texas

RESOLUTION PASSED AND ADOPTED ON THIS 16TH DAY OF OCTOBER, 1989, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains \_\_\_\_\_  
 G. Don Rains, County Judge

s/ Ralph Gonzales \_\_\_\_\_  
 Ralph Gonzales, Pct. 1

s/ W. R. Ford \_\_\_\_\_  
 Wayne Ford, Pct. 2

(absent) \_\_\_\_\_  
 Craig Payne, Pct. 3

-OCTOBER 16, 1989-

s/Oran Hill Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

9932 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR SHERIFF'S AUTOS,  
MOBILE RADIOS AND COPY MACHINE

Sheriff Paul Hastings appeared before the court - spoke of need for a larger copier in the jail - size needed should accomodate 20,000+ copies per month - presently using a tabletop copier. Chief Deputy Sherman Brodbeck spoke - there is \$4500 in the budget to purchase 5 hand-held radios (Court previously authorized purchase), however, mobile units will be needed for the seven new automobiles - also needed will be overhead lights and sirens - we could save money by going through the Houston/Galveston Coop. for these purchases. Sheriff Hastings spoke of new Warrant Officer position allowed by the Court - numerous hot check warrants are being executed and revenues are coming in. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize County Auditor to advertise for bids for seven automobiles, mobile radios and copy machine for the Sheriff's Department with Sheriff providing specifications. All present voting "Aye".

9933 APPROVE REQUEST FROM YOUTH SEVICES BUREAU TO RECEIVE SOME FY90 FUNDING  
AS SOON AS POSSIBLE

County Auditor Bill Herzog spoke of Youth Services Bureau need for operating funds at this time - they had no carry-over funding - County could provide quarterly funding for all social services. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve request from Youth Services Bureau to begin receiving quarterly funding for FY90. All present voting "Aye".

DISCUSSION ON COST-OF-LIVING AND MERIT INCREASES

County Auditor Bill Herzog presented a list requesting clarification regarding Cost-of-Living (COL) and Merit increases:

Employee must have one year service on payroll(not contract labor) to be eligible for COL all year (No COL all year if not on payroll 10/01/89)  
COURT: Yes

Employee will receive Merit at point he/she is on payroll for one year  
COURT: Funding will be provided, however, it will be disbursed at the discretion of the Department Head.

If employee has had a raise in last 12 months, he/she will be eligible for merit when one year has passed since raise  
COURT: No they do not wait for one year - the difference between their raise and the \$100 COL/Merit begins on October 1st  
If salary increase was due to promotion (change in job & duties)this is not considered a raise

If raise is less than \$50 per month, employee will receive difference between raise and \$50 for merit  
COURT: Yes



-OCTOBER 16, 1989-

If employee has had a break in service, the rehire date will be used to calculate COL & Merit

COURT: Yes (Commissioner Ford spoke of what is considered a "break in service" - it was felt that termination or resignation w/withdrawal of retirement funds would constitute a break in service.

Do employees who receive only portion of pay from County (i.e. Extension Agents) receive COL or Merit

COURT: No - the are considered State employees and county pays a percentage of their salary which is set by the State

Is employee on Worker's Comp eligible for COL or Merit

COURT: Yes

Is employee on LWOP (Leave Without Pay) eligible to have LWOP time counted towards COL & Merit

COURT: Yes (Commissioner Ford spoke - we need to clarify the amount of time off to be eligible for COL & Merit)

Do employees on grants receive COL & Merit

COURT: Yes - they are County employees

If employee changed from part-time to fulltime at same rate of pay are they eligible for COL & Merit

COURT: Not if change was made effective October 1 - Yes if position was created FY89

If merit not due till March (\$300 per year) can Department Head use that \$300 on 10/01/89

COURT: Yes

9934 APPROVE PAYMENT FOR BROKEN WINDOW ON 2ND FLOOR OF COURTHOUSE ANNEX DURING CONSTRUCTION

County Auditor Bill Herzog spoke of window that was broken during construction at the Courthouse Annex - should have come out of Tarver contract.

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment to Thad Ziegler Company in the amount of \$30.98 for broken window on second floor courthouse annex construction. All present voting "Aye".

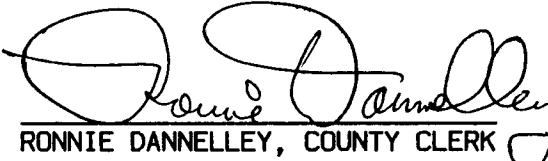
9935 APPROVE MINUTES OF SEPTEMBER 1989


A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve minutes of September 1989 as presented. All present voting "Aye".

DISCUSSION - SUBDIVISION ORDINANCE

Patsy Greiner, Administrative Coordinator, went over the proposed amended subdivision ordinance speaking to the proposed changes. No action was taken this date - workshop to be held at a later date.

Court was recessed until October 23, 1989 at 9:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

-OCTOBER 23, 1989-

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 23RD DAY OF OCTOBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANDELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

PRESENTATION FOR RED RIBBON WEEK FOR DRUG FREE SAN MARCOS

Nina Wright spoke of Red Ribbon Week - a national campaign celebrating community involvement and commitment for a Drug Free America - members of the Court were pinned with red ribbons to be worn all week. Members of the Court voiced their support and appreciation.

9936 APPROVE COUNTY TREASURER'S REPORTS FOR AUGUST & SEPTEMBER 1989

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve County Treasurer's reports for August & September 1989. All voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 23rd day of October, 1989, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of August, 1989 and have determined that the report is correct (see Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains \_\_\_\_\_  
COUNTY JUDGE

s/ Rafael Gonzales \_\_\_\_\_  
COMMISSIONER, PRECINCT 1

s/ W. R. Ford \_\_\_\_\_  
COMMISSIONER, PRECINCT 2

s/ Craig Payne \_\_\_\_\_  
COMMISSIONER, PRECINCT 3

s/ Oran Hill Rippy \_\_\_\_\_  
COMMISSIONER, PRECINCT 4

ATTEST:

s/ Ronnie Dannelley  
HAYS COUNTY CLERK

COUNTY OF HAYS  
SUMMARY OF RECEIPTS & DISBURSEMENTS  
FOR THE PERIOD AUGUST, 1989

|                             | GENERAL      | JURY      | R & B<br>GENERAL | R & B<br>PCT #1 | R & B<br>PCT #2 | R & B<br>PCT #3 | R & B<br>PCT #4 | ALL<br>OTHER<br>FUNDS | TOTAL<br>FUNDS |
|-----------------------------|--------------|-----------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------------|----------------|
| Balance on 8-1-89           | 71,515.12    | 4,424.03  | 50,709.67        | 9,437.77        | 8,144.97        | 6,903.69        | 14,316.14       | 30,606.16             | 196,057.55     |
| Deposit Warrants (Receipts) | 782,517.19   | 34,921.19 | 58,805.15        | 20,960.41       | 41,190.22       | 95,466.02       | 41,581.44       | 3,107.43              | 1,078,549.05   |
| Total                       | 854,032.31   | 39,345.22 | 109,514.82       | 30,398.18       | 49,335.19       | 102,369.71      | 55,897.58       | 33,713.59             | 1,274,606.60   |
| Disbursements (Claims)      | 801,439.50   | 34,139.39 | 79,414.47        | 29,439.58       | 43,081.06       | 81,390.48       | 33,467.45       | 14,654.93             | 1,117,026.86   |
| Total                       | 52,592.81    | 5,205.83  | 30,100.35        | 958.60          | 6,254.13        | 20,979.23       | 22,430.13       | 19,058.66             | 157,579.74     |
| Balance in bank on 8-31-89  | 52,592.81    | 5,205.83  | 30,100.35        | 958.60          | 6,254.13        | 20,979.23       | 22,430.13       | 19,058.66             | 157,579.74     |
| Certificates of Deposits    | 1,750,000.00 | 55,000.00 | 20,000.00        | 25,000.00       | 25,000.00       | 88,000.00       | 35,000.00       | -0-                   | 1,998,000.00   |
| Money Market                | 39,920.02    | 18,170.00 | 15,342.07        | 326.87          | 173.12          | 23,098.13       | 12.49           | 31,752.53             | 128,795.23     |
| Total Fund Balance          | 1,842,512.83 | 78,375.83 | 65,442.42        | 26,285.47       | 31,427.25       | 132,077.36      | 57,442.62       | 50,811.19             | 2,284,374.97   |

All Other Funds include:

U S Revenue Sharing Fund -0-

Unemployment Self Insurance 8,772.12

Hot Check Fee Fund 3,193.85

Hays County Cummings Hospital Fund 1.00

Law Library 7,091.69

Permanent Improvement Fund ACCOUNT CLOSED

Filed: D. Miller, 19 89  
COMMISSIONERS' COURT  
HAYS COUNTY, TEXAS

Dorothy P. Sims  
Dorothy P. Sims, County Treasurer

COUNTY OF HAYS  
SUMMARY OF COUNTY JAIL AND HAYS COUNTY FUNDS  
FOR THE PERIOD ENDING AUGUST, 1989

|  | County Jail<br>Construction | Jail<br>Retainage | County Jail<br>Addition<br>Construction | Jail<br>Addition<br>Retainage | County Jail<br>Interest &<br>Sinking | Jail Addition<br>Interest &<br>Sinking | Hays County<br>Interest &<br>Sinking |
|--|-----------------------------|-------------------|---|-------------------------------|--------------------------------------|--|--------------------------------------|
| Beginning balance in C.D.'s on 8-1-89            | 1,515,000.00                |                   | -0-                                     |                               | 562,000.00                           | 142,000.00                             |                                      |
| New C.D.'s                                       | 190,000.00                  |                   |   |                               |                                      |  |                                      |
| Matured C.D.'s transferred to Money Market /CKG. | 65,000.00                   |                   |   |                               | 515,500.00                           | 142,000.00                             |                                      |
| Ending balance on 8-31-89                        | 1,640,000.00                |                   | -0-                                     |                               | 46,500.00                            | -0-                                    |                                      |
| Beginning balance in Money Mkt on 8-1-89         | 138,608.31                  | -0-               | 119,643.94                              | -0-                           | 254.45                               | 979.63                                 | 34,384.20                            |
| Interest (Includes C.D. interest)                | 6,010.92                    |                   | 558.88                                  |                               | 1.19                                 | 93.91                                  | 160.62                               |
| Deposits   | 138,000.00                  |                   |   | -0-                           | -0-                                  |  |                                      |
| Transfers to checking for disbursement           | 65,000.00                   |                   |   | -0-                           | -0-                                  | 22,500.00                              |                                      |
| Matured C.D. transferred to Money Market         |                             |                   |   |                               |                                      |  |                                      |
| Ending balance on 8-31-89                        | 71,619.23                   | -0-               | 120,202.82                              | -0-                           | 255.64                               | 23,573.54                              | 34,544.82                            |
| Beginning balance in checking on 8-1-89          | 52,241.04                   |                   | 1,371.69                                |                               | 47.70                                | 42.32                                  | 27,906.63                            |
| Deposits   | 146,109.33                  |                   | -0-                                     |                               | 536,229.53                           | 124,444.72                             | 2,308.09                             |
| Disbursements                                    | 190,000.00                  |                   | -0-                                     |                               | 515,485.00                           | 119,425.00                             | -0-                                  |
| Ending balance on 8-31-89                        | 8,350.37                    |                   | 1,371.69                                | -0-                           | 20,792.23                            | 5,062.04                               | 30,214.72                            |
| TOTAL BALANCE FOR EACH FUND                      | 1,719,969.60                | -0-               | 121,574.51                              | -0-                           | 67,547.87                            | 28,635.58                              | 64,759.54                            |

OCTOBER 23, 1989

COUNTY OF HAYS  
SUMMARY OF PUBLIC WORKS PROJECTS AND SPRINGLAKE  
FOR THE PERIOD ENDING AUGUST, 1989

|   | Hays County<br>Public Works | Public Works<br>I & S | Pioneer Trails<br>Road District | Springlake<br>Construction | Springlake<br>I & S |
|---|-----------------------------|-----------------------|---------------------------------|----------------------------|---------------------|
| Beginning balance in C.D.'s on 8-1-89           | 775,000.00                  | 302,100.00            | -0-                             | -0-                        | 102,466.35          |
| New C.D.'s                                      | -0-                         | -0-                   |                                 |                            | 83,800.00           |
| Matured C.D.'s transferred to Money Market/CKG. | 325,000.00                  | 220,400.00            |                                 |                            | 171,266.35          |
| Ending balance on 8-31-89                       | 450,000.00                  | 81,700.00             | -0-                             | -0-                        | 15,000.00           |
| Beginning balance in Money<br>Market on 8-1-89  | 5,195.53                    | 50.13                 | -0-                             | -0-                        | -0-                 |
| Interest (Includes C.D. Interest)               | 338.44                      | 24.06                 |                                 |                            | 93.64               |
| Deposits  | -0-                         | -0-                   |                                 |                            |                     |
| Transfers to checking for disbursement          | 220,000.00                  | -0-                   |                                 |                            | 82,960.00           |
| Matured C.D.'s transferred to Money Market      | 325,000.00                  | -0-                   |                                 |                            | 121,766.35          |
| Ending balance on 8-31-89                       | 110,533.97                  | 74.19                 | -0-                             | -0-                        | 38,899.99           |
| Beginning balance in checking on 8-1-89         | 14,409.48                   | 82.90                 | -0-                             | -0-                        | 2.33                |
| Deposits  | 288,600.16                  | 232,280.46            | 30,540.00                       | -0-                        | 134,251.29          |
| Disbursements                                   | 283,650.97                  | 220,336.27            | 5,000.00                        |                            | 129,360.00          |
| Ending balance on 8-31-89                       | 19,358.67                   | 12,027.09             | 25,540.00                       | -0-                        | 4,893.62            |
| <b>TOTAL BALANCE FOR EACH FUND</b>              | <b>579,892.64</b>           | <b>93,801.28</b>      | <b>25,540.00</b>                | <b>-0-</b>                 | <b>58,793.61</b>    |

COUNTY OF HAYS  
SUMMARY OF RECEIPTS & DISBURSEMENTS  
FOR THE PERIOD SEPTEMBER, 1989

|                             | GENERAL      | JURY      | R & B<br>GENERAL | R & B<br>PCT #1 | R & B<br>PCT #2 | R & B<br>PCT #3 | R & B<br>PCT #4 | ALL<br>OTHER<br>FUNDS | TOTAL<br>FUNDS |
|-----------------------------|--------------|-----------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------------|----------------|
| Balance on 9-1-89           | 52,592.81    | 5,205.83  | 30,100.35        | 958.60          | 6,254.13        | 20,979.23       | 22,430.13       | 19,058.66             | 157,579.74     |
| Deposit Warrants (Receipts) | 868,674.70   | 34,483.20 | 27,592.30        | 32,523.59       | 67,621.35       | 41,719.60       | 42,609.68       | 2,853.00              | 1,138,077.42   |
| Total                       | 921,267.51   | 39,689.03 | 57,692.65        | 33,482.19       | 93,875.48       | 62,698.83       | 65,039.81       | 21,911.66             | 1,295,657.16   |
| Disbursements (Claims)      | 814,301.08   | 22,477.03 | 31,249.59        | 22,379.89       | 93,662.14       | 38,715.63       | 22,181.42       | 5,528.69              | 1,050,495.47   |
| Total                       | 106,966.43   | 17,212.00 | 26,443.06        | 11,102.30       | 213.34          | 23,983.20       | 42,858.39       | 16,382.97             | 245,161.69     |
| Balance in bank on 9-30-89  | 106,966.43   | 17,212.00 | 26,443.06        | 11,102.30       | 213.34          | 23,983.20       | 42,858.39       | 16,382.97             | 245,161.69     |
| Certificates of Deposits    | 1,250,000.00 | 25,000.00 | 10,000.00        | -0-             | -0-             | 63,000.00       | -0-             | -0-                   | 1,348,000.00   |
| Money Market                | 240,374.73   | 18,249.40 | 15,400.07        | 328.29          | 173.88          | 23,199.07       | 12.54           | 31,891.24             | 329,629.22     |
| Total Fund Balance          | 1,597,341.16 | 60,461.40 | 51,843.13        | 11,430.59       | 387.22          | 110,182.27      | 42,870.93       | 48,274.21             | 1,922,790.91   |

All Other Funds include:

|                                    |          |
|------------------------------------|----------|
| U S Revenue Sharing Fund           | CLOSED.  |
| Unemployment Self Insurance        | 8,498.00 |
| Hot Check Fee Fund                 | 472.29   |
| Hays County Cummings Hospital Fund | 1.00     |
| Law Library                        | 7,411.68 |
| Permanent Improvement Fund         | CLOSED.  |

Filed: Dorothy P. Sims, 19 89  
 COMMISSIONERS' COURT  
 HAYS COUNTY, TEXAS  
 Dorothy P. Sims, County Treasurer

OCTOBER 23, 1989

COUNTY OF HAYS  
 SUMMARY OF PUBLIC WORKS PROJECTS AND SPRINGLAKE  
 FOR THE PERIOD ENDING SEPTEMBER, 1989

|   | Hays County<br>Public Works | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>Road District |
|---|-----------------------------|-----------------------|---------------------|---------------------------------|
| Beginning balance in C.D.'s on 09-01-89       | 450,000.00                  | 81,700.00             | 15,000.00           | -.0-                            |
| New C.D.'s                                    |                             |                       |                     |                                 |
| Matured C.D.'s transferred to CHECKING        | 50,000.00                   |                       |                     |                                 |
| Ending balance on 09-30-89                    | 400,000.00                  | 81,700.00             | 15,000.00           | -.0-                            |
| Beginning balance in Money Market on 09-01-89 | 110,533.97                  | 74.19                 | 38,899.99           | -.0-                            |
| Interest (Includes C.D. Interest)             | 220.83                      | .32                   | 169.99              |                                 |
| Deposits                                      | -.0-                        | -.0-                  | -.0-                |                                 |
| Transfers to checking for disbursement        | 90,000.00                   | -.0-                  | -.0-                |                                 |
| Matured C.D.'s transferred to Money Market    |                             |                       |                     |                                 |
| Ending balance on 09-30-89                    | 20,754.80                   | 74.51                 | 39,069.98           | -.0-                            |
| Beginning balance in checking on 09-01-89     | 19,358.67                   | 12,027.09             | 4,893.62            | 25,540.00                       |
| Deposits                                      | 144,425.82                  | 4,821.57              | 200.89              | -.0-                            |
| Disbursements                                 | 133,741.68                  | -.0-                  | -.0-                | 24,900.00                       |
| Ending balance on 09-30-89                    | 30,042.81                   | 16,848.66             | 5,094.51            | 640.00                          |
| TOTAL BALANCE FOR EACH FUND                   | 450,797.61                  | 98,623.17             | 59,164.49           | 640.00                          |

**COUNTY OF HAYS**  
**SUMMARY OF COUNTY JAIL AND HAYS COUNTY FUNDS**  
**FOR THE PERIOD ENDING SEPTEMBER, 1989**

|   |  |  |   |  |   |
|---|--|--|---|--|---|
| <p>Beginning balance in C.D.'s on <u>9-1-89</u></p> <p>New C.D.'s</p> <p>Matured C.D.'s transferred to Money Market</p> <p style="padding-left: 40px;">Ending balance on <u>9-30-89</u></p> <p>Beginning balance in Money Mkt on <u>9-1-89</u></p> <p>Interest (Includes C.D. interest)</p> <p>Deposits</p> <p>Transfers to checking for disbursement</p> <p>Matured C.D. transferred to Money Market</p> <p style="padding-left: 40px;">Ending balance on <u>9-30-89</u></p> <p>Beginning balance in checking on <u>9-1-89</u></p> <p>Deposits</p> <p>Disbursements</p> <p style="padding-left: 40px;">Ending balance on <u>9-30-89</u></p> <p>TOTAL BALANCE FOR EACH FUND</p> | <p>1,640,000.00</p> <p>-0-</p> <p>-0-</p> <p>1,640,000.00</p> <p>71,619.23</p> <p>305.43</p> <p>-0-</p> <p>50,000.00</p> <p>-0-</p> <p>21,924.66</p> <p>8,350.37</p> <p>52,574.76</p> <p>7,261.59</p> <p>53,663.54</p> <p>1,715,588.20</p> | <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>120,202.82</p> <p>525.27</p> <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>120,728.09</p> <p>1,371.69</p> <p>-0-</p> <p>-0-</p> <p>1,371.69</p> <p>122,099.78</p> | <p>46,500.00</p> <p>-0-</p> <p>-0-</p> <p>46,500.00</p> <p>255.64</p> <p>1.11</p> <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>256.75</p> <p>20,792.23</p> <p>11,578.60</p> <p>-0-</p> <p>32,370.83</p> <p>79,127.58</p> | <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>23,573.54</p> <p>103.01</p> <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>23,676.55</p> <p>5,062.04</p> <p>2,629.77</p> <p>-0-</p> <p>7,691.81</p> <p>31,368.36</p> | <p>34,544.82</p> <p>150.95</p> <p>-0-</p> <p>-0-</p> <p>-0-</p> <p>34,695.77</p> <p>30,214.72</p> <p>3,297.61</p> <p>2,458.28</p> <p>31,054.05</p> <p>65,749.82</p> |
|---|--|--|---|--|---|



-OCTOBER 23, 1989-

## AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

On this the 23rd day of October, 1989, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of September, 1989 and have determined that the report is correct (see Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains  
 COUNTY JUDGE

s/ Rafael Gonzales  
 COMMISSIONER, PRECINCT 1

s/ W. R. Ford  
 COMMISSIONER, PRECINCT 2

s/ Craig Payne  
 COMMISSIONER, PRECINCT 3

s/ Oran Hill Rippy  
 COMMISSIONER, PRECINCT 4

ATTEST:

s/ Ronnie Dannelley  
 HAYS COUNTY CLERK

(summary appears on previous pages)

9937 AUTHORIZE COUNTY AUDITOR TO BID FOR VEHICLE FOR V.A. PURPOSES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize the County Auditor to advertise for bids for a vehicle for V.A. purposes. Commissioner Payne stated that the Court needs to provide specs - could get a used van for under \$10,000 - provided Commissioner Gonzales with a list of State vehicles that are available. Commissioner Gonzales and Commissioner Ford voting "Aye" Commissioner Payne voting "No" Commissioner Rippy abstained.

RECONSTRUCTION OF PARKING LOT BEHIND THE COURTHOUSE ANNEX

Bryan Hoot, Maint. Supervisor, spoke of reconstruction project on the parking lot behind the Courthouse Annex - estimate is \$5,800 - request is for \$6,000 - will replace a sewer line as part of the project. Commissioner Gonzales asked if a structural engineer was needed and asked about drainage. It was felt that a structural engineer was not needed since the project will not have any structures - parking area only - Mr. Hoot spoke of drainage - natural slope to the alleyway - project will provide 21 parking spaces. Commissioner Payne stated that he felt like this was not a high priority project. Action was postponed at this time.

9938 AUDITOR/TREASURER COMPUTER SYSTEM - PERFORMANCE BOND TO BE REQUIRED

County Auditor Bill Herzog spoke of need for a performance bond from software vendor awarded the bid for the Auditor/Treasurer computer system - Auditor will not pay vendor any funds until installment is made and system is on line. District Attorney Charles Chapman stated that the decision to require a performance bond falls on the Court. Mr. Herzog stated that the Insurance Company will not issue a performance bond without an audit of the company (The Software Group) - they are presently being audited, however, it could be the

-OCTOBER 23, 1989-

first of the year before it is completed. Mr. Chapman spoke of TSG being aware that a performance bond could be required and if they were not able to provide one they should not have submitted a bid proposal. A performance bond would cover hardware, software and perhaps maintenance. Commissioner Ford spoke of need for two performance bonds - one for initial set up and one for maintenance. Danny Dever, Data Processing Administrator, spoke of problems with obtaining a performance bond (completed audit not available) which prevents awarding of contract with 10 day requirement for filing a performance bond. Commissioner Rippy stated that he would agree to award the contract without a bond if the Auditor was agreeable. Mark Ramma, citizen, spoke of bidder not able to supply a bond - Court needs to be cautious and require a performance bond - spoke of problems in Comal County. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to delay awarding contract for Auditor/Treasurer computer system until a performance bond can be obtained from the vendor. All voting "Aye".

9939 APPROVE AGREEMENT WITH SHELL PIPELINE (RR12 PROJECT)

Patsy Greiner, Administrative Coordinator, spoke of agreement with Shell Pipeline being different from the resolution of the Court authorizing payment to relocate utilities - costs could go over or be less than the estimate. District Attorney Charles Chapman spoke of agreement holding the County responsible for liability in cases of injuries during construction - did not recommend approval of item #7:

Letter from Shell:

This is in response to Hays County's request that Shell Pipe Line Corporation ("Shell") adjust the 24-inch Rancho Pipeline ("pipeline") to accommodate the proposed road improvements to R.M. 12 in Hays County, Texas.

Shell, as part owner and operator of the pipeline, has no objections to adjusting the pipeline at Texas State Department of Highway's Station 145+21.44, provided Hays County ("County") agrees to the following terms and conditions:

1. County agrees to pay to Shell the actual cost of adjusting the pipeline in accordance with the Cost Estimate dated Jul 18, 1989, attached to and made a part of this agreement. Actual cost shall include, but shall not be limited to, contract labor, inspection, company labor, vehicles and other equipment, materials, general office administration and other indirect costs. County will deposit with Shell in advance a check in the amount of \$37,950 to cover the estimated cost of the work.
2. The County agrees to reimburse Shell for all of its expenses, including but not limited to, engineering, right-of-way and administrative costs, heretofore incurred should the adjustment contemplated by this agreement not be implemented due to no fault of Shell.
3. Upon receipt of an executed copy of this letter and a check in the amount of \$37,950, as provided above, Shell will proceed with the adjustment of the pipeline at the subject location.
4. The County's acceptance of this letter agreement will evidence the County's concurrence for Shell to employ a qualified pipeline contractor of its choice on a bid basis for the adjustment of the pipeline at the subject location.
5. Within ninety (90) days after completion of the work, Shell shall furnish County with an itemized statement of actual cost. If the actual cost of the work exceeds the amount deposited, County shall promptly pay Shell the difference. If the actual cost of the work is less than the amount deposited, Shell shall promptly refund the amount of the over payment to the County.
6. Shell does not, by reason of this consent, waive or impair

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any of its rights under the easement dated January 3, 1929 from Warren Harris and Ollie Harris, as grantors, to Shell, as grantee, and recorded in Volume 97, Page 510, in the Deed Records of Hays County, Texas.

7. The County, its employees, contractors, agents, successors and assigns shall fully protect, indemnify and hold harmless Shell, their employees, agents, contractors, successors and assigns from and against any and all claims, demands, suits, actions (including but not limited to, actions based upon any claim or theory of strict liability imposed upon Shell by operation of law or otherwise) or payments for damage to or loss of property (including, but not limited to, the employees of Shell and the County) that may be caused by, arise out of or result from, directly or indirectly, the activities of the County, its agents, contractors, employees or any other persons acting under the County's direction in the vicinity of the pipeline at the above-described location in performance of this agreement.

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve Agreement with Shell Pipe Line Corporation (RR12 Project) with deletion of Item #7. All voting "Aye".

#### CONSTRUCTION OF RESTROOM (3RD FLOOR COURTHOUSE) - DISCUSSION

Bryan Hoot, Maintenance Supervisor, spoke of construction of restroom on third floor of the Courthouse - recommends using backflush toilets rather than building floor up in the restroom - spoke of window to fire escape in the restroom - water supply to the courthouse is only 1/2" and is inadequate for the building - proposes to increase water supply line to 1" - will run water line through chimney chase. Mr. Hoot spoke of funding being in the District Court budget - does the Court want District Court Administrator to supervise or the Maintenance Supervisor - need to make sure its done right - an Architect is needed to draw up plans. Judge Rains advised that the Commissioners' Court will make decisions on the project to be supervised by the Maintenance Supervisor. Court agreed to allow the County Judge to request a proposal for the project from Architect Jeff Kester.

#### 9940 APPROVE PURCHASE OF PROPERTY (RR 12 EXTENSION PROJECT)

Patsy Greiner, Admin. Coord., spoke of Parcel #24 which will take more than 1/2 of a lot leaving a substandard lot - property owner would like for the County to purchase the entire lot or grant a variance on lot size - lot value = \$8,720+. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve purchase of additional portion of Parcel #24 of the Ranch Road 12 Extension Project. All voting "Aye".

#### 9941 HAYS COUNTY HISTORICAL COMMISSION - APPOINTMENT OF NELSON DAVIDSON

Patsy Greiner, Admin. Coord., spoke of Martha J. Allen (Kyle) having passed away and Frances Stovall, Chairman of the Hays County Historical Commission has requested that Nelson Davidson be appointed to vacancy. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve appointment of Nelson Davidson to the Hays County Historical Commission. All voting "Aye".

#### 9942 COST-OF-LIVING AND MERIT INCREASES (35 VS 40 HOUR WORK WEEK)

Commissioner Payne stated that to the best of his recollection the Court had decided in budget workshop to approve allocation of COL and Merit on a percentage basis: 35 hrs @ 85% 40 hrs @ 100% (\$50 cost of living \$50 merit to be disbursed by Dept. Head). Commissioner Ford stated that his understanding was that every employee with at least 1 yr. of service Oct. 1st would receive

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\$50 cost-of-living and that merit increase would be 100% of \$50 for 40 hr. employees and 85% of \$50 for 35 hr employees. Judge Rains stated that he remembers discussion was that there would be a difference in 40 hour work week employees and those working 35 hours - to be fair we need to make sure that 40 hour employees receive a greater increase. Commissioner Gonzales suggested that all Departments go to a 40 hour work week and take only the holidays approved by the Court. Commissioner Rippy felt like the Court had approved \$50 COL and \$50 Merit at Dept. Heads discretion. Ruth Clayton, Tax Assessor-Collector, spoke - felt like 35 vs. 40 hours had already been settled and allowances had been made - why continue with adjustments - we are open during the lunch hour and we get no complaints from the taxpayers. Commissioner Payne stated that a person working 40 hours will receive less of an increase than those working less hours based on the hours worked.

A motion was made by Judge Rains, seconded by Commissioner Payne to approve the \$50 cost-of-living increase to those who qualify and the \$50 merit to be disbursed by the Department Heads and to further review salaries of 40 hour work week employees to make sure that they are being paid accordingly. Dottie Sims, County Treasurer, spoke of delay in making a decision causing a hardship on her office - payroll changes have been turned in - request a decision this date. Judge Rains, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Gonzales voting "Nay".

#### DISCUSSION - COURT APPROVAL OF EQUIPMENT PURCHASES

Judge Rains spoke - all equipment other than those specifically allocated by the Court will need to go before the Court for approval. Commissioner Ford felt like if the money was in the Department budget they would not come before the Court - suggested only equipment purchases over \$1000 be approved before the Court.

#### 9943 APPROVAL SALARY INCREASES FOR DISTRICT CLERK'S EMPLOYEES

District Clerk W. H. Moore appeared before the Court - spoke of employees lost because of low salary - his new employees start at \$850 per month - spoke of new employees in other Departments that have started at \$1,000 for 35 hour work week - had received no complaints from the public for hours that his office is open - office is open 40 hours per week (open during lunch hour) - will go to a 40 hour work week if percentage increase is given to all his employees - presented list of new County employees in other Departments and their starting salaries. Commissioner Ford spoke of those new employees in his precinct are started low for the job they perform - job description is an issue. Mr. Moore spoke of the responsibilities of his employees and skills that are not being rewarded - he thought that all new employees were to start at \$850 per month (35 hour) - request that 5 of his employees who make under \$1000 per month be raised to \$1000 per month or entire office be paid for a 40 hour work week at the same percentage increase that other county employees have received. Estimate of cost to increase employees to 40 hour work week = \$16,000+. Mr. Moore spoke of clerical staff at the jail that make at least \$1400 per month - spoke of extra hours that are spent by his employees on the job (caused by jury trials, etc.). Ruth Clayton, Tax A/C, spoke - felt like starting salary was already set at \$1000 per month for new employees. Commissioner Ford spoke of need to work on classification of jobs throughout the County. Commissioner Payne spoke in support of 40 hour work week and increase salaries accordingly. Judge Rains felt like other Departments will be requesting increases to go from 35 hrs to 40 hrs (14.28% increase). Commissioner Payne felt like it would be better dollarwise to increase just these five employees in the District Clerk's office at this time. Commissioner Ford stated that the Court needs to raise the minimum pay for 35 & 40 hour employees.

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to increase salaries of five employees in the District Clerk's office to \$1,000 per month. All voting "Aye".

W. H. Moore, District Clerk, asked if these people would still receive their merit increases when due - Court agreed that they would.

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## USE OF CONCRETE SLAB AT COUNTY PARK AREA AT JAIL BY LOCAL SCOUT TROOP

Commissioner Wayne Ford spoke of park area at the jail site with a 20X30' concrete slab - he has been contacted by Dr. Longley who would like permission to put up a permanent storage building for scout purposes. Commissioner Ralph Gonzales stated that he felt like the Sheriff should have input into this decision. Commissioner Ford spoke of possibly putting the building on Civic Center property - park area at the jail site is preferred because they could hold their scouting events at the park. Judge Rains supported the park area designation with 30 day termination clause on agreement. County Clerk Ronnie Dannelley spoke of need to research to make sure that the County does in fact own this park property - a 1972 map of the property is unclear as to ownership. No action was taken at this time.

## 9944 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve payment of County invoices in the amount of \$163,202.77 as presented by the County Auditor. All voting "Aye".

|                  |             |                 |             |
|------------------|-------------|-----------------|-------------|
| S.Hays VFD util. | \$ 3.44     | Central Strm    | \$ 701.00   |
| Auditor          | \$ 333.24   | Treasurer       | \$ 70.13    |
| Judicial         | \$ 250.00   | Juv. Prob.      | \$ 1,166.53 |
| Community Serv.  | \$42,890.25 | Indigency       | \$10,784.86 |
| Transfer Station | \$ 4,674.00 | Bldg. Maint.    | \$ 1,956.15 |
| Health Dept.     | \$ 3.00     | Civic Center    | \$ 2,338.97 |
| Countywide Misc. | \$28,131.47 | Tax A/C         | \$ 47.59    |
| Dist. Clerk      | \$ 309.77   | County Clerk    | \$ 193.94   |
| Sheriff          | \$ 881.37   | Jail            | \$ 7,059.84 |
| County Judge     | \$ 24.00    | Co.Crt @ Law #1 | \$ 63.80    |
| Dist. Atty.      | \$ 42.00    | J.P. 1-2        | \$ 304.57   |
| J.P. 5           | \$ 113.00   | DPS             | \$ 124.16   |
| Constable 2      | \$ 500.00   | Constable 5     | \$ 99.76    |
| Social Services  | \$28,462.50 | TDH TB Grant    | \$ 94.00    |
| Dist. Court      | \$ 4,671.85 | County Court    | \$ 496.00   |
| Dist. Crt. Rep   | \$ 25.35    | R&B General     | \$ 1,120.46 |
| Precinct 1       | \$ 6,070.62 | Precinct 2      | \$ 1,144.77 |
| Precinct 3       | \$ 4,986.71 | Precinct 4      | \$ 816.15   |
| Hot Check Fee    | \$ 111.75   | Springlake I&S  | \$ 352.66   |
| Public Works     | \$10,263.11 | CJD Grant       | \$ 1,520.00 |

## 9945 OAKRIDGE ESTATES SUBDIVISION - STREET NAME DESIGNATION

Commissioner Gonzales spoke of street name in Oakridge Estates Subdivision - the Postmaster has stated that if the street name is left as "Oakridge Estates Drive" there will be no problem with delivery - they will need to designate street numbers - every 1/10 mile will have a block number. ?, resident of Oakridge Estates, spoke - some people are currently using their lot numbers and the street name and others are using route & box numbers previously assigned by the Post Office - felt like all residents would be agreeable to using street addresses. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippey to leave street name in Oakridge Estates subdivision as "Oakridge Estates Drive". All voting "Aye".

## 9946 ST. MARTIN'S SUBDIVISION LOTS 1 &amp; 2 (89-027 PCT. 4)

Mark Roden presented "St. Martin's Subdivision Lots 1 & 2" on first, second and third readings - has been approved by the City of Dripping Springs. A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "St. Martin's subdivision Lots 1 & 2" on first, second and third readings. All voting "Aye".

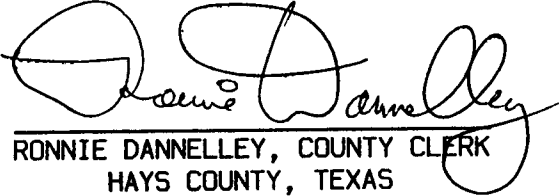
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9947 FACTORY SHOPS SUBDIVISION (89-028 PCT. 1)

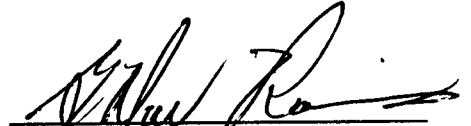
Scott Smiley, representing Turner Collie & Braden, appeared before the Court - requested approval of subdivision on first and second readings - located in ETJ of City of San Marcos - water will be supplied by Elam Water Supply and sewer will be supplied by City of San Marcos. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve "Factory Shops" subdivision on first and second readings. All voting "Aye".

9948 MERMAID POOL ESTATES LOTS 1 & 2 (89-029 PCT. 3)

Property owner appeared for first, second and third readings. Commissioner Payne stated that corrections need to be made on the plat: correct spelling on County Clerk's name, add street name - bench marks corrected. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Mermaid Pool Estates Lots 1 & 2" subdivision on first, second and third readings contingent on corrections to final plat. All voting "Aye".



RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 30TH DAY OF OCTOBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9949 LOW WATER CROSSING ON COUNTY ROAD 244 - ENTER INTO MINUTES THE NAMES OF BIDDERS AND AWARD THE CONTRACT

County Auditor Bill Herzog gave bidders names and bids that were submitted for the low water crossing on County Road 244 Pct. # project:

|                        |                                            |
|------------------------|--------------------------------------------|
| John Stefanowiz        | \$1.55 per sq. ft. + \$ 700 f/cattle guard |
| Myers Concrete Constr. | \$1.98 per sq. ft. + \$1480 f/cattle guard |
| Dayco Construction Co. | \$ 22,750 + \$5000 f/cattle guard          |

Commissioner Payne spoke - John Stefanowiz did not meet specs and has submitted a letter to withdraw his bid - Myers Concrete Constr. was the low bidder. A motion was made by Commissioner Payne, seconded by Commissioner Ford to award bid for low water crossing project on County Road 244 to Myers Concrete Constr. All present voting "Aye".

DISCUSS ADVANCES TO EMPLOYEES FOR TRAVEL EXPENSES

County Auditor Bill Herzog spoke of getting requests from District Attorney's office and the Sheriff's office for advances for travel expenses - it is difficult for some employees to pay for these expenses out of their own pockets

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and wait for reimbursement. Judge Rains spoke of need for credit cards. Mr. Herzog stated that he had no problems with making advances if the Court approves - an estimate of expenses could be submitted in order to receive a check in advance and tickets would be supplied later. County Auditor will develop a procedure to be followed.

**9950 AUTHORIZE COMMISSIONER PAYNE TO SECURE A SECOND HAND VAN FOR VETERAN SERVICE OFFICER**

This item was on the agenda to approve specifications for V.A.'s van - County Auditor Bill Herzog presented vehicle specifications for VA Officer f/new or used (low mileage) vehicle - van with 350 or comparable gasoline engine. Commissioner Payne stated that we do not need to go out for bids - he could find a vehicle for under \$10,000 - we need to be conservative. A motion was made by Commissioner Payne, seconded by Judge Rains to allow Commissioner Payne to secure a second hand van for the Veteran's Service Office and bring before the Court for approval. All present voting "Aye".

**9951 AMEND BUDGET OF JUVENILE PROBATION DEPARTMENT**

Chief Juvenile Probation Officer Ed Cooper has requested in writing that his budget be amended by transferring line items: transfer \$697 from #5391 Other Operating Expense into #5495 Transportation to cover trip to Vernon's Drug Rehab Center. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize budget amendment for Juvenile Probation Department by transferring \$697 from Operation Expense to Transportation. All present voting "Aye".

**TRANSFER SALARY AND FRINGES FROM DISTRICT ATTORNEY TO PCT. 1**

County Auditor Bill Herzog spoke of District Attorney wanting to move salary and fringes for Phillip Hernandez from the D.A.'s budget to Pct. 1's budget. Commissioner Payne stated that he thought this situation was suppose to end at the end of FY89. Court postponed this item until Commissioner Gonzales and/or District Attorney Charles Chapman were present for discussion.

**9952 ACCEPT "SIX PINES ROAD" FOR COUNTY MAINTENANCE (PCT. 4)**

Commissioner Rippy spoke of unplatted subdivision "Six Pines" - need to accept roads for county maintenance. David Glover spoke - acceptance is needed so that a prospective buyer of a home in this subdivision can obtain a loan - a deed will be given to the 450' portion of the road owned by Bob Boyd and Bob Thomas. Commissioner Ford spoke - Court should not allow private roads in subdivisions - they all become public roads eventually. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept 450' of "Six Pines Road" for county maintenance contingent on receiving a deed from Bob Boyd and Bob Thomas. All present voting "Aye".

**9953 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of County invoices as presented by the County Auditor in the amount of \$55,321.13. All present voting "Aye".

|                 |             |                  |             |
|-----------------|-------------|------------------|-------------|
| Central Storerm | \$ 200.00   | Auditor          | \$ 429.60   |
| Treasurer       | \$ 175.99   | Extension Ofc.   | \$ 38.10    |
| Judicial        | \$ 2,055.50 | Juvenile Prob.   | \$ 159.69   |
| Election Admin. | \$ 925.76   | Indigency        | \$ 1,374.41 |
| Bldg. Maint.    | \$ 466.85   | Countywide Misc. | \$ 1,521.29 |
| Tax A/C         | \$ 18.00    | District Clerk   | \$ 96.00    |
| County Clerk    | \$ 2,600.00 | Sheriff          | \$ 603.22   |
| Jail            | \$ 7,318.02 | County Judge     | \$ 325.00   |
| District Atty.  | \$ 632.00   | J.P. 1-1         | \$ 80.05    |

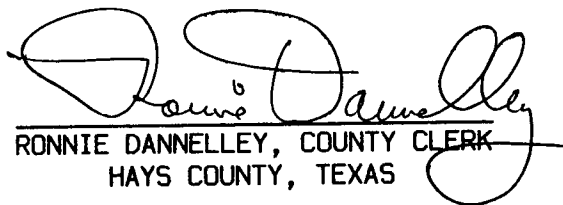
-OCTOBER 30, 1989-

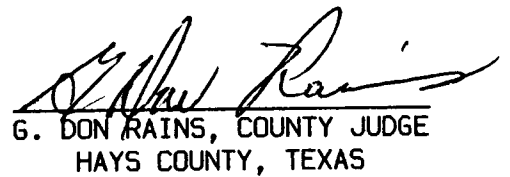
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| J.P. 1-2       | \$ 40.77    | J.P. 2            | \$ 399.78   |
| J.P. 3         | \$ 403.34   | J.P. 4            | \$ 263.95   |
| J.P. 5         | \$ 108.76   | DPS               | \$ 580.75   |
| Constable 1    | \$ 42.42    | Constable 5       | \$ 1,086.94 |
| DP Admin.      | \$ 3,700.95 | TDH TB Grant      | \$ 116.00   |
| District Court | \$ 111.36   | County Court      | \$ 1,231.73 |
| Precinct 1     | \$ 8,034.50 | Precinct 2        | \$ 3,584.83 |
| Precinct 3     | \$ 3,294.19 | Precinct 4        | \$ 307.85   |
| Self Insurance | \$ 456.01   | Hot Check Fee     | \$ 831.36   |
| Law Library    | \$ 308.75   | Jail Construction | \$ 164.00   |
| Public Works   | \$11,167.78 | Transfer Station  | \$ 65.63    |

DISCUSSION - ITEMS NOT ON THE AGENDA

Judge Rains spoke of Indigent Health Care Program now covering children - trying to get an office at the hospital for Eva Cruz to administer the program - would allow more privacy for clients and Eva would also assist in helping to screen medicare, medicaid, etc. recipients.

Judge Rains spoke of new Juvenile Probation Officer that was added - creates extremely crowded office condition with four people in one room - need privacy for the juvenile and his parents who must meet with the JPO's - need to rent office space until space can be supplied in the Courthouse Annex - need to have a workshop to discuss Juvenile Probation Detention Facility.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 6TH DAY OF NOVEMBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9954 CLIFF CASKEY & SUSAN SCHRAMM - REQUEST FOR COUNTY EXTENSION AGENTS TO RECEIVE SAME SALARY INCREASES AS ALL OTHER COUNTY EMPLOYEES

Hays County Extension Agents Cliff Caskey and Susan Schramm appeared before the Court. Mr. Caskey spoke of letter mailed to Judge Rains from the Texas Agricultural Extension Service/Texas A&M University System requesting that Cliff and Susan be considered for any across the board increases given to other county employees. Discussion was had as to whether the State set their salaries and how much of any increase did they receive from the State - Mrs. Schramm stated that only a merit increase was given and she was not sure what percentage it was. Mr. Caskey stated that % of funding by the State and County no longer applies - other counties pay different amounts - the State does not set the amounts that Counties pay toward salaries for County Extension Agents. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales for the County Auditor to find out the amount of increase given by the State to the County Extension Agents and to bring their salary increases up to what other county employees received. All voting "Aye".

9955 ADULT PROBATION DEPARTMENT FUNDING

Leo Rizzuto spoke of funding budgeted for the Adult Probation Department - Hays County must pay 40% of the total budget of the Adult Probation Department - \$20,000 funding by Hays County was cut to \$19,000 (5% cut) - need the \$1,000 put back in - if additional funding is not supplied then the funding by other counties would have to be cut also (Hays County = 40% Comal County = 36% Caldwell County= 24%). A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize additional funding of \$1,000 to the Adult Probation Department - funding to come out of the contingencies. All voting "Aye".

9956 RESOLUTION DECLARING NOVEMBER AS "RAIN FOREST AWARENESS MONTH"

Joe Ptak appeared before the Court - read to the Court a rainforest resolution introduced by: Lisa Coombes, Robert Zapata, Carrie Cauble-Hawes and the Earth First! SWT Federation - requested that the Court adopt this resolution. Commissioner Ford commended the group on their efforts and for bringing this matter to the attention of the Court. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution declaring November as "Rain Forest Awareness Month" in Hays County. All voting "Aye".

RESOLUTION NO. 9956

STATE OF TEXAS \* BEFORE THE COMMISSIONERS' COURT  
 \*  
 COUNTY OF HAYS \* OF H A Y S COUNTY, TEXAS

WHEREAS, the Rainforest Action Network, an international grassroots organization, recently celebrated the 3rd Annual World Rainforest

\*November 6, 1989\*

Awareness Week; and

WHEREAS, the Rainforest Action Network represents a broad spectrum of people and organizations including human rights, consumer action, environmental, religious and labor groups; and

WHEREAS, the tropical rainforests provide the sole source of refuge for numerous endangered species and indigenous people; and

WHEREAS, the tropical rainforests are important to maintaining climatic balance for the entire world;

WHEREAS, approximately 30 million different species of plants and animals and over 1000 indigenous tribes populate the rainforests; and

WHEREAS, the National Academy of Sciences estimates that every minute of every day an additional 50 to 100 acres of rainforest are destroyed or degraded resulting in the loss of rainforest each year the size of the state of Pennsylvania, and

WHEREAS, once the rainforests are destroyed, reforestation can not restore extinct species and the loss of natural diversity; and

WHEREAS, if the clearing of the rainforest is not stopped, all of the worlds rainforests will be destroyed in our lifetime,

NOW, THEREFORE, BE IT RESOLVED that the Hays County Commissioners do hereby declare the month of November as "RAINFOREST AWARENESS MUNTH".

BE IT FURTHER RESOLVED that the Hays County Commissioners encourage all residents of the county to take an interest in the plight of our world's rainforests, and to take action to preserve this important world resource.

RESOLUTION PASSED AND ADOPTED ON THIS THE 6th DAY OF November , 1989.

HAYS COUNTY COMMISSIONERS' COURT

s/ G. Don Rains  
COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley  
HAYS COUNTY CLERK

9957 AMEND BUDGET - TRANSFER SALARY & FRINGE BENEFITS FROM DISTRICT ATTORNEY'S BUDGET TO PRECINCT #1 BUDGET

County Auditor Bill Herzog spoke of \$21,730 for salary & fringe benefits for Phillip Hernandez that is in the D.A.'s budget - needs to be transferred to Precinct #1. Judge Rains felt like this position had been done away with at the beginning of Fiscal Year 1990. D.A. Charles Chapman stated that his budget request did not reflect this position, however, it was budgeted to him. Commissioner Gonzales spoke - the case against Mr. Hernandez has not been resolved and he felt like his employment with the County should be continued - felt like Mr. Hernandez is being discriminated against because he is a Mexican American - felt like Mr. Hernandez had rendered a lot of service to the County. Commissioner Payne spoke of amending the District Attorney's budget last year - does not feel like Court should move funds out of his budget - asked Judge Warner why this case has not been resolved. County Court at Law #1 Judge Howard Warner stated that this case has had a number of resets and should have a hearing before the Court in December. Bill Herzog felt like money should be moved to the Department where Mr. Hernandez is working - which is Precinct #1. Commissioner Gonzales stated that he was using Mr. Hernandez as his Administrative Assistant and would like to continue with this position. Judge

\*November 6, 1989\*

Rains recommended that funds be transferred until the Case against Phillip Hernandez is adjudicated. A motion was made by Judge Rains, seconded by Commissioner Rippy to transfer funds from District Attorney's budget to Precinct #1 budget until case against Phillip Hernandez is adjudicated. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

9958 ADOPT RESOLUTION REPEALING DISASTER DECLARATION - THREAT OF WILD FIRES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution to repeal Disaster Declaration - Threat of Wild Fires that was previously adopted on September 25, 1989. All voting "Aye".

STATE OF TEXAS \* BEFORE THE COMMISSIONERS' COURT  
COUNTY OF HAYS \* OF H A Y S COUNTY, TEXAS

REPEAL OF DISASTER DECLARATION

THREAT OF WILD FIRES

WHEREAS, on September 25, 1989 a declaration of disaster based on the threat of large wild fires in Hays County and an emergency order prohibiting outdoor burning was initiated; and

WHEREAS, Hays County has now had an appreciable rainfall and conditions are improving with the onset of cooler weather;

NOW, THEREFORE, BE IT RESOLVED that the Commissioners' Court of Hays County, Texas, do hereby REPEAL the Disaster Declaration - Threat of Wild Fires.

RESOLUTION PASSED AND ADOPTED ON THIS THE 6TH DAY OF NOVEMBER, 1989.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
COUNTY JUDGE

s/ Rafael Gonzales  
COMMISSIONER, PRECINCT #1

s/ Wayne Ford  
COMMISSIONER, PRECINCT #2

s/ Craig Payne  
COMMISSIONER, PRECINCT #3

s/ Oran Hill Rippy  
COMMISSIONER, PRECINCT #4

ATTEST;

s/ Ronnie Dannelley  
HAYS COUNTY CLERK

COUNTY COURT AT LAW 1 & 2 REQUEST AUTHORITY TO HIRE LEGAL COUNSEL TO PROCEED WITH JUDGMENT NISI ON BOND FORFEITURE CASES

County Court at Law Judge Howard Warner spoke - approximately 120 Judgment Nisi cases have been filed against Bondsmen - this action is a Civil action and the District Attorney's office does not have the time to deal with these cases - Judge Warner, Judge Lilly and D.A. Charles Chapman met and decided that it would be better to hire outside counsel - if all monies were collected it would exceed \$100,000 in revenues for the County. Mr. Chapman spoke of Court needing to hire the legal counsel and not delegating this authority to the Judges - spoke of having previously requested an Assistant District Attorney position to handle bond forfeiture cases @ \$22,000 per year. Judge Rains suggested that the Judges

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and the District Attorney work on contract specifications and recommend three Attorneys to be considered by the Court. Judge Warner spoke of proposed fee of \$50 per hour for attorney fees and cases to be handled in bulk to help keep costs down. Judge Rains stated that this is a request for proposals and does not require a resolution by the Court. Commissioner Gonzales asked Judge Warner about the fact that Bondsmen have not been notified of hearing dates as they were in the past. Judge Warner stated that neither the Court nor the District Attorney is required to notify bondsmen - it is the responsibility of the Defendant to contact the Court for hearing date and there is usually a contract between the Defendant and Bondsman that require the Defendant to keep in contact with the Bondsman - it is not the responsibility of the Court to make notifications.

9959 OPEN BIDS ON SHERIFF'S AUTOMOBILES

Bids were submitted by:

|                   |               |                           |
|-------------------|---------------|---------------------------|
| McMorris Ford     | \$13,810 each | \$96,970 7 cars           |
| Chuck Nash Chev.  | \$14,000 each | \$98,000 7 cars           |
| Leif Johnson Ford | \$13,655 each | \$95,585 7 cars           |
| Red Simon Ford    | \$13,850 each | \$96,950 7 cars           |
| "                 | \$11,950 each | \$83,630 w/State contract |

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to acknowledge receipt of bids on Sheriff's automobiles. All voting "Aye".

RECONSTRUCTION OF COURTHOUSE ANNEX PARKING LOT

District Attorney Charles Chapman spoke of public works projects and Statute exemptions - he felt like an Engineer would be needed to supervise the reconstruction of the parking lot at the Courthouse Annex. It was stated that perhaps Pct. #3's Engineer could supervise the project. Bryan Hoot, Maintenance Supervisor stated that the cost estimate for the project is approximately \$6,000. No action taken - postponed until the next meeting.

9960 CERTIFY THE 1989 AD VALOREM TAX ROLLS

County Tax Assessor-Collector Ruth Clayton appeared before the Court with the 1989 Ad Valorem Tax Roll.

| <u>Jurisdiction</u> | <u>Taxable Value</u> | <u>Tax Rate</u> | <u>Total Levy</u>    |
|---------------------|----------------------|-----------------|----------------------|
| COUNTY              | 1,967,432,730        | .2659           | 5,231,402.92         |
| SPECIAL ROAD        | 1,946,548,524        | .0619           | 1,204,918.82         |
| SPRINGLAKE          | 8,626,240            | .6231           | 53,750.17            |
| PIONEER TRAILS RD   | 925,910              | .5275           | 4,884.19             |
| WIMBERLEY ISD       | 320,303,651          | 1.20            | *** 3,657,432.24 *** |
| MOUNTAIN CITY #16   | 15,820,015           | .05928          | 9,378.22             |
| CITY OF HAYS #18    | 5,318,360            | .05             | 2,659.43             |
| EMS #1              | 678,668,019          | .02             | 135,733.89           |
| EMS #2              | 307,983,330          | .02             | 61,596.92            |
| EU                  | 937,239,096          | .0097           | 90,912.65            |
| SM                  | 809,778,178          | .025            | 202,458.11           |
| PC                  | 142,196,768          | .0233           | 33,131.24            |
| YC                  | 51,380,414           | .006            | 3,082.84             |
| F1-WIMBERLEY        | 333,965,266          | .03             | 100,204.83           |
| F2-SO.HAYS          | 214,419,158          | .03             | 64,327.70            |
| F3-NE               | 308,173,350          | .0247           | 76,118.77            |
| F4-NW               | 341,517,789          | .03             | 102,459.63           |
| F5-HAYS CO          | 142,196,424          | .03             | 42,660.63            |

TOTAL TAX ROLL LEVY= 11,077,113.20

\*\*\*\$182,211.57 Loss to frozen taxes

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to certify the 1989 Ad Valorem Tax Rolls. All voting "Aye".

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STATE OF TEXAS  
 COUNTY OF HAYS

The Hays County Commissioners Court hereby certifies the 1989 Ad Valorem Tax Rolls containing:

|                            |                    |                      |
|----------------------------|--------------------|----------------------|
| County Rate <u>.2659</u>   | County Value       | <u>1,967,432,730</u> |
|                            | County Levy        | <u>5,321,402.92</u>  |
| Spl. Rd. Rate <u>.0619</u> | Special Road Value | <u>1,946,548,425</u> |
|                            | Special Road Levy  | <u>1,204,918.82</u>  |

Approved in open Court this the 6th day of November 1989.

s/ G. Don Rains County Judge  
s/ Rafael Gonzales Commissioner Pct. 1  
s/ Wayne Ford Commissioner Pct. 2  
s/ Craig Payne Commissioner Pct. 3  
s/ Oran Hill Rippy Commissioner Pct. 4  
s/ Ruth Clayton Tax Assessor-Collector

**DISCUSS RECOMMENDATION FOR APPRAISAL REVIEW BOARD**

TAC Ruth Clayton spoke - 2 members on the Appraisal Review Board have served their maximum time (Ruben Meeks and Laverne Odell) - recommendations must be made by November 9th. Commissioner Payne spoke of Carolyn Nichols (Wimberley Land Co) would be willing to serve. Commissioner Rippy stated that Attorney Vince Taylor has voiced an interest in the position. No nominations were made.

**9961 SHERIFF'S DEPARTMENT - AUTHORIZE LINE ITEM TRANSFER/BUDGET AMENDMENT TO PURCHASE AUTOMOTIVE ANALYZER FOR MECHANIC (\$1,000)**

Chief Deputy Sheriff Sherman Brodbeck appeared and requested authorization to purchase an automotive analyzer for the Sheriff's Department Mechanic - request line item transfer of \$1,000 from Vehicle Maintenance & Service to Misc. Equipment line item. Mechanic Steve Cost estimated cost of analyzer to be \$965-985 - cartridge can be purchased for 1990 cars and it will be requested in the next FY budget. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to amend budget for Sheriff's Department and allow transfer of \$1,000 from Vehicle Mtc. & Serv line item #5413 to Misc. Equipment line item #5719 to purchase automotive analyzer. All voting "Aye".

**9962 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$64,366.21. All voting "Aye".

|                 |             |                  |             |
|-----------------|-------------|------------------|-------------|
| Auditor         | \$ 242.34   | Treasurer        | \$ 19.78    |
| Judicial        | \$ 1,641.70 | Election Admin.  | \$ 1,008.00 |
| Indigency       | \$ 5,235.81 | Transfer Station | \$ 26.26    |
| Bldg. Maint.    | \$ 6,480.56 | Health Dept.     | \$ 54.03    |
| Civic Center    | \$ 2,710.01 | Countwide Misc.  | \$ 990.00   |
| District Clerk  | \$ 56.70    | Sheriff's Dept.  | \$ 1,690.99 |
| Jail            | \$ 5,732.94 | County Judge     | \$ 34.00    |
| Admin. Coord.   | \$ 13.95    | Co.Crt.@ Law #1  | \$ 32.00    |
| J.P. 1-2        | \$ 91.52    | J.P. 2           | \$ 414.08   |
| J.P. 3          | \$ 300.00   | J.P. 4           | \$ 375.56   |
| J.P. 5          | \$ 100.00   | DPS              | \$ 28.76    |
| Constable 1     | \$ 8.40     | Constable 2      | \$ 470.12   |
| Data Proc Admin | \$ 1,465.30 | Co.Crt. @ Law #2 | \$ 57.00    |

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|                   |             |               |              |
|-------------------|-------------|---------------|--------------|
| TDH TB Grant      | \$ 16.00    | TDH M&C Grant | \$ 700.00    |
| County Court      | \$ 3,428.40 | R&B General   | \$ 327.48    |
| Precinct 1        | \$ 3,878.63 | Precinct 2    | \$ 7,155.58  |
| Precinct 3        | \$ 4,268.44 | Precinct 4    | \$ 1,542.55  |
| Hot Check Fee     | \$ 41.65    | Other Revenue | \$ 881.29    |
| Jail Construction | \$ 343.50   | Public Works  | \$ 12,502.88 |

JUVENILE DETENTION FACILITY - WORKSHOP

Judge Rains spoke of the issues: (1) Juvenile Probation Department - 4 people in 1 office with no privacy for interviewing juveniles and their parents - need to find available space in the county or rent office space, (2) House Bill 2335 - an omnibus bill that provides many changes in the law - need to consider renovating the old jail into a juvenile detention center or building a new facility, (3) \$50 million in grant money is available for criminal justice - Adult Probation Department is making grant application and could possibly use the old jail facility for their program. Leo Rizzuto, Adult Probation Department, spoke - the County could also apply for the grant money - Adult Probation Dept. is applying for the grant for an Intermediate Sanction Facility that will be run by their Department - facility would be use for drug & alcohol rehabilitation for revocation cases - Adult Probation Dept. could rent the old jail facility from the County.

Judge Howard Warner spoke of annual Juvenile Judges conference that he just attended that was held at the new Travis County Juvenile Facility - spoke of the Architectural Firm that built the new facility and he felt like they were well versed in building of such a facility and are available to the Court if they would like to meet with them - spoke of need for a Juvenile Justice Center as soon as possible - a 12 bed facility would be adequate for now if the facility could be expanded in the future. Ed Cooper, Chief Juvenile Probation Officer, spoke of personnel - must have a 1 to 8 ratio - could contract space out to other Counties. Commissioner Ford suggested a 16 bed facility. Commissioner Payne stated that he felt like a Juvenile Detention Facility will cost the County too much money - would like to continue with the way juveniles are being handled now - would require large administration funding and is opposed to building a facility to house other Counties kids. Commissioner Ford supports a Hays County facility - does not like to see Hays County kids shipped off to other areas - need to keep them here. Judge Rains asked if the Court wants to renovate the old jail with a capacity of 22 or build a new facility for 16. Sheriff Hastings stated that the meals for the Juvenile facility could be prepared at the County Jail and delivered to the juvenile facility. Mr. Cooper spoke of office space that is needed for his department - requested authority to rent office space. Mr. Cooper will get back with the Court with rental costs, etc. Sheriff Hastings spoke of HB2335 - favors the Adult Probation providing these services. Judge Rains spoke of building a Juvenile facility on the east side of the Jail. Judge Warner spoke of the Legislature trying to get the communities to take care of problems by supplying counseling locally. Courts intent at this time seems to be that the old jail will not be used as the juvenile facility - new facility will be built on land near the Law Enforcement Center with exact location not clear at this time.

Judge Rains spoke of \$500 per month presently being spent on storage - Sheriff's Dept. mechanic is in Pct. 1 barn - suggested that the court consider leasing the AutoTech building on Wonderland Drive to be used for storage, mechanics operation and office space for Juvenile Probation Dept. Ed Cooper stated that he would like office space around the Courthouse if possible - not enthused about moving into the AutoTech building. Commissioner Gonzales spoke of land behind the Election Department on Broadway Street and of land at the old hospital site off IH35.

Judge Rains advised the Clerk to place on the Agenda: Go out for request for proposals for a Juvenile Detention Facility (8-12-16 capacity).

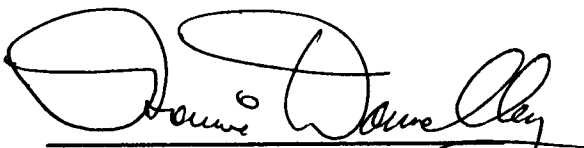
SUBDIVISION ORDINANCE - WORKSHOP

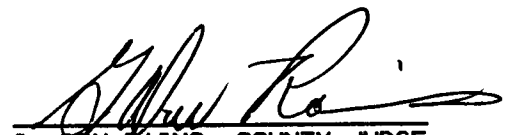
Administrative Coordinator Patsy Greiner spoke of amendments to the County's subdivision ordinance which she proposes. Commissioner Ford suggested that the Court do away with all private roads and allow only public roads that are built to county specifications. Commissioner Payne spoke of not being able to maintain a road that is separated from other public roads by a private road.

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Judge Rains suggested that there could be variances granted. Commissioner Ford suggested that Court not allow property owners to own to the center of the roadway. Mrs. Greiner spoke of panhandle lots - minimum lot frontage on a roadway should be 50' - asked who pays taxes on private roads? (No one). Commissioner Gonzales spoke of substandard buildings being constructed out in the county - need to have a way to inspect such construction. Commissioner Payne stated that he was opposed to now allowing private roads - spoke of Woodcreek doing an excellent job of maintaining their roads. Commissioner Ford stated that the County is ultimately responsible for maintenance and liability of the public roads. Judge Rains requested that Patsy contact other counties to see how they handle private and public roads (Comal, Guadalupe and Williamson Cos.). We need to enhance our standards to protect the taxpayers. Discussion was had on State requirements for minimum width of roads - subdivision of less than 5 lots = 25' more than 5 lots = 31'.

Court was recessed until November 13, 1989 at 9:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*\*\*\*\*000\*\*\*\*\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 13TH DAY OF NOVEMBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9963 CONSTABLE PCT. 5 - APPROVE LINE ITEM TRANSFERS

Constable Pct. #5 Billy Reeves appeared - spoke of having the transmission rebuilt and rear-end aligned on his Ram Charger at the time he had the engine overhauled - requested line item transfers: \$500 from Office Supplies and \$700 from fuel to be placed into Vehicle Repair line item. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize transfer of \$500 from office supplies and \$700 from fuel line items into vehicle repair line item. All voting "Aye".

CONSTABLE PCT. 5 - AUTHORIZE INSTALLATION OF TELEPHONE AT NEW FULL-TIME CLERK'S WORK STATION (BUDA BUILDING)

Constable Billy Reeves spoke of their being only one telephone in the J.P. 5 office with two fulltime employees - requested that another telephone be installed for Clerk who will also be handling Constable's phone calls - GTE's estimate of cost is \$117.40 pushbutton telephone \$75 installation cost \$25 order charge \$2 phone jack = \$219.40. Judge Rains asked Maint. Supervisor Bryan Hoot to see what needs to be done. Mr. Hoot stated that he would check to see if the county had a compatible telephone and he would install the jack and install the telephone himself - County may have to buy a telephone that is compatible with the GTE system - purchase of phone could come out of the Countywide telephone line item.

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9964 CANVASS ELECTION RESULTS FOR CONSTITUTIONAL AMENDMENT ELECTION AND OAKWOOD HILLS ROAD DISTRICT ELECTION

Joyce Cowan, Election Administrator, presented Precinct by Precinct Election Results of both Elections held November 7, 1989.

OAKSWOOD HILLS BOND ELECTION

"The Issuance of Bonds in an amount not to Exceed \$75,000 and the Levying of the Tax Payment Thereof"

|          |               |                   |
|----------|---------------|-------------------|
| Absentee | <u>1</u> For  | <u>5</u> Against  |
| Oakwood  | <u>30</u> For | <u>6</u> Against  |
| =====    |               |                   |
| Total    | <u>31</u> For | <u>11</u> Against |

CONSTITUTIONAL AMENDMENT ELECTION

|               |                  |                      |
|---------------|------------------|----------------------|
| Amendment #1  | <u>1,306</u> For | <u>2,596</u> Against |
| Amendment #2  | <u>2,133</u> For | <u>1,713</u> Against |
| Amendment #3  | <u>1,936</u> For | <u>1,941</u> Against |
| Amendment #4  | <u>1,756</u> For | <u>2,090</u> Against |
| Amendment #5  | <u>2,181</u> For | <u>1,686</u> Against |
| Amendment #6  | <u>2,452</u> For | <u>1,339</u> Against |
| Amendment #7  | <u>2,712</u> For | <u>1,176</u> Against |
| Amendment #8  | <u>2,281</u> For | <u>1,492</u> Against |
| Amendment #9  | <u>2,540</u> For | <u>1,200</u> Against |
| Amendment #10 | <u>3,136</u> For | <u>775</u> Against   |
| Amendment #11 | <u>1,841</u> For | <u>2,022</u> Against |
| Amendment #12 | <u>2,051</u> For | <u>1,795</u> Against |
| Amendment #13 | <u>2,789</u> For | <u>993</u> Against   |
| Amendment #14 | <u>2,339</u> For | <u>1,235</u> Against |
| Amendment #15 | <u>2,397</u> For | <u>1,488</u> Against |
| Amendment #16 | <u>2,684</u> For | <u>1,147</u> Against |
| Amendment #17 | <u>2,129</u> For | <u>1,736</u> Against |
| Amendment #18 | <u>1,727</u> For | <u>1,967</u> Against |
| Amendment #19 | <u>2,081</u> For | <u>1,648</u> Against |
| Amendment #20 | <u>2,414</u> For | <u>1,088</u> Against |
| Amendment #21 | <u>2,208</u> For | <u>1,586</u> Against |

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve results of the Constitutional Amendment Election and the Oakwood Hills Road District Bond Election as presented by the County Election Administrator. All voting "Aye".

9965 SHERIFF'S AUTOMOBILES BIDS

Lowest bid received was from Red Simon Ford in the amount of \$11,950 with State discount. Kerry Urbanowicz of Red Simon Ford spoke - this was not a set bid but an offer - they have found out since bidding that they cannot give both the concession and fleet discounts - bid needs to be increased by \$735 for each unit (302 engine = \$12,500 351 engine = \$12,685).

|                   |                                     |          |
|-------------------|-------------------------------------|----------|
| McMorris Ford     | \$13,810 each =                     | \$96,970 |
| Chuck Nash Chev   | \$14,000 each =                     | \$98,000 |
| Leif Johnson Ford | \$13,655 each =                     | \$95,585 |
| Red Simon Ford    | \$13,850 changed to \$12,685 each = | \$88,975 |
|                   | \$11,950 changed to \$12,500 each = | \$87,500 |

County Auditor Bill Herzog suggested rebidding - would have to reject bid of Red Simon Ford with next lowest bid exceeding \$13,000 per unit. Chief Deputy Sheriff Sherman Brodbeck spoke - will go with a 302/305 fuel injected engine. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to reject all bids for Sheriff's automobiles and to rebid with specifications for fuel injection engines. All voting "Aye".



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## AMERICAN PUBLIC LIFE - PRESENTATION OF CANCER POLICY

American Public Life Insurance Company representative Nancy Williamson appeared before the Court - requested permission to contact County employees concerning their cancer insurance policy through Section 125 IRS plan - currently offers their policy to City of San Marcos employees - gave brief presentation of their cancer income policy comparing with the Colonial policy.

## 9966 ENTER INTO MINUTES NAME OF COMPANIES' SUBMITTING PROPOSALS FOR PROPERTY INSURANCE &amp; EQUIPMENT FLOATER INSURANCE AND AWARD CONTRACT

County Auditor Bill Herzog passed out insurance proposals sheet:

| <u>Insurance Agency</u> | <u>Fire Policy</u> | <u>Equip. Floater</u> | <u>Insurance Co.</u> |
|-------------------------|--------------------|-----------------------|----------------------|
| TAC (A+)                | 14,989             | 2,805                 | Allendale Ins.       |
| Benchmark (A+15)        | 16,946             | 2,590                 | Allstate, Lloyds     |
| Harper & Hale (A+8)     | 18,313             | 4,072                 | Highland, Lloyds     |
| Harper & Hale (A 11)    | 18,484             | 4,072                 | Amer Genrl F & C     |
| Employers Ins.(A 8)     | 19,935             | 4,132                 | Employers Casualty   |
| Rollins Burdick Hunter  | 20,158             | 3,639                 | Reliance Ins.        |
| Hendrick & Co. (A 8)    | 22,285             | 3,443                 | Gulf, Lloyds         |
| Frank B. Hall (A 13)    | 24,096             | 3,443                 | Firemans Fund Ins.   |

Kathleen Miller (TAC) spoke of risk management pool through TAC - need to look at value of county buildings so that there will be consistency. Scott Burton (Benchmark) spoke - explained re-insurance offered by TAC - policy could be cancelled regardless of contract - need to bid insurance on a 3-year basis. Roland Hale (Harper & Hale) spoke - uncomfortable with re-insurance coverage - would like to see local insurance company used - agrees with 3year bid process. Commissioner Payne spoke of TAC conferences - endorsed TAC coverage. Bill Herzog suggested increasing the deductible which would lower the cost. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to award property insurance and equipment floater insurance to TAC (Texas Association of Counties) with \$2,500 deductible on equipment floater policy. All voting "Aye".

## 9967 BLUEBONNET ELECTRIC COOPERATIVE INC. - PROPOSED INSTALLATION OF UTILITY LINE ON COUNTY ROAD #234 (CENTERPOINT ROAD)

Commissioner Gonzales spoke of proposal - 25' r-o-w will be deeded on County Road #234 for the Factory Outlet Shops project. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve proposal for installation of one power pole #5 with guy and anchor assembly at the intersection of Hays County Road #234 (Center Point Road) and Interstate Hwy. 35 as submitted by Bluebonnet Electric Cooperative, Inc. with usual stipulations. All voting "Aye".

## APPROVAL OF PROPOSED INSTALLATION

TO: BLUEBONNET ELECTRIC COOP. INC.  
P. O. BOX 240  
GIDDINGS, TEXAS 78942

RE: SAN MARCOS FACTORY SHOPS  
CR.#234 & IH35

The Commissioners' Court of Hays County offers no objections to the location on the right-of-way of your proposed buried communication/utility line as shown by accompanying drawings and notice dated October 31, 1989 except as noted below:

All cable/pipes to be buried not more than two (2) feet from the property line, and all road crossings are to be bored and not trenched. Bury cable 24" below ditch level.

It is further understood and agreed that the Commissioners' Court may require the owner to relocate this line, at no expense to Hays County, by giving thirty (30) days notice.

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The installation shall not damage any part of the County Road and adequate provisions must be made to cause a minimum inconvenience to traffic and adjacent property owners.

It is further understood and agreed that any damages sustained to the cable/pipes as a result of road construction and/or maintenance shall be the sole burden and expense of the Telephone Company/Utility Company.

Please notify RALPH GONZALES, Commissioner of Pct. #1, forty-eight (48) hours prior to starting construction of the line, in order that we may have a representative present.

Commissioners' Court of Hays County, Texas, acting hereby and through the County Judge and all the Commissioners' pursuant to resolution passed on the 13th day of November, 1989, and duly recorded in the Minute Book of the Commissioners' Court of Hays County, Texas.

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

ATTEST:

s/Ronnie Dannelley  
RONNIE DANNELLEY  
HAYS COUNTY CLERK

9968 FM1626 - REIMBURSEMENT FOR FENCING EXPENSES ON PARCEL #21  
(BERKMAN/LOWDEN)

Patsy Greiner, Admin. Coord., spoke of Parcel #21 - \$700 was paid to Lambert C. Berkman for fencing - Bob Lowden has bought this property from Mr. Berkman and is requesting that the County reimburse him for fencing along the roadway which was not figured in negotiations with Mr. Berkman - request is for \$1796 of which Mrs. Greiner has deducted the \$700 with remainder being \$1,096 - Patsy stated that Mr. Lowden was aware of the situation and had assisted Mr. Berkman in negotiations. Commissioner Payne stated that he was opposed to reimbursement because Mr. Lowden was aware of the situation. Commissioner Rippy stated that we need to be fair - if we pay for some we should pay for others. Commissioner Payne stated that this is a different property owner and not the one who deeded the property and he was involved in negotiations. Mrs. Greiner explained the telephone conversation with Mr. Lowden - \$700 was the appraised value that was paid for fencing. Commissioner Ford spoke of members of the Court needing more information, research and background before items are placed on the agenda for consideration. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve reimbursement of \$1,096 to Bob Lowden for fencing on FM1626 project. Commissioner Gonzales and Commissioner Ford voting "Aye". Commissioner Payne, Commissioner Rippy and Judge Rains voting "No". Commissioner Rippy stated that he would reconsider if Mr. Lowden would appear before the Court. County Auditor Bill Herzog stated that there are no more funds available from the R-O-W line item.

9969 APPROVE BUDGET FOR FORFEITED FUNDS RECEIVED BY SHERIFF & DISTRICT ATTORNEY

Assistant District Attorney John Costello explained the budget submitted by the District Attorney's office for forfeited funds received by the Sheriff and District Attorney - Court had to be kept informed of the monies, however, they do not have to obtain permission to use these funds - money can only be used for narcotics investigations. Sheriff Paul Hastings spoke of equipment needs - funds can be accounted for, however, information is confidential - spoke of forfeitures in the 10 months that he has been in office have been: \$2 million in cash, a dozen vehicles and some real estate which has all been shared with various other agencies involved - would like to make it difficult to purchase drugs in Hays County.

\*NOVEMBER 13, 1989\*

BUDGET SUBMITTED BY  
HAYS COUNTY CRIMINAL DISTRICT  
ATTORNEY'S OFFICE REPRESENTING  
THE STATE OF TEXAS

FORFEITURE DATE: NOVEMBER 6, 1989  
COURT: 22ND JUDICIAL DISTRICT  
TOTAL AMOUNT FORFEITED: \$200,000.00

I. AGREED DISBURSEMENTS

|  |           |
|--|-----------|
| PAYMENT TO COOPERATING JURISDICTIONS<br>(BY AGREEMENT) | \$104,400 |
| PAYMENT TO CONFIDENTIAL INFORMANT                      | \$ 20,000 |
| HAYS COUNTY SHERIFF'S DEPARTMENT                       | \$ 68,400 |
| HAYS COUNTY DISTRICT ATTORNEY'S OFFICE                 | \$ 7,200  |
|  | -----     |
| TOTAL AMOUNT DISTRIBUTED                               | \$200,000 |

II. MONIES AVAILABLE TO DISTRICT  
ATTORNEY'S OFFICE

|  |              |
|--|--------------|
| DEPOSITED AT FIRST NATIONAL BANK,<br>SAN MARCOS, TEXAS (SEIZED & FORFEITED<br>PRIOR TO OCTOBER 18, 1989) | \$ 9,935.88  |
| DEPOSITED IN SPECIAL FUND, HAYS COUNTY TREASURY  | \$ 7,200.00  |
|  | -----        |
| TOTAL  | \$ 17,135.88 |

III. CATEGORIES OF ANTICIPATED EXPENDITURES

|                                    |              |
|------------------------------------|--------------|
| SALARY - DA STAFF                  | \$ 10,135.88 |
| TRAVEL - DA & ASSIST. DA           | \$ 2,500.00  |
| CONTINUING EDUCATION - DA'S OFFICE | \$ 2,500.00  |
| INVESTIGATIVE EQUIPMENT & REPAIR   | \$ 2,000.00  |
|                                    | -----        |
| TOTAL                              | \$ 17,135.88 |

TO: Hays County Commissioners Court  
FROM: Paul Hastings, Sheriff  
SUBJECT: Request for Approval of Budget to Spend  
Forfeited Funds as per HB 65

Sirs:

On Monday, November 6, 1989, the 22nd Judicial District Court awarded the Hays County Sheriff's Department \$72,000.00 as its share in forfeited funds from a covert drug operation.

I request that these funds be budgeted to pay the salaries of the two narcotic deputies, including K-9 expenses. This would come to \$48,000 annually plus benefits.

The remaining funds to be delegated to paying the mobile phone bills for the Sheriff, Chief Deputy, and investigators. We now have six mobile phones which were purchased with drug funds. The average monthly operating cost has been \$350.00, for an annual rate of \$4,200.00.

Respectfully submitted,

s/ Paul Hastings  
Paul Hastings, Sheriff

PH:sh

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A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve budgets for forfeited funds received by the Sheriff and District Attorney as presented. All voting "Aye".

9970 AUTHORIZE PURCHASE OF LIGHT BARS & CAGES FOR NEW SHERIFF AUTOS

Sheriff Paul Hastings requested authorization to purchase light bars & cages for the seven new vehicles - estimated cost: \$910.05 X 7 = \$6,370. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the Sheriff to purchase light bars and cages for the seven new vehicles. All voting "Aye".

9971 APPROVE PAYMENT FOR LEGAL SERVICES FOR R-O-W ACQUISITION

Patsy Greiner, Admin. Coord., spoke of invoice received from Fitzgerald, Majors & Stevens in the amount of \$1,549.56.

|               |            |
|---------------|------------|
| CR 119        | \$ 180.00  |
| CR 134        | \$ 22.50   |
| Bliss Spillar | \$ 45.00   |
| Meador        | \$1,138.50 |
| Kahlbau       | \$ 112.50  |
| Misc. fees    | \$ 51.06   |

Commissioner Ford explained that it is not required that payment for these legal services be approved by the Court, however, he prefers that the Court be aware of the fees and approve payment. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment for legal services for R-O-W acquisition to Fitzgerald, Majors & Stevens in the amount of \$1,549.56. All voting "Aye".

9972 AUTHORIZE INCREASE IN PURCHASE PRICE FOR PARCEL #33 OF RR12 PROJECT

Patsy Greiner, AC, spoke of offer made to purchase Parcel #33 of the RR12 Project being 21 cents per square foot for .042 ac. - CAD appraisal value is 37 cents per sq.ft. - purchase of .042 ac. will leave 21,000+ sq. ft. which is over the minimum lot size - property owner R. K. Luecking would like for County to buy the entire lot or increase the value to 37 cents per sq. ft. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize increase in offer price for Parcel #33 of the RR12 Project to 37 cents per square foot. All voting "Aye".

9973 APPROVE PAYMENT FOR FENCING ON RR 12 PROJECT TO HENRY BROOKS

Patsy Greiner, AC, spoke of letter received from Henry H. Brooks, Jr. requesting payment of \$10,857.32 to relocate his fence - 6,272.22 linear feet of fence must be relocated at a cost of \$1.73 per lin. ft - proposals were obtained from Tatsch & Sons and from Bill Sultemeier Welding Service. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment of \$10,857.32 to Henry H. Brooks, Jr. for fencing on RR12 Project. Commissioner Gonzales, Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

9974 AUTHORIZE GOING OUT FOR PROPOSALS FOR JUVENILE DETENTION FACILITY

Judge Rains spoke of needing to request proposals from Architect to obtain estimate of costs to build a Juvenile Detention Facility for 8/12/16 bed capacity. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize going out for proposals for a Juvenile Detention Facility. All voting "Aye".

JUVENILE PROBATION DEPT. - REQUEST AUTHORITY TO RENT OFFICE SPACE

Juvenile Probation Officer Ed Cooper appeared before the Court - hates to move out of the Courthouse, however, additional office space is needed - would like to rent space at the Simon building across the street from the Courthouse @ \$510 per month plus utilities w/2yr contract - has also checked on space at

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the Kendall Bldg. and the Hutchison Bldg. - prices ranged from \$360 to \$575 per month - will apply for State funding for another JPD which would allow for some office space rental fee. Judge Rains spoke of need to check on some other office space such as the Stokes Bldg. before authorizing. No action taken.

## DISCUSSION - HAYS COUNTY ETHICS POLICY PROVISION (d)(1) SECTION THREE

Commissioner Payne spoke of Hays County Ethics Policy - individual rents property from him and he would like to bid on small engine repairs. Commissioner Ford stated that this would not apply - it would not be a discretionary bid because the Court would be awarding the bid not the individual Commissioner.

## REQUEST TO REPLACE BROKEN WINDSHIELD (PCT. 2)

County Auditor Bill Herzog spoke of request by Bob Sloan of Buda for reimbursement for broken windshield that he stated was broken by a Pct. 2 dumptruck. Commissioner Ford stated that his employees claims he was not moving at the time this mishap occurred - he was stopped at a Yield sign. Court decided that no payment would be made - no action taken.

## 9975 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog presented invoices for payment in the amount of \$108,687.30. A motion was made by Commisisoner Ford, seconded by Commissioner Gonzales to approve payment of county invoices as presented by the County Auditor in the amount of \$108,687.30. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Central Storeroom | \$ 370.48    | Lic & Perm Rev   | \$ 370.00    |
| Auditor           | \$ 178.15    | Treasurer        | \$ 171.50    |
| Extension Ofc.    | \$ 148.65    | Judicial         | \$ 1,601.05  |
| Juvenile Prob.    | \$ 682.73    | Election Admin   | \$ 33.62     |
| Indigency         | \$ 1,439.95  | Transfer Station | \$ 78.00     |
| Building Maint.   | \$ 1,201.07  | Health Dept.     | \$ 471.79    |
| Civic Center      | \$ 894.01    | Countywide Misc. | \$ 23,178.23 |
| Tax A/C           | \$ 385.90    | District Clerk   | \$ 160.06    |
| County Clerk      | \$ 361.64    | Sheriff's Dept.  | \$ 1,494.90  |
| Jail              | \$ 20,302.18 | County Judge     | \$ 151.80    |
| Admin. Coord.     | \$ 91.01     | CoCrt @ Law #1   | \$ 54.15     |
| District Atty.    | \$ 516.35    | J.P. 1-1         | \$ 63.37     |
| J.P. 1-2          | \$ 95.87     | J.P. 4           | \$ 10.00     |
| J.P. 5            | \$ 259.16    | DPS              | \$ 918.06    |
| Constable 1       | \$ 36.94     | Constable 2      | \$ 189.35    |
| Constable 3       | \$ 81.90     | Constable 5      | \$ 3,184.06  |
| Veteran's Adm.    | \$ 309.94    | Data Proc Admin  | \$ 1,411.55  |
| Co. Crt. @ Law 2  | \$ 29.56     | CJD Grant        | \$ 2,108.00  |
| TDH TB Grant      | \$ 30.00     | TDH M & C Grant  | \$ 703.78    |
| Fire Marshal/EMC  | \$ 48.16     | TABC             | \$ 28.11     |
| District Court    | \$ 161.84    | County Court     | \$ 2,674.33  |
| Road & Bridge Gen | \$ 594.45    | Precinct 1       | \$ 2,351.22  |
| Precinct 2        | \$ 3,765.95  | Precinct 3       | \$ 10,301.28 |
| Precinct 4        | \$ 6,824.74  | Hot Check Fee    | \$ 259.95    |
| Jail Construction | \$ 776.00    | Public Works     | \$ 17,132.51 |

## 9976 BLUE CREEK RANCH (89-021) PCT. 4

Knox Williams presented subdivision on second and third readings - located on Hwy. 290W - approved by City of Dripping Springs - Letter of Credit was filed. Patsy Greiner, Admin. Coord., spoke - Right of way area needs to be noted on the plat. Mr. Williams stated that Dripping Springs has granted a variance on the radius of the cul-de-sac - Homeowners Association is created - private road with property owners owning to the center of the road - PEC required an additional 45' utility easement. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Blue Creek Ranch" subdivision on second and third readings. All voting "Aye".

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## 9976 RIVER OAKS OF WIMBERLEY SECTION 5 - LOTS 5A &amp; 5B (89-025) PCT. 3

Craig Hollmig presented subdivision on first, second and third readings. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "River Oaks of Wimberley Section 5 - Lots 5A & 5B" on first, second and third readings. All voting "Aye".

## 9977 PARADISE VALLEY SECTION 2 EXTENSION 1 (89-031) PCT. 3

Patsy Greiner, Admin. Coord., stated that this area is not shown as a lot on the platted subdivision - there is no lot number. Terry Ewald, Health Department, spoke of the floodplain - 2 houses already exist on this property - new maps show it is not in the floodplain. Commissioner Payne stated that he would like to check on the fact that this area is in the middle of the subdivision and that it is not a part of the original subdivision before he accepts on third reading. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Paradise Valley Section 2 Extension 1" on first and second readings. All voting "Aye".

## 9978 TWIN CREEK ADDITION REPLAT LOTS 2A &amp; 2B (89-032) PCT. 4

Public hearing was called to order - no input from the public was given. Patsy Greiner, Admin. Coord., spoke of need for a name for the 50' road on the subdivision plat. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Twin Creek Addition Replat - Lots 2A & 2B" on first, second and third readings. All voting "Aye".

## 9979 FACTORY SHOPS LOTS 1-8 (89-028) PCT. 1

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve "Factory Shops Lots 1-8" subdivision on third reading with addition of note "not over the aquifer" added to plat. All voting "Aye".

## 9980 HAYS COUNTRY OAKS SECTION 1 BLK A REPLAT LOTS 2A &amp; 2B (89-030) PCT. 2

Public hearing was called to order - no public input was received. Subdivision is located in the ETJ of City of Hays - located on the aquifer - need a water abatement plan. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve "Hays Country Oaks Section 1 Block A Replat Lots 2A & 2B" subdivision contingent on water abatement permit and signature of City of Hays Mayor on plat. All voting "Aye".

## 9981 DONAGHE SUBDIVISION - LOTS 1-4 (89-033) PCT. 4

Will Donaghe presented subdivision on first, second and third readings - floodplain and aquifer notes have been added to plat - located in the Dripping springs ETJ. Patsy Greiner, Admin. Coord., spoke of need for acreage of private road easement on plat. Commissioner Payne stated that a property owners association is needed to maintain the road easement. Mr. Donaghe said that he has been unable to get property owners to create a property owners association - property owners of lots 1 & 2 will be responsible for maintenance of easement along their property. Mr. Donaghe requested a variance on floodplain requirement - Lot #4 is less than 3 acres and contains an existing structure whose base floor is not within the 100 year floodplain. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Donaghe Subdivision" on first, second and third readings with variance on floodplain requirement. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

## 9982 HAYS COUNTY INDUSTRIAL PARK, PLAT CORRECTION (89-034) PCT. 2

James Watson presented on first, second and third readings - City of BVuda has approved - drainage easement was corrected. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve "Hays County Industrial Park" Plat correction on first, second and third readings. All voting "Aye".

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9983 SHOEMAKER RANCH - LOTS 1-5 (89-035) PCT. 4

George Butler and Mr. Shoemaker appeared before the Court - subdivision is not located in the ETJ of Dripping Springs - there presently exists a 40' r-o-w (old road with deep ditches). Commissioner Payne spoke of need for additional right-of-way. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Shoemaker Ranch, Lots 1-5" on first, second and third readings. All voting "Aye".


9984 EAGLE ROCK RANCHITOS LOT 1 - CORRECTION PLAT (PCT. 3)

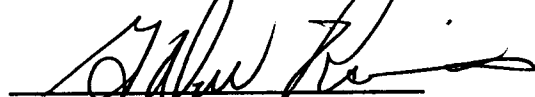
A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve "Eagle Rock Ranchitos Lot 1" subdivision correction plat. All voting "Aye".

It was later brought to the attention of Commissioner Payne that this item was not on the agenda, therefore, it was null and void. Commissioner Payne requested the Clerk to place this item on the agenda for the next Commissioners' Court meeting.

9985A APPROVE MINUTES OF OCTOBER 1989

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve minutes of October 1989 as presented. All voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 20th DAY OF NOVEMBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

9985 APPOINT SPECIAL ATTORNEY IN COUNTY BAIL BOND FORFEITURE CASES

County Court at Law #1 Judge Howard S. Warner II appeared before the Court with names of four attorneys for consideration for appointment as Special Attorney for Bail Bond Forefeiture cases in County Court at Law No. 1 and No. 2:

1. Lance Holland 2. Gene Majors 3. Mike Davidson 4. Christine Files

Judge Warner spoke of appointment could be as a Special Assistant District Attorney - hourly fee would be more equitable - recommends \$50 per hour. District Attorney Charles Chapman spoke of reasoning behind appointing as a Special A.D.A. (a technicality because these cases were originally Criminal Cases - STATE vs. DEF - and have been turned into Civil matters). Judge Warner spoke of possible revenues for the cases filed being from \$75,000 to \$100,000. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to appoint Gene Majors as Special Attorney in County Court at Law Bail Bond Forfeiture Cases. Commissioner Rippy spoke of Gene Majors maybe having more of workload in his private practice and perhaps the best choice would be Lance Holland. Commissioner Ford spoke of knowing Mr. Majors and his work with the County R-D-W acquisitions. Commissioner Gonzales, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Rains not voting.

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9986 APPROVE PAYMENT OF COUNTY INVOICES

Commissioner Gonzales questioned County Auditor about Public Works Projects being paid out of Pct. #1 budget. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of county invoices in the amount of \$84,950.19 as presented by the County Auditor. All voting "Aye".

|                   |              |                   |              |
|-------------------|--------------|-------------------|--------------|
| SHVFD Util.       | \$ 3.65      | Auditor           | \$ 200.00    |
| Treasurer         | \$ 100.00    | Election Admin.   | \$ 5,270.56  |
| Indigency         | \$ 47.99     | Transfer Sta.     | \$ 3,527.20  |
| Bldg. Maint.      | \$ 2,658.59  | Health Dept.      | \$ 10.50     |
| Civic Center      | \$ 63.85     | Countywide Misc.  | \$ 2,078.11  |
| County Clerk      | \$ 2,600.00  | Jail              | \$ 17,541.04 |
| District Atty.    | \$ 5,061.14  | J.P. 1-2          | \$ 30.00     |
| J.P. 3            | \$ 8.52      | J.P. 5            | \$ 5.45      |
| DPS               | \$ 428.00    | Constable 2       | \$ 500.00    |
| Constable 5       | \$ 21.00     | TDH TB Grant      | \$ 123.00    |
| Foster Child Care | \$ 5,972.00  | In Home Spec.     | \$ 212.31    |
| District Court    | \$ 69.03     | County Court      | \$ 889.64    |
| R&B General       | \$ 339.60    | Precinct 1        | \$ 7,425.04  |
| Precinct 2        | \$ 4,745.60  | Precinct 3        | \$ 988.18    |
| Precinct 4        | \$ 1,871.17  | Self Ins.         | \$ 3,881.16  |
| Hot Check Fee     | \$ 28.00     | Jail Construction | \$ 715.91    |
| Public Works Dept | \$ 12,255.55 | Sheriff           | \$ 5,178.40  |

DISCUSS BAIL BOND COLLATERALS AND POSSIBILITY OF ESTABLISHING A BAIL BONDING BOARD IN HAYS COUNTY

Commissioner Gonzales passed out a packet to members of the Court - in packet was a letter to the Commissioners Court stating his concerns:

1. Unclear as to the amount of a bond a company can write in relation to the collateral to support that bond.
2. How is Sheriff Hastings interpreting statute pursuant to Vernon's Code of Criminal Procedure Article 17.11 "How bail bond is taken" Section I.

One of his concerns in particular is the Bondco Bail Bonding Company supported by Dan Roberts Water System at Inwood Forest in Wimberley - water system is appraised at \$150,000.00, however, according to the Hays County tax roll it is appraised at \$6,000 - the Water System does not comply with State Health Dept. specifications and there are numerous complaints from customers that the water is unfit for human consumption, thus rendering the system worthless.

Concerned what will happen if a large bond supported by this collateral is in default? Will Hays County seize this collateral?

Concerned that Bondco Bail Bonds has \$703,150.00 in outstanding bonds, supported by this same collateral. \$262,000.00 of these bonds have no signature on the front page of the bond indicating the surety.

Commissioner Gonzales strongly recommended that Hays County create a bail bonding board. Also included in the packet were copies of statute on creating a County Bail Bond Board and on Requisites of a Bail Bond - several different letters from the Texas Dept. of Health to Dan Roberts Re: Public-Drinking Water Supply Inwood Forest & Violation of Bacteriological Maximum Contaminant Level - Appraisal letter from Curtis L. Jenkins (\$150,000) and Deed of Trust - list of bonding companies and value of outstanding bonds by each and bonding operational format (bondsmen) obtained from the Sheriff's Dept. - copies of outstanding bonds of Bondco Bonding Co. - newspaper articles .

District Attorney Charles Chapman spoke - law allows the Sheriff to use his discretion to determine the amount of collateral - if bond is forfeited and the collateral was not sufficient the county could get a deficiency judgment to cover additional amount - spoke of either the County Judge or a County Commissioner could sit on the Bail Bond Board. Commissioner Gonzales spoke of need to deal with this particular problem of Dan Roberts and his violations. Mr. Chapman spoke of this sort of thing happening in many other counties where the Sheriff is in charge without a bail bond board - anyone can second guess any decision made by a Sheriff or a Judge - gross abuse of discretion would have to be proven in a Court of Law. Judge Warner spoke of problems with prior Bail Bonding Board in Hays County which was in existence for approximately 2 years - it was an administrative nightmare - 15-20 hours per week was being spent by his office - the Bail Bond Board would oversee the collateral for safekeeping, however, the Sheriff would still have the responsibility for day to day operation of accepting bonds. Sheriff Paul Hastings stated that the tax



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appraisal is on the lot and not on the business - supports creation of a Bail Bond Board and appreciates any assistance from the Court - had spoken to Judges, District Attorney and the County Clerk prior to taking office in January and no one was interested in creating a Bail Bond Board - reviewed information from Judge Warner to determine best way to handle bonds with the least paperwork involved - spoke of his responsibilities and how he determined credibility of companies. Commissioner Gonzales asked why there were no signature on Bondco's bonds ?

Sheriff Hastings stated that he was not aware that there were no signatures - Commissioner Gonzales asked Sheriff what he was going to do about non-compliance by Dan Roberts with the State Health Dept.? Sheriff Hastings stated that he had no authority to take any action on that matter - if proof is shown that the collateral is not worth the appraised value then he would require additional collateral. Commissioner Gonzales felt like Dan Roberts is not being fair - he is taxed on \$6500 value of his property and his business is appraised at \$150,000. Judge Rains stated that no action will be taken by the Court - Sheriff Hastings will check on collateral of Dan Roberts - general concensus is that all parties are opposed to creation of a Bail Bond Board.

#### 9987 STUDENT GOVERNMENT DAY - AUTHORIZE \$200 TO HELP DEFRAY EXPENSES

Judge Rains spoke of Student Government Day - an annual event where local students act as elected officials - City of San Marcos has put in \$200 to help defray expenses and request that the County do the same - \$200 could come out of the County Judge's equipment line item. Discussion was had on whether other schools would request funds such as these and who should pay for same. A motion was made by Judge Rains, seconded by Commissioner Rippy to authorize expenditure of \$200 from the County Judge's Equipment line item to help defray expenses related to Student Government Day. All voting "Aye".

#### 9988 AUTHORIZE PURCHASE OF VAN FOR VA OFFICER

Commissioner Payne spoke of best offer being from Bill's Trading Place in the amount of \$8,675 for a 1987 Ford Club Wagon. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize purchase of a 1987 Ford Club Wagon for the VA Officer in the amount of \$8,675. All voting "Aye".

Judge Rains left the meeting at this time.

#### 9989 OPEN BIDS AND AWARD CONTRACTS FOR SHERIFF'S COPIER & RADIOS AND PRECINCT PICKUPS

Sheriff's Copier - County Auditor Bill Herzog stated that some of vendors had indicated that copier specs could not be met without cost exceeding \$60,000 - suggested that Court consider eliminating some of the spec items and re-bid. Commissioner Ford voiced his concern about buying extras that are not needed. Court decided to considered bids received. Bids were submitted as follows:

|                          |             |
|--------------------------|-------------|
| Advanced Business Prod.  | \$ 9,495.00 |
| Uni-Copy                 | \$ 8,995.00 |
| Hale Business Systems    | \$10,995.00 |
|                          | \$ 8,363.34 |
| Pitney-Bowes             | \$ 8,246.75 |
| Texas Copy of San Marcos | \$ 9,215.00 |

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to acknowledge receipt of bids for Sheriff's Dept. copier and award contract at a later date. All voting "Aye".

Sheriff's Radios - Bids were submitted by: Omni Communications @ \$1,443 ea/\$10,101 for 7 units Motorola @ \$1500 each installed Industrial Radio @ \$1,347.42 each. Chief Deputy Sheriff Sherman Brodbeck concerned about installation and antenna being included in the bid. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to acknowledge receipt of bids and award contract at a later date. All present voting "Aye".

Precinct Pickups - Bids were submitted by: McMorris Ford = \$11,985 Hendrix GMC = \$11,947 Red Simon Ford = \$12,425 Soechting Motors = \$12,264 Chuck Nash

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Chev = \$12,250 Abbott Motors = \$12,985.45 Bluebonnet Motors = \$12,329 San Antonio Trucks GMC = \$11,770 shortwheel base \$12,000 longwheel base Capitol Chev = \$12,150 Bill Munday = \$12,050 Commissioner Payne stated that he is opposed to purchase of new trucks. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to acknowledge receipt of bids and award contract at a later date. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

9990 PUBLIC HEARING/CHANGE SPEED LIMIT ON COUNTY ROAD #233 (AKA MCCARTY LANE) FROM COUNTY ROAD #266 TO HAYS-COMAL COUNTY LINE

Commissioner Gonzales called for public hearing - no one appeared. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to establish traffic regulation: change speed limit from 30MPH to 40MPH on County Road #233 (AKA McCarty Lane) from County Road #266 to the Hays-Comal County Line - except in areas that require a slower rate of speed for safety reasons. All present voting "Aye".

DISCUSS PRO-RATING TAXES AT CLOSING ON PAST & FUTURE PURCHASES OF R-O-W

County Auditor Bill Herzog spoke of County receiving statements for taxes for purchased property. Tax Assessor-Collector Ruth Clayton spoke of pro-rating of taxes - the taxes due should be deducted from the purchase price and then paid at closing - concerned about other taxing jurisdictions. Patsy Greiner, Admin. Coord., suggested that County enter into interlocal agreements with the other taxing entities. Mrs. Clayton stated that we need to address this situation. District Attorney Charles Chapman spoke of need to encourage taxing entities to pursue taxes due from prior property owners. Need to send letter to other jurisdictions.

9991 AUTHORIZE PAYMENT TO LEISUREWOODS WATER COMPANY FOR DAMAGES

Commissioner Ford spoke of claim from Leisurewoods Water Company for damages to a water meter during construction by subcontractor = \$202.50 - meter was located in County R-O-W 20' from the pavement - felt like damage was done when subcontractor was having to work late into the evening and it was dark. Commissioner Payne stated that he has paid for such damages in his precinct before. Commissioner Gonzales stated that he does not pay for damages that occur within county R-O-W. District Attorney Charles Chapman stated that the county is not liable for damages in county right-of-way, however, it is the decision of the Commissioner. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize payment of \$202.50 to Leisurewoods Water Company for damages. All present voting "Aye".

INVOICE FOR RABIES TESTING & DISPOSAL OF ANIMAL

County Auditor Bill Herzog spoke of invoice received for rabies testing and disposal of sick dog that was picked up and shot by the Sheriff's Dept. = \$55.00 Need to know what fund should payment be made from. Commissioner Payne suggested that invoice be paid out of Misc. line item in the Sheriff's budget.

9992 ENTER INTO MINUTES NAMES OF BIDDERS AND AWARD CONTRACT FOR SMALL ENGINE REPAIR IN WIMBERLEY

Bids were submitted by:

Ted's Small Engine Shop of Wimberley

1. provide small engine repair at a rate of \$18.50 per hour for labor
2. furnish parts, outdoor power equipment and supplies at a cost of 15% below the manufactures current list price
3. flat rate estimate charge of \$7.50 which will be credited if repairs are authorized
4. perform warranty work on Briggs and Stratton and on McCulloch Products
5. Special pricing:

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- A. Sharpen Saw Chain.....\$3.00 off saw \$4.00 on saw
- B. Sharpen Mower Blade....\$2.00 off mower \$3 on mower
- C. 10% discount on U-Haul Equipment & other rentals if this bid is accepted.

Limitations - this bid applies to equipment with up to 18HP Only

Jim's Rent Alls

Chainsaw chains sharpened: 3.00 ea  
 Small engine repair labor rate: 18.00 hr  
 Parts and supplys: Suggested retail price

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to award contract for small engine repair in Wimberley to Jim's Rent Alls. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne abstained from voting.

Judge Rains returned to meeting at this time.

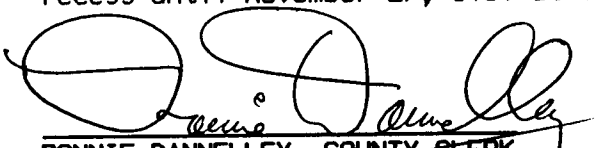
9993 APPROVE PURCHASE OF NEW AIR CONDITIONING UNIT FOR DISTRICT CLERK'S OFFICE

W. H. Moore, District Clerk, spoke - present airconditioning unit does not work properly apparently because of way in which it had to be installed - Maint. Superv. Bryan Hoot has indicated that the airconditioning/heating unit that is suppose to be installed in the JP 1-2 new office could be installed in District Clerk's office and put the other unit in J.P.1-2 office. The problems is that there are no funds in Capitol Improvement line item to purchase unit. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve purchase of new air conditioning unit for District Clerk's office in the amount of \$1,432.75 out of contingencies. All voting "Aye".


9994 EAGLE ROCK RANCHITOS (LOT 1) CORRECTION PLAT - PCT. 3

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Eagle Rock Ranchitos Lot 1 correction Plat" for filing and recording. All voting "Aye".

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to recess until November 27, 1989 at 9:00 A.M. All voting "Aye".



RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS



G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*

                  \*

COUNTY OF HAYS \*

ON THIS THE 27TH DAY OF NOVEMBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

\*NOVEMBER 27, 1989\*

9995 HAYS COUNTY CHILD WELFARE BOARD - RECEIVE RECOMMENDATION AND MAKE APPOINTMENT

Anna Farr appeared before the Court and recommended that Terry Pacheco be appointed to replace Richard Jurek. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to appoint Terry Pacheco to the Hays County Child Welfare Board. Commissioner Ford stated that he was going to vote against the appointment because he would like for the Court to be notified of vacancies so that the Court could have input as to who would be appointed - he has had people in his precinct that are interested in being appointed. Mrs. Farr spoke of members being from all areas of the County - we try to replace members from the same area if possible. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford voting "Nay".

9996 DEMOLITION OF OLD HOSPITAL BUILDING - AUTHORIZE EXPENDITURES RELATIVE

Judge Rains spoke of coordination with Camp Gary to demolish the old hospital building - demolition scheduled to start December 4th - there will be expenses to move the equipment to the site from Camp Gary (approx. \$300/\$75 per trip by Saucedo) plus fuel expenses - the county will have to haul off the debris - asked that each Commissioner Precinct supply a truck for hauling. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to authorize expenditures relative to demolition of the old hospital building not to exceed \$2000.00. All voting "Aye".

9997 DRIPPING SPRINGS CHAMBER OF COMMERCE REQUEST PERMISSION TO PLACE A NATIVITY SCENE ON COUNTY PROPERTY IN DRIPPING SPRINGS

Commissioner Rippy spoke of Dripping Springs Chamber of Commerce request to use county property for nativity scene. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to grant permission to the Dripping Springs Chamber of Commerce to place a nativity scene on county property in Dripping Springs. All voting "Aye". Commissioner Gonzales spoke of problems with parking around the courthouse when activities are being held at the Courthouse - we need to make sure that setups are removed from the parking areas by the next working day.

9998 APPOINTMENTS TO THE JOINT CITY/COUNTY CONVENTION CENTER TASK FORCE

Judge Rains stated that he has been asked to make appointments to the Joint City/County Convention Center Task Force - his nominations are: William "Mo" Johnson, Jeannine Pool and Ralph Gonzales. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to appoint William "Mo" Johnson, Jeannine Pool and Ralph Gonzales to the Joint City/County Convention Center Task Force. All voting "Aye".

9999 APPROVE PAYMENT OF COUNTY INVOICES

Commissioner Gonzales questioned indigent burial fee of \$450 to Thomason Funeral Home. Commissioner Ford asked that the minutes be searched - he thought the fee approved by the Court was \$300 and perhaps additional funds could be obtained from the VA or some other funds. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices with the exception of \$450 to Thomason Funeral Home out of Indigency. All voting "Aye".

|                 |    |          |                   |    |          |
|-----------------|----|----------|-------------------|----|----------|
| Auditor         | \$ | 456.85   | Treasurer         | \$ | 67.98    |
| Extension Ofc.  | \$ | 18.85    | Judicial          | \$ | 5,713.16 |
| Juvenile Prob.  | \$ | 82.01    | Election Admin.   | \$ | 4,427.32 |
| Indigency       | \$ | 5,412.84 | Transfer Sta.     | \$ | 64.55    |
| Bldg. Maint.    | \$ | 2,572.50 | Health Dept.      | \$ | 49.28    |
| Civic Center    | \$ | 425.00   | Countywide Misc.  | \$ | 2,800.07 |
| Tax A/C         | \$ | 687.66   | Dist. Clerk       | \$ | 133.95   |
| County Clerk    | \$ | 152.21   | Sheriff           | \$ | 1,456.25 |
| Jail            | \$ | 723.53   | County Judge      | \$ | 27.64    |
| Co. Crt.@ Law 1 | \$ | 32.66    | Dist. Atty.       | \$ | 528.54   |
| J.P. 1-1        | \$ | 369.95   | J.P. 1-2          | \$ | 297.85   |
| J.P. 3          | \$ | 72.09    | J.P. 5            | \$ | 96.47    |
| DPS             | \$ | 15.00    | Constable 5       | \$ | 235.02   |
| Data Proc       | \$ | 77.85    | Co.Crt. @ Law 2   | \$ | 32.67    |
| TDH TB Grant    | \$ | 16.00    | Foster Child Care | \$ | 168.13   |

\*NOVEMBER 27, 1989\*

|                    |    |           |                |    |          |
|--------------------|----|-----------|----------------|----|----------|
| Fire Marshal/EMC   | \$ | 0.83      | District Court | \$ | 107.30   |
| County Court       | \$ | 873.56    | R&B General    | \$ | 273.51   |
| Precinct 1         | \$ | 1,618.21  | Precinct 2     | \$ | 6,033.37 |
| Precinct 3         | \$ | 2,973.16  | Precinct 4     | \$ | 1,781.48 |
| Self Insurance     | \$ | 2.75      | Law Library    | \$ | 692.41   |
| Public Works Dept. | \$ | 85,117.02 |                |    |          |

10000 KIRBY SPRINGS RANCH PHASE III (89-012) PCT. 4 - 1ST,2ND,3RD READINGS

Patsy Greiner, Admin. Coord., spoke of needing a letter of credit and a street name on the plat. Commissioner Payne stated that lots are over 100 acres each - there are no road standards for lots over 15 acres, therefore, a letter of credit is not needed. Mrs. Greiner stated that Mark McManus has advised that this subdivision has been approved by the City of Dripping Springs. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Kirby Springs Ranch Phase III" on first, second and third readings. All voting "Aye".

10001 PARADISE VALLEY SECTION 2 EXTENSION 1 (89-031) PCT. 3 - 3RD READING

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Paradise Valley Section 2 Extension 1" subdivision on third reading. All voting "Aye".

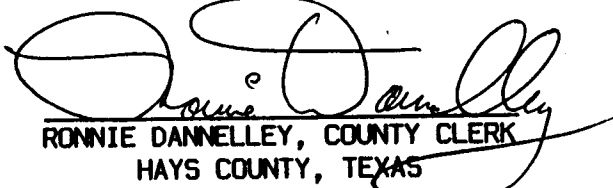
10002 MIRANDA SUBDIVISION (89-037) PCT. 2 - 1ST & 2ND READINGS

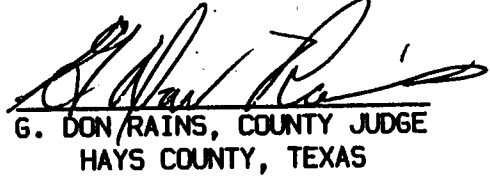
Patsy Greiner, Admin. Coord., spoke of need for aquifer note, street name and width of road on the plat - property was subdivided due to a divorce settlement. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve "Miranda Subdivision" on first and second readings. All voting "Aye".

10003 RIVER MEADOW SUBD. LOT 5 - DON QUHS REQUESTED VARIANCE ON BUILDING IN THE FLOODPLAIN

Commissioner Payne spoke of old floodplain maps and new maps that are now out and indicate a change in the floodplain boundaries. Don Quhs spoke of his property in River Meadows Subdivision - he is ready to proceed with building his home which plans were started one year ago using the old floodplain maps - new maps show his proposed homesite in the floodplain - he does not feel like there is any danger of water ever reaching his home. Commissioner Gonzales spoke of the maps changing - we can get the maps changed if you have support in disputing the new maps. Mr. Quhs requested that the court indicate that this property is not in the floodplain and use the old maps that were being used just 6 weeks earlier and not the new ones - then he will not have to purchase \$1000 a year floodplain insurance. Eddie Gumbert, River Meadow Developer, spoke of this subdivision being developed in 1983 based on the earlier maps and how the new maps will greatly affect the property owners who have not yet developed their property. Terry Ewald, Health Dept., stated that he must go by the most recent data available to him. Commissioner Gonzales spoke of the new data not being based on on-site inspection but by aerial photos - this data can be changed if you pursue it. Mr. Gumbert spoke of Don Quhs having obtained his permits one year ago based on the old maps. A motion was made by Commissioner Payne, seconded by Commissioner Ford to not grant a variance but to allow Don Quhs to proceed with his construction plans based on the old floodplain maps. Commissioner Payne stated that any future development would require a variance - we are allowing Mr. Quhs to proceed because he started this project over one year ago. Commissioner Ford spoke of his concerns about operating using a draft of the new maps rather than the accepted maps. All voting "Aye". Judge Rains spoke of Mr. Gumbert's position - subdivision was platted in 1983 based on those floodplain maps and now the rules are changing - where does that leave the developer and property owners - we cannot, however, jeopardise the FEMA insurance program. Commissioner Gonzales stated that we need to dispute the maps and get them changed, otherwise we must use their maps.

Commissioner made a motion to recess until Monday December 4, 1989 at 9:00 A.M.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

\*DECEMBER 4, 1989\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 4TH DAY OF DECEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10004 APPROVE COUNTY TREASURER'S REPORT FOR THE MONTH OF OCTOBER 1989

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve County Treasurer's report for the month of October 1989. All present voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 4TH day of DECEMBER, 1989, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of OCTOBER, 1989 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/G. Don Rains  
COUNTY JUDGE

(absent)  
COMMISSIONER, PRECINCT 1

s/ W. R. Ford  
COMMISSIONER, PRECINCT 2

s/ Craig Payne  
COMMISSIONER, PRECINCT 3

s/ Oran Hill Rippy  
COMMISSIONER, PRECINCT 4

ATTEST:

s/ Ronnie Dannelley  
HAYS COUNTY CLERK

\*DECEMBER 4, 1989\*

COUNTY OF HAYS  
SUMMARY OF RECEIPTS & DISBURSEMENTS  
FOR THE PERIOD OCTOBER, 1989

|                                | GENERAL      | JURY      | R & B<br>GENERAL | R & B<br>PCT #1 | R & B<br>PCT #2 | R & B<br>PCT #3 | R & B<br>PCT #4 | ALL<br>OTHER<br>FUNDS | TOTAL<br>FUNDS |
|--------------------------------|--------------|-----------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------------|----------------|
| Balance on 10-1-89             | 106,966.43   | 17,212.00 | *26,443.16       | 11,102.30       | 213.34          | 23,983.20       | 42,858.39       | 16,382.97             | 245,161.79     |
| Deposit Warrants<br>(Receipts) | 929,370.39   | 21,228.71 | 18,678.21        | 28,508.19       | 54,377.00       | 9,941.32        | 14,250.04       | 3,370.35              | 1,079,724.21   |
| Total                          | 1,036,336.82 | 38,440.71 | 45,121.37        | 39,610.49       | 54,590.34       | 33,924.52       | 57,108.43       | 19,753.32             | 1,324,886.00   |
| Disbursements<br>(Claims)      | 878,402.73   | 20,433.29 | 35,982.84        | 23,342.05       | 43,706.96       | 23,175.38       | 16,530.49       | 1,333.69              | 1,042,907.43   |
| Total                          | 157,934.09   | 18,007.42 | 9,138.53         | 16,268.44       | 10,883.38       | 10,749.14       | 40,577.94       | 18,419.63             | 281,978.57     |
| Balance in bank<br>on 10-30-89 | 157,934.09   | 18,007.42 | 9,138.53         | 16,268.44       | 10,883.38       | 10,749.14       | 40,577.94       | 18,419.63             | 281,978.57     |
| Certificates of<br>Deposits    | 925,000.00   | -0-       | -0-              | -0-             | -0-             | 23,000.00       | -0-             | -0-                   | 948,000.00     |
| Money Market                   | 241,533.79   | 23,405.96 | 25,502.96        | 329.87          | 174.71          | 63,425.45       | 12.60           | 32,044.96             | 386,430.30     |
| Total Fund<br>Balance          | 1,324,467.88 | 41,413.38 | 34,641.49        | 16,598.31       | 11,058.09       | 97,174.59       | 40,590.54       | 50,464.59             | 1,616,408.87   |

\*Typo error corrected from Sept. 30 Report

All Other Funds include:

|                                    |          |
|------------------------------------|----------|
| U S Revenue Sharing Fund           | -0-      |
| Unemployment Self Insurance        | 8,119.40 |
| Hot Check Fee Fund                 | 1,672.55 |
| Hays County Cummings Hospital Fund | 1.00     |
| Law Library                        | 8,626.68 |
| Permanent Improvement Fund         | -0-      |

TEMPORARY TRANSFERS

|          |                  |             |
|----------|------------------|-------------|
| 10-6-89  | R&B GEN TO PCT 2 | \$20,000.00 |
| 10-13-89 | GENERAL TO PCT 2 | 20,000.00   |
| 10-30-89 | GENERAL TO PCT 1 | 20,000.00   |

*Dorothy P. Sims*  
Dorothy P. Sims, County Treasurer

\*DECEMBER 4, 1989\*

**COUNTY OF HAYS**  
**SUMMARY OF COUNTY JAIL AND HAYS COUNTY FUNDS**  
**FOR THE PERIOD ENDING OCTOBER 1989**

|  | County Jail<br>Addition<br>Construction | County Jail<br>Interest &<br>Sinking | Jail Addition<br>Interest &<br>Sinking | Hays County<br>Interest &<br>Sinking | Hays County<br>Medical &<br>Dental Fund | Hays County<br>Med & Dent<br>Claims Acct |
|--|---|--------------------------------------|--|--------------------------------------|---|--|
| Beginning balance in C.D.'s on 10-1-89     | 1,640,000.00                            | 46,500.00                            | 0.00                                   | 0.00                                 | 0.00                                    | 0.00                                     |
| New C.D.'s                                 | 0.00                                    | 0.00                                 | 0.00                                   | 0.00                                 | 0.00                                    | 0.00                                     |
| Matured C.D.'s transferred to Money Market | 1,440,000.00                            | 0.00                                 | 0.00                                   | 0.00                                 | 0.00                                    | 0.00                                     |
| Ending balance on 10-31-89                 | 200,000.00                              | 46,500.00                            | 0.00                                   | 0.00                                 | 0.00                                    | 0.00                                     |
| Beginning balance in Money Mkt on 10-1-89  | 21,924.66                               | 256.75                               | 23,676.55                              | 34,695.77                            | 0.00                                    | 0.00                                     |
| Interest (Includes C.D. interest)          | 14,728.62                               | 1.23                                 | 114.16                                 | 167.30                               | 0.00                                    | 0.00                                     |
| Deposits                                   | 0.00                                    | 0.00                                 | 0.00                                   | 0.00                                 | 0.00                                    | 0.00                                     |
| Transfers to checking for disbursement     | 0.00                                    | 0.00                                 | 0.00                                   | 0.00                                 | 0.00                                    | 0.00                                     |
| Matured C.D. transferred to Money Market   | 1,440,000.00                            | 0.00                                 | 0.00                                   | 0.00                                 | 0.00                                    | 0.00                                     |
| Ending balance on 10-31-89                 | 1,476,653.28                            | 257.98                               | 23,790.71                              | 34,863.07                            | 0.00                                    | 0.00                                     |
| Beginning balance in checking on 10-1-89   | 53,663.54                               | 32,370.83                            | 7,691.81                               | 31,054.05                            | 1.00                                    | 0.00                                     |
| Deposits                                   | 56,644.68                               | 3,336.47                             | 757.79                                 | 1,086.61                             | 45,430.56                               | 598.60                                   |
| Disbursements                              | 1,019.01                                | 0.00                                 | 0.00                                   | 0.00                                 | 17,539.86                               | 0.00                                     |
| Ending balance on 10-31-89                 | 109,289.21                              | 35,707.30                            | 8,449.60                               | 32,140.66                            | 27,891.70                               | 598.60                                   |
| <b>TOTAL BALANCE FOR EACH FUND</b>         | <b>1,785,942.49</b>                     | <b>82,465.28</b>                     | <b>32,240.31</b>                       | <b>67,003.73</b>                     | <b>27,891.70</b>                        | <b>598.60</b>                            |



\*DECEMBER 4, 1989\*

COUNTY OF HAYS  
 SUMMARY OF PUBLIC WORKS PROJECTS AND SPRINGLAKE  
 FOR THE PERIOD ENDING OCTOBER 1989

|   | Hays County<br>Public Works | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>Road District |
|---|-----------------------------|-----------------------|---------------------|---------------------------------|
| Beginning balance in C.D.'s on 10-1-89          | 400,000.00                  | 81,700.00             | 15,000.00           | 0.00                            |
| New C.D.'s                                      | 0.00                        | 0.00                  | 0.00                | 0.00                            |
| Matured C.D.'s transferred to Money Market      | 250,000.00                  | 0.00                  | 0.00                | 0.00                            |
| Ending balance on 10-31-89                      | 150,000.00                  | 81,700.00             | 15,000.00           | 0.00                            |
| Beginning balance in Money<br>Market on 10-1-89 | 20,754.80                   | 74.51                 | 39,069.98           | 0.00                            |
| Interest (Includes C.D. Interest)               | 699.80                      | .36                   | 188.39              | 0.00                            |
| Deposits  | 0.00                        | 0.00                  | 0.00                | 0.00                            |
| Transfers to checking for disbursement          | 50,000.00                   | 0.00                  | 0.00                | 0.00                            |
| Matured C.D.'s transferred to Money Market      | 250,000.00                  | 0.00                  | 0.00                | 0.00                            |
| Ending balance on 10-31-89                      | 221,454.60                  | 74.87                 | 39,258.37           | 0.00                            |
| Beginning balance in checking on 10-1-89        | 30,042.81                   | 16,848.66             | 5,094.51            | 640.00                          |
| Deposits  | 54,440.36                   | 1,801.17              | 830.09              | 0.00                            |
| Disbursements                                   | 77,685.79                   | 0.00                  | 352.66              | 0.00                            |
| Ending balance on 10-31-89                      | 6,797.38                    | 18,649.83             | 5,571.94            | 640.00                          |
| <b>TOTAL BALANCE FOR EACH FUND</b>              | <b>378,251.98</b>           | <b>100,424.70</b>     | <b>59,830.31</b>    | <b>640.00</b>                   |

\*DECEMBER 4, 1989\*

PAYMENT TO BOB LOWDEN FOR FENCING EXPENSES (FM 1626 PROJECT)

Request for payment has been made by Bob Lowden for fencing expenses = 1400' X \$1.25 = \$1,750. Commissioner Payne spoke of reasons for denying payment at the last Commissioners' Court meeting. Judge Rains spoke of discussion with Mr. Lowden. Patsy Greiner, Admin. Coord., spoke of situation - Mr. Lowden felt like Mr. Berkman was taken advantage of - part of the property was cut off and was sold to adjoining property owners. Commissioner Payne felt like Mr. Berkman was treated fairly and Mr. Lowden should not be compensated. Commissioner Ford stated that he was not a part of the negotiations but would support payment for fencing the same as other property owners. Judge Rains spoke - knowing the facts: Bob Lowden was present during negotiations and property was in the Judge's opinion appraised highly - he has strong feelings both ways. District Attorney Charles Chapman spoke of deal originally being with Mr. Berkman and now ownership has changed to Mr. Lowden - felt like the Auditor could not legally pay out to a noncontractual party. Commissioner Rippy spoke of paying for the value of the existing fence but not for building a new fence - felt like County needed to pay for fence replacement of \$1750 - \$700 = \$1050. No action was taken.

10005 ENTER INTO MINUTES THE NAMES OF BIDDERS FOR SHERIFF'S DEPT. VEHICLES

County Auditor Bill Herzog presented bid tabulation sheets for Sheriff's Autos.

| Dealership             | Year | Make | Unit Price | Pkg.Price |
|------------------------|------|------|------------|-----------|
| McMorris Downtown Ford |      | Ford | \$11,983   | \$83,881  |
| Leif Johnson Ford      | 1990 | Ford | \$12,182   | \$85,274  |
| Red Simon Ford         |      | Ford | \$12,285   | \$85,995  |
| Bluebonnet Motors      | 1990 | Ford | \$12,359   | \$86,513  |
| Thoroughbred           |      | Chev | \$13,261   | \$92,827  |
| Chuck Nash             | 1990 | Chev | \$13,965   | \$97,755  |

Chief Deputy Sheriff Sherman Brodbeck spoke of bids - last year bids were \$13,800 per car - Court might want to consider additional units at this low price. Judge Rains spoke of local service vs. out of town. Commissioner Payne stated that if low bid is not accepted, the low bidder must be given a chance to appear before the Court. A motion was made by Judge Rains, seconded by Commissioner Ford proposing the award bid for Sheriff's Dept. Autos to Red Simon Ford with local warranty work - other bidders will be given a chance to appear before the court before final awarding of bid.

10006 AWARD CONTRACT FOR SHERIFF'S DEPT. RADIOS

Chief Deputy Sheriff Sherman Brodbeck spoke of bids received:

| Company  | Each Unit   | 7 Units     |
|--|-------------|-------------|
| Industrial Radio Co. (GE)                              | \$ 1,347.42 | \$ 9,431.94 |
| Omni Communications Systems<br>Inc. (Midland)          | \$ 1,443.00 | \$10,101.00 |
| Motorola Communications &<br>Electronics Inc. (Syntor) | \$ 1,500.00 | \$10,500.00 |
| (Type 1)   | \$ 1,600.00 | \$11,200.00 |
| International Logistics Systems                        | No Bid      |             |

Industrial Radio - GE Ranger does not meet specs as a Type I Radio - to convert to voice encryption will cost \$791.70 per unit plus labor - Motorola console will have to be modified to accept GE Voice encryption(scramble).

Omni Communications - Midland Radio does not perform satisfactory, voice encryption capabilities are not as required - console would require some modification to accept voice encryption.

Motorola Communications - Type I radio - cost to add voice encryption to each radio is \$500 installed - console would not need to be modified to accept voice encryption and required boards were included in original purchase of console.

Motorola will install the radios in the vehicle at our location at no additional charge - function capabilities of the Syntor X 9000 with Alpha-Numeric control head is preferred (\$1,600 per unit).

\*DECEMBER 4, 1989\*

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to award contract for Sheriff's radios to Motorola Communications & Electronics Inc. at \$1,600 per unit to be financed. All present voting "Aye".

JUVENILE PROBATION OFFICE SPACE

Juvenile Probation Officer Ed Cooper spoke of office space needs - meeting of the Juvenile Probation Board was held and discussed office space - unable to find satisfactory location at this time - will postpone renting a space at this time until after the first of next year. No action was taken.

10007 AUTHORIZE REBIDDING OF COPIER FOR SHERIFF'S DEPT. WITH REVISED SPECIFICATIONS

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize rebidding of copier for the Sheriff's Dept. with revised specifications. All present voting "Aye".

10008 APPROVE CONTINUING TAXATION OF AIRPLANES AND GOODS & TRANSIT

Ruth Clayton, Tax Assessor-Collector, spoke of HB 82, HB 2959 and SJR#11 - Law has exempted recreational type vehicles from taxes - County currently taxes airplanes - There are several companies paying taxes on goods & transit - notice must be published to allow applications for exemptions - County currently has about 18 airplanes on the tax roll. A motion was made by Commissioner Ford, seconded by Judge Rains to continue taxing airplanes and goods & transit. All present voting "Aye". W. H. Moore, District clerk, spoke of people who own airplanes and the hardships on pleasure aircraft. Commissioner Rippy requested research on taxing of all recreational vehicles.

10009 APPROVE PAYMENT OF INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of invoices as presented by the County Auditor in the amount of \$64,289.91. All present voting "Aye".

|                |            |                  |             |
|----------------|------------|------------------|-------------|
| Auditor        | \$ 7.56    | Judicial         | \$ 3,750.00 |
| Election Admin | \$ 16.24   | Indigency        | \$ 4,529.99 |
| Health Dept.   | \$ 12.00   | Countywide Misc. | \$12,078.23 |
| District Clerk | \$ 144.84  | County Clerk     | \$ 3,375.55 |
| Sheriff        | \$2,530.45 | Jail             | \$ 8,361.97 |
| Co Crt @ Law 1 | \$ 16.00   | Dist. Atty.      | \$ 153.23   |
| J.P. 1-2       | \$ 234.00  | J.P. 2           | \$ 350.00   |
| J.P. 3         | \$ 366.56  | J.P. 4           | \$ 250.00   |
| J.P. 5         | \$ 100.00  | DPS              | \$ 188.26   |
| Constable 1    | \$ 100.77  | Constable 2      | \$ 35.00    |
| Constable 3    | \$ 60.65   | Constable 4      | \$ 35.00    |
| Constable 5    | \$ 35.00   | TDH TB Grant     | \$ 50.00    |
| District Court | \$ 162.50  | County Court     | \$ 837.32   |
| Dist.Crt. Rep  | \$ 14.50   | R&B General      | \$ 63.26    |
| Precinct 1     | \$3,890.30 | Precinct 2       | \$ 359.83   |
| Precinct 3     | \$ 737.79  | Precinct 4       | \$ 188.21   |
| Self Insur     | \$1,000.00 | Law Library      | \$ 45.00    |
|                |            | Public Works     | \$20,209.90 |

10010 AUTHORIZE COUNTY AUDITOR TO BID FOR VOTING EQUIPMENT

Joyce Cowan, Election Administrator, spoke of equipment needs - 1 high speed counter and votomatics - she will provide the specs. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to bid for voting equipment. All present voting "Aye".

\*DECEMBER 4, 1989\*

ENTER INTO MINUTES BIDDERS FOR PICKUP TRUCKS

County Auditor Bill Herzog presented Pick-up Truck tabulation sheets:

| <u>Company</u>             | <u>Year/Wheel Base/Make/Model</u> | <u>Price Per Unit</u> |
|----------------------------|-----------------------------------|-----------------------|
| San Antonio Truck Sales    | 1990/short/GMC/Sierra             | \$11,770.00           |
| Hendrix GMC Trucks Inc.    | 1990/short/GMC/Sierra             | \$11,947.00           |
| McMorris Downtown Ford Inc | 1990/Long/Ford/F150               | \$11,985.00           |
| San Antonio Truck Sales    | 1990/Long/GMC/Sierra              | \$12,000.00           |
| Bill Munday Pontiac-GMC    | 1990/Long/GMC/Sierra SL           | \$12,050.00           |
| Capitol Chevrolet Inc.     | 1990/Long/Chev/Cheyenne           | \$12,150.00           |
| Chuck Nash                 | 1989/Long/Chev/Cheyenne           | \$12,250.00           |
| Soechting Motors Inc.      | 1990/Long/Ford/F150               | \$12,264.00           |
| BlueBonnet Motors Inc.     | 1990/Long/Ford/F150               | \$12,329.00           |
| Red Simon Ford             | 1990/Long/Ford/F150               | \$12,425.00           |
| Abbott                     | 1990/Long/Dodge/D150              | \$12,985.45           |

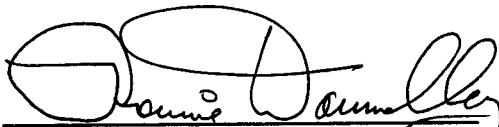
The two lowest bidders do not have auxiliary fuel tanks as specified in bid specs. Commissioner Rippy spoke of need for new truck - will give his present vehicle to his crew and keep the new one for himself. Commissioner Ford spoke of difference between low bidder and local dealer Chuck Nash - local dealer would provide the vehicle in two days and warranties are different - would like to go with local dealer. A motion was made by Commissioner Rippy, seconded by Commissioner Ford proposed awarding bid to Chuck Nash for three pickups @ \$12,250 - low bidders to be notified. Judge Rains stated that he did not feel comfortable awarding bid without knowing more about the total package offered. Motions withdrawn - will award at next meeting.

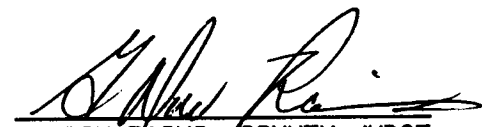
MIRANDA SUBDIVISION (LOTS 1 & 2) - 3RD READING [PCT. 2]

Charles Swart spoke of divorce settlement causing a split in the property - District Court has ordered the division, it is not a voluntary subdivision. Commissioner Ford spoke of his concerns about an easement instead of a public roadway - road does not have to be built but it should be shown on the plat and dedicated to the public. Mr. Swart spoke - survey will have to be redone if a public road is dedicated. Commissioner Ford spoke of many roads in Pct. 2 that were private roads and are now becoming public and he wants to put an end to this problem. No action taken.

10011 APACHE SPRINGS - REVISION OF ROAD EASEMENT (PCT. 4)

Patsy Greiner, Administrative Coordinator, spoke - this plat is being amended to include a 212.76 foot road extension. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve revision of road easement in the Apache Springs subdivision on first, second and third readings. All present voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

~~~~~000~~~~~

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 11th DAY OF DECEMBER, A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

\*DECEMBER 11, 1989\*

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

## 10012 AWARD CONTRACTS FOR COMMISSIONER'S PICKUPS AND SHERIFF'S DEPT. AUTOS

Bids were submitted to the Court on December 4, 1989:

|                         |                |             |
|-------------------------|----------------|-------------|
| San Antonio Truck Sales | 1990 GMC/SWB   | \$11,770.00 |
| Hendrix GMC Trucks Inc. | 1990 GMC/SWB   | \$11,947.00 |
| McMorris Downtwon Ford  | 1990 Ford/LWB  | \$11,985.00 |
| San Antonio Truck Sales | 1990 GMC/LWB   | \$12,000.00 |
| Bill Munday Pontiac/GMC | 1990 GMC/LWB   | \$12,050.00 |
| Capitol Chevrolet Inc.  | 1990 Chev/LWB  | \$12,150.00 |
| Chuck Nash              | 1989 Chev/LWB  | \$12,250.00 |
| Soechting Motors Inc.   | 1990 GMC/LWB   | \$12,264.00 |
| BlueBonnet Motors       | 1990 Ford/LWB  | \$12,329.00 |
| Red Simon Ford          | 1990 Ford/LWB  | \$12,425.00 |
| Abbot                   | 1990 Dodge/LWB | \$12,985.45 |

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract for three pickups for Commissioner Pct. 1, Pct. 2 and Pct. 4 to Chuck Nash based on difference in warranty and delivery date. John Hudson of Bill Mundy Pontiac/GMC spoke - felt like they had offered the same warranty as Chuck Nash - his bid was for a 1990 model vs. 1989 model bid by Chuck Nash - more standard equipment on a newer model vehicle. Commissioner Ford spoke of warranty bid by bill Munday Pontiac/GMC. Commissioner Rippy spoke of service considerations: local vs. out-of-town - felt like the best choice would be a local bid, being the lowest best bid. Commissioner Ford spoke of short delivery date offered by Chuck Nash - 2 days from awarding bid. The two lowest bids were for shortwheelbase vehicles with no auxiliary fuel tanks as specified in bid request. Commissioner Ford and Commissioner Rippy voting "Aye" Commissioner Payne voting "No" Commissioner Gonzales abstained. Motion carried. Commissioner Payne stated that he had voted against new pickups being purchased in general for the Commissioners - not against the bid itself. Bid tabulation for Sheriff's autos:

| <u>Dealership</u>      | <u>Per Unit</u> | <u>Package Price</u> |
|------------------------|-----------------|----------------------|
| McMorris Downtown Ford | \$11,983        | \$83,881             |
| Leif Johnson Ford      | \$12,182        | \$85,274             |
| Red Simon Ford         | \$12,285        | \$85,995             |
| BlueBonnet Motors      | \$12,359        | \$86,513             |
| Thoroughbred           | \$13,261        | \$92,827             |
| Chuck Nash             | \$13,965        | \$97,755             |

Commissioner Gonzales spoke of the last Sheriff's Dept. cars that were purchased - he had wanted to award bid to the local dealer, however, they were awarded to McMorris Ford (the low bidder). Sherman Brodbeck, Chief Deputy Sheriff, spoke - Red Simon offered 90 day delivery whereas McMorris Ford was up to 120 days. Sheriff Hastings spoke of getting parts locally from Red Simon - felt like we would get a better deal if we bought the cars from person who supplies us with parts. District Attorney Charles Chapman spoke of reasons for not going with the lowest bid.

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to award contract for Sheriff's autos to Red Simon Ford, a local dealer. McMorris Ford was given the opportunity to appear before the Court and did not appear this date. Commissioner Ford spoke of lowest best bid and responsibilities of bidders. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract for ten (10) units for the Sheriff's Dept. instead of seven (7) units. Commissioners Ford felt like it would be justifiable to purchase more vehicles at this time. Bill Herzog stated that it would not affect the FY90 budget. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne and Judge Rains voting "No". Commissioner Payne spoke of continued borrowing by the County. Sheriff Hastings spoke of needing to equip additional vehicles - older vehicles will be auctioned off or given to other departments. Chief Deputy Brodbeck spoke - old radios from these vehicles need to be replaced - repairs are costly. Sheriff Hastings spoke of work being done by the Warrant Officers and extra patrols for the holidays - presently we have an open bid on radios - will purchase 3 radios out of drug money.

\*DECEMBER 11, 1989\*

10013 AUTHORIZE PURCHASE OF DRY STERILIZER FOR JAIL

Sheriff Paul Hastings spoke of problems in the Jail Infirmary with sterilizing equipment - causing replacement of equipment because of hard water in this area - need to purchase a dry sterilizer = \$259.95. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize purchase of a dry sterilizer for the jail out of the Jail Construction proceeds. All voting "Aye".

10014 RESCHEDULE DECEMBER 25, 1989 MEETING

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to schedule Commissioners' Court meetings for December 18, 1989 and January 8, 1989 at 9:00 A.M. All voting "Aye".

SET PRICE FOR AMDRO

Patsy Greiner, Administrative Coordinator, spoke of increase in price County is paying for Amdro - currently charging \$4 per lb. - Court advised to continue with current price - no change

10015 CHANGE HOLIDAY DATE FOR GOOD FRIDAY 1990

Patsy Greiner, Administrative Coordinator, stated that date proposed for Good Friday was incorrect - wrong date was obtained from a 1989 calendar instead of a 1990. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to change holiday date for Good Friday to April 13, 1990. All voting "Aye".

10016 APPROVE PURCHASE OF FOUR REPLACEMENT TIRES & WHEELS AND ONE RADIO FOR HEALTH DEPARTMENT OUT OF SELF INSURANCE FUND

Terry Ewald, Health Dept., showed Court pictures of one of the Health Dept. trucks that were vandalized - all four tires & wheels were removed - truck was left up on a jack.

|                     |                             |          |
|---------------------|-----------------------------|----------|
| Replacement costs = | 4 Wrangler 235-75RX15 Tires | \$363.40 |
|                     | 4 5-hole 15" rims (used)    | \$ 60.00 |
|                     | 10 lugs                     | \$ 11.30 |
|                     | 1 2-way truck radio         | \$650.00 |

Total replacement costs = \$ 1,084.70

A motion was made by Judge Rains, seconded by Commissioner Ford to approve purchase of four replacement tires & wheels and one radio for the Health Department out of the County's Self Insurance Fund. All voting "Aye".

10017 AUTHORIZE HEALTH DEPT. PERSONNEL TO DRIVE COUNTY VEHICLES HOME DAILY

Commissioner Gonzales spoke of continuous vandalism at the Health Dept. - we need to allow employees to take vehicles home. Judge Rains suggested that vehicles be parked at the county jail. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to allow Health Dept. personnel to drive vehicles home daily. Terry Ewald, Health Dept. Admin., will report back to the Court on additional cost for fuel to see if this practice will be continued. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Judge Rains voting "No". Commissioner Payne abstained.

10018 REAPPOINT COUNTY JUDGE DON RAINS TO CAPITAL AREA HOUSING FINANCE CORP.

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to reappoint County Judge Don Rains to the Capital Area Housing Finance Corporation. All voting "Aye".

\*DECEMBER 11, 1989\*

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
 \*  
 COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, the Articles of Incorporation of the Capital Area Housing Finance Corporation provide that the Hays County Commissioners Court make an appointment of Director by written resolution; and

WHEREAS, the appointment is for a two-year term effective October 22, 1989; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners' Court of Hays County, Texas that:

County Judge, G. Don Rains, is appointed as Director of the Capital Area Housing Finance Corporation representing Hays County, Texas.

RESOLUTION PASSED AND ADOPTED ON THIS 11TH DAY OF DECEMBER, 1989, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains s/ Ralph Gonzales  
 G. Don Rains, County Judge . Ralph Gonzales, Pct. 1

s/ W. R. Ford s/ Craig Payne  
 Wayne Ford, Pct. 2 Craig Payne, Pct. 3

s/ Oran Rippy  
 Oran Rippy, Pct. 4  
 ATTEST:  
s/Ronnie Dannelley  
 Ronnie Dannelley, County Clerk

(Comm. Court Seal)

10019 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF LIME KILN ROAD CULVERTS

Commissioner Rippy spoke - Engineer would like to put off this project at this time - Court could authorize advertising and go out for bids at a later date. Commissioner Gonzales spoke of specs - felt like there were problems with previously built culverts. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize Auditor to advertise for bids for construction of Lime Kiln Road culverts. All voting "Aye".

10020 CLOSING OF COUNTY OFFICES ON DAYS NOT APPROVED BY THE COMMISSIONERS' COURT - EARLY CLOSING ON DECEMBER 22, 1989

Commissioner Payne spoke of some office in the County closing and others not on days not approved by the Commissioners' Court as official holidays (i.e. the day before Thanksgiving - Nov. 15, 1989). Commissioner Ford spoke - traditionally all offices close at noon on the last working day before Christmas to attend the County Christmas Party - if this will not be permitted by the Court, then all County Departments need to be advised as soon as possible. District Attorney Charles Chapman spoke - Elected Officials have the authority to set their own office hours - no statute allows the Court to set their office hours, only the hours that the Courthouse is open to the public. Commissioner Gonzales spoke of taxpayers opinions should be considered. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to allow County offices that chose to attend the County Christmas Party to close at noon on December 22, 1989. Commissioner Gonzales spoke of complaints when some offices close and others do not. District Attorney Charles Chapman stated that he would provide statutes related to this issue. Judge Rains spoke - offices that stay open are left with the burden of explaining why other offices are closed to the public. Commissioner Rippy spoke of letting Department Heads run their own offices. County Treasurer Dottie Sims spoke of her Department and the extra hours that are put in to get payroll and reports out monthly - this extra time is not

\*DECEMBER 11, 1989\*

realized by the taxpayers or other Departments in the county. Mr. Chapman spoke of need to address payroll problems - Court could go to hourly pay for all employees. Judge Rains stated that he supports closing for the County Christmas Party, however, the court does need to address other days that offices are closing without approval by the Court. Commissioner Ford, Commissioner Rippy, and Judge Rains voting "Aye", Commissioner Gonzales and Commissioner Payne voting "No" - Motion Passed to allow closing at noon on December 22, 1989 for the County Christmas Party.

10021 AUTHORIZE PURCHASE OF TWO FILING CABINETS FOR THE FIRE MARSHAL/EMC

Commissioner Payne spoke of Fire Marshall A.D. Carroll needing two filing cabinets - cost is \$210 each - suggested that payment be made out of VA Officers travel line item. County Auditor Bill Herzog felt like the price for the cabinets were too high . A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize purchase of two filing cabinets for the Fire Marshal/EMC not to exceed \$210 each out of contingencies. Commissioner Gonzales, Commissioner Ford and Commissioner Payne voting "Aye", Commissioner Rippy and Judge Rains voting "No". PASSED.

10022 VA OFFICER - BUDGET AMENDMENT/TRAVEL LINE ITEM

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to amend VA Officer's budget by transferring \$2,000 from travel line item to contingency line item. All voting "Aye".

10023 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor presented invoices for payment in the amount of \$103,854.51 . Commissioner Gonzales questioned Attorney fees to Jim Pape in the amount of \$3,875.00 ordered by the District Judge - spoke of indigents for health care receive very little and Attorneys for indigent criminals receive a lot. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of county invoices in the amount of \$103,854.51 as presented by the Auditor. All voting "Aye".

|                   |    |           |                  |    |           |
|-------------------|----|-----------|------------------|----|-----------|
| Central Storeroom | \$ | 84.00     | Auditor          | \$ | 209.34    |
| Treasurer         | \$ | 63.07     | Extension Ofc.   | \$ | 157.45    |
| Judicial          | \$ | 5,623.30  | Juvenile Prob    | \$ | 1,680.62  |
| Election Admin    | \$ | 58.40     | Indigency        | \$ | 1,871.71  |
| Transfer Sta.     | \$ | 43.68     | Bldg. Maint.     | \$ | 6,116.51  |
| Health Dept.      | \$ | 428.18    | Civic Center     | \$ | 2,304.95  |
| Countywide Misc.  | \$ | 17,297.12 | Tax A/C          | \$ | 317.31    |
| District Clerk    | \$ | 150.32    | County Clerk     | \$ | 80.87     |
| Sheriff's Dept.   | \$ | 1,917.02  | Jail             | \$ | 11,371.07 |
| County Judge      | \$ | 200.64    | Admin. Coord.    | \$ | 61.46     |
| Co.Crt. @ Law 1   | \$ | 190.03    | Dist. Atty.      | \$ | 4,335.07  |
| J.P. 1-1          | \$ | 195.85    | J.P. 1-2         | \$ | 135.50    |
| J.P. 2            | \$ | 120.56    | J.P. 3           | \$ | 121.56    |
| J.P. 4            | \$ | 24.23     | J.P. 5           | \$ | 24.23     |
| DPS               | \$ | 1,113.03  | Constable 1      | \$ | 80.89     |
| Constable 2       | \$ | 78.94     | Constable 4      | \$ | 349.60    |
| Constable 5       | \$ | 398.42    | Social Services  | \$ | 200.00    |
| Veteran's Adm     | \$ | 37.22     | Data Proc Admin  | \$ | 14,788.51 |
| Co.Crt. @ Law 2   | \$ | 122.48    | CJD Grant        | \$ | 1,233.00  |
| TDH M&C Grant     | \$ | 802.44    | Fire Marshal/EMC | \$ | 25.57     |
| TABC              | \$ | 71.47     | Dist. Court      | \$ | 181.19    |
| County Court      | \$ | 649.38    | Dist. Court Rep  | \$ | 52.91     |
| R&B General       | \$ | 30.32     | Precinct 1       | \$ | 8,370.50  |
| Precinct 2        | \$ | 891.58    | Precinct 3       | \$ | 8,212.67  |
| Precinct 4        | \$ | 1,963.29  | Self Insurance   | \$ | 312.40    |
| Hot Check Fee     | \$ | 559.70    | Law Library      | \$ | 286.00    |
| Public Works      | \$ | 7,858.95  |                  |    |           |



\*DECEMBER 11, 1989\*

10024 LONGEVITY PAY

County Auditor Bill Herzog spoke of longevity pay - \$25,000 had been budgeted - payment will be about \$29,000 this year. A motion was made by Judge Rains, seconded by Commissioner Payne to stop at five years on longevity pay. Commissioner Ford asked how you could call it longevity if you stop it every year or cut it off every year - his recollection was that it would max out at 20 years of service - how can you cut off longevity pay - every year you should get \$5 per month more for every year of service with maximum of \$100 per month. Commissioner Rippy stated that he understood longevity pay would be \$5 per month for every year with maximum of \$1200 per year. Ford spoke - 4 years of service would receive \$20 per month - every year it would increase by \$60 - 20 years would be \$100 month maximum - now trying to eliminate longevity at 5 years. Judge Rains and Commissioner Payne voting "Aye". Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "No". Motion Failed.

10025 APPROVE LIST OF ALL KEY PERSON AND AFFIDAVIT FORM (ETHICS POLICY)

County Auditor Bill Herzog presented a list of Names and Titles of Key Persons with Hays County and Affidavit. Court advised to remove Frances Stovall of the Hays County Historical Commission and add Bryan Hoot Maintenance Supervisor. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve list of all key persons and affidavit form related to the Hays County Ethics Policy. All voting "Aye".

NAMES AND TITLES OF KEY PERSONS WITH HAYS COUNTY

|                   |                                     |
|-------------------|-------------------------------------|
| G. Don Rains      | County Judge                        |
| Ralph Gonzales    | Commissioner Pct. 1                 |
| Wayne Ford        | Commissioner Pct. 2                 |
| Craig Payne       | Commissioner Pct. 3                 |
| Oran Rippy        | Commissioner Pct. 4                 |
| Charles Chapman   | District Attorney                   |
| Ronnie Dannelley  | County Clerk                        |
| Patsy Greiner     | County Administrator                |
| Becky Sierra      | Justice of the Peace Pct. 1 Place 2 |
| Macel Sullivan    | Justice of the Peace Pct. 1 Place 1 |
| Howard Warner     | County Court at Law Judge           |
| Claude Lilly      | County Court at Law Judge           |
| Ed Cooper         | Juvenile Probation                  |
| Shelley Williams  | Juvenile Probation                  |
| Tom Tvrdik        | Veterans Administrator Officer      |
| W. H. Moore       | District Clerk                      |
| Charles Ramsay    | District Judge                      |
| Gene Lee          | Court Reporter                      |
| Paul Hastings     | County Sheriff                      |
| Terry Ewald       | Health Department Administrator     |
| Cliff Caskey      | County Extension Agent              |
| Joyce Cowan       | Elections Administrator             |
| Ruth Clayton      | Tax Assessor-Collector              |
| Dottie Sims       | County Treasurer                    |
| Bill Herzog       | County Auditor                      |
| Mark Hohensee     | Texas Alcohol Beverage Commission   |
| Pete Champion     | Texas Alcohol Beverage Commission   |
| Eva Cruz          | Indigent Care Administrator         |
| Ralph Meyers      | Sergeant Dept. of Public Safety     |
| Danny Dever       | Data Processing                     |
| James Holt        | Justice of the Peace Pct. 2         |
| Sonny Gold        | Justice of the Peace Pct. 3         |
| John Burke        | Justice of the Peace Pct. 4         |
| Orlena Hehl       | Justice of the Peace Pct. 5         |
| Jim Hotz          | Civic Center                        |
| A. D. Carroll     | Fire Marshal                        |
| Ray Castillo      | Adult Probation                     |
| Lupe Cruz         | Constable Pct. 1                    |
| James Kohler      | Constable Pct. 2                    |
| Don Amerson       | Constable Pct. 3                    |
| Clarence Bankston | Constable Pct. 4                    |
| Billy Reeves      | Constable Pct. 5                    |
| Bryan Hoot        | Maintenance Supervisor              |

\*DECEMBER 11, 1989\*

THE STATE OF TEXAS  
COUNTY OF HAYS

AFFIDAVIT

BEFORE ME, the undersigned authority \_\_\_\_\_ on this day personally appeared \_\_\_\_\_, who, being by me duly sworn, upon oath says: that he/she is duly qualified and authorized to make this affidavit for and on behalf of \_\_\_\_\_, bidder/offeree/contractor, of \_\_\_\_\_ County, Texas, and is fully cognizant of the facts herein set out and affirms to the truth and accuracy of the certifications made herein by signing this affidavit; that the bidder/offeree/contractor has received the list of key persons dated \_\_\_\_\_, 19\_\_\_\_, and attached to this affidavit as exhibit "A"; that he/she has personally read the said exhibit "A"; that he/she can read the English language; and that he/she has no knowledge of any key person with whom the bidder is doing business or has done business during the 365 day period immediately prior to the date of this affidavit whose name is not disclosed in the bid, offer, or contract.

\_\_\_\_\_  
BIDDER, OFFEROR/CONTRACTOR

\_\_\_\_\_  
SIGNATURE OF AFFIANT

\_\_\_\_\_  
TYPED OR PRINTED NAME OF AFFIANT

\_\_\_\_\_  
TITLE OF AFFIANT

\_\_\_\_\_  
ADDRESS OF AFFIANT

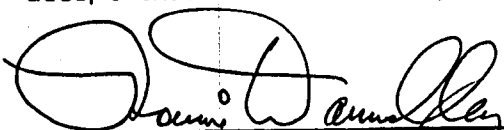
SUBSCRIBED AND SWORN to before me by the said \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, to certify which witness my hand and seal of office.

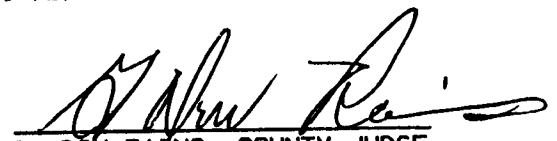
\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_  
County, Texas

\_\_\_\_\_  
Typed or printed name of notary  
My commission expires \_\_\_\_\_

ESTATES OF SAN MARCOS (89-021) - 3RD READING (PCT. 1)

Kelly Kilber presented "Estates of San Marcos" subdivision on third reading - located on McCarty Lane - was originally a Condominium Regime project - there are 10-11 houses now and developer has changed project into a subdivision - located in San Marcos ETJ - private road with homeowners association and private water system. Commissioner Ford spoke of need for description of roads and deed this property to the Homeowners association so that they can pay taxes on the road. Commissioner Gonzales spoke - this subdivision had only first reading in 1987 and there was no request for extension and no second reading approval. Kelly Kilber stated that they need to get approval and record the plat before the end of this year. Terry Ewald spoke - flood study was done in 1984 - asked the Court if they would require a new flood study. Court advised that they will accept the 1984 flood study - need a variance request for the cul-de-sac.

  
\_\_\_\_\_  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
\_\_\_\_\_  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*DECEMBER 18, 1989\*

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 18th DAY OF DECEMBER , A.D., 1989, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10026 ACCEPT EXTENSION OF COUNTY ROAD 003 AT THE SILO (OAKWOOD HILLS ROAD) FOR COUNTY MAINTENANCE

Commissioner Payne spoke of road bond election - he would like to go ahead and accept the road extension (additional 2 miles) - he will be doing the work when construction begins on this road. A motion was made by Commissioner Payne, seconded by Commissioner Ford to accept extension of County Road #003 at the Silo (Oakwood Hills Road - additional 2 miles) for county maintenance. All present voting "Aye".

10027 ADOPT RESOLUTION PROVIDING FOR THE TAXATION OF PROPERTY EXEMPT UNDER ARTICLE VIII, SECTION 1-J, TEXAS CONSTITUTION BEGINNING WITH THE 1990 TAX YEAR

Commissioner Wayne Ford read the proposed resolution. Commissioner Payne spoke of concerns about the amount of tax dollars that will be affected. Commissioner Gonzales spoke of concerns about how this action will affect the people who work at the companies/manufacturers. A motion was made by Commissioner Ford, seconded by Judge Rains to adopt resolution providing for the taxation of property exempt under Article VIII, Section 1-J, Texas Constitution beginning with the 1990 tax year. Commissioner Ford, Commissioner Payne and Judge Rains voting "Aye". Commissioner Gonzales voting "No".

RESOLUTION NO. 10027

A RESOLUTION PROVIDING FOR THE TAXATION OF PROPERTY EXEMPT UNDER ARTICLE VIII, SECTION 1-J, TEXAS CONSTITUTION BEGINNING WITH THE 1990 TAX YEAR; AND DECLARING AN EMERGENCY

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

WHEREAS, the Hays County Commissioners' Court finds that the taxation of certain goods, wares, ores, and other tangible personal property that is forwarded out of this State within 175 days of its acquisition or importation into this State is in the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE HAYS COUNTY COMMISSIONERS COURT THAT:

1. All of that property described in the Texas Constitution, Article VIII, Sec. 1-j, shall be fully taxable in Hays County beginning January 1, 1990
2. All resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.
3. This Resolution shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

\*DECEMBER 18, 1989\*

PASSED AND ADOPTED THIS THE 18th DAY OF DECEMBER, 1989.

HAYS COUNTY COMMISSIONERS' COURT

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

s/ Rafael Gonzales  
RAFAEL GONZALES  
COMMISSIONER, PRECINCT #1

s/ Wayne Ford  
WAYNE FORD  
COMMISSIONER, PRECINCT #2

s/ Craig D. Payne  
CRAIG D. PAYNE  
COMMISSIONER, PRECINCT #3

(Absent)  
ORAN H. RIPPY  
COMMISSIONER, PRECINCT #4

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANNELLEY  
HAYS COUNTY CLERK

10028 APPROVE FENCE PAYMENT TO BRADLEY DEVELOPMENT (\$2,200) ON PARCEL #9 (TE)  
ON THE FM1826 LOW WATER CROSSING IMPROVEMENT PROJECT

Patsy Greiner, Admin. Coord., spoke - \$2,200 has already been figured into R-O-W expenses - the property owners have donated the property, however, fence will need to be replaced - 740' of fence X \$1.48 per foot. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment to Bradley Development on Parcel #9 of the FM1826 low water crossing improvement project in the amount of \$2,200 out of the R-O-W expenses line item. All present voting "Aye".

10029 DISTRICT CLERK - APPROVE PURCHASE OF TWO TYPEWRITERS

District Clerk W. H. Moore appeared before the Court - \$1000 was budgeted to allow purchase of microfiche cabinets for his office - he was able to purchase three microfiche cabinets from the Texas Surplus Agency for under \$100 - requested that he be allowed to purchase two typewriters with the remaining funds in the office equipment line item. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of two typewriters for the District Clerk. All present voting "Aye".

10030 BUILDING MAINTENANCE DEPT. - APPROVE PURCHASE OF ROTARY HAMMER

Maintenance Supervisor Bryan Hoot spoke - he has been renting a hammer drill @ \$40 a day - has already spent over \$400 for rental - a new rotary hammer cost \$578 - he found one at a local pawn shop for \$200. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve purchase of a rotary hammer for Building Maintenance Department. All present voting "Aye".

10031 APPROVE MINUTES OF NOVEMBER 1989

Commissioner Payne spoke of error in the minutes (Vol. N Page 239) Re: Discussion of Hays County Ethics Policy - need to change: individual rents property from Payne - not the other way around. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve minutes of November 1989 with correction. All present voting "Aye".

\*DECEMBER 18, 1989\*

## 10032 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog presented invoices to be paid in the amount of \$124,685.90. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of county invoices in the amount of \$124,685.90. All present voting "Aye".

|                   |              |                  |             |
|-------------------|--------------|------------------|-------------|
| Fees Revenue      | \$ 40.00     | Auditor          | \$ 64.80    |
| Treasurer         | \$ 262.14    | Extension Ofc    | \$ 527.49   |
| Judicial          | \$ 500.00    | Juvenile Prob    | \$ 116.86   |
| Election Admin    | \$ 1,142.00  | Indigency        | \$ 158.90   |
| Transfer Station  | \$ 3,511.00  | Bldg. Maint.     | \$ 1,151.99 |
| Civic Center      | \$ 254.94    | Countywide Misc. | \$40,364.12 |
| Tax A/C           | \$ 43.17     | District Clerk   | \$ 833.11   |
| County Clerk      | \$ 260.00    | Sheriff          | \$ 2,788.52 |
| Jail              | \$ 27,693.62 | Co.Crt.@ Law 1   | \$ 40.80    |
| Dist. Atty.       | \$ 1,250.91  | J.P. 1-1         | \$ 61.48    |
| J.P. 1-2          | \$ 94.01     | J.P. 2           | \$ 11.48    |
| J.P. 3            | \$ 11.48     | J.P. 4           | \$ 11.48    |
| J.P. 5            | \$ 45.75     | DPS              | \$ 408.92   |
| Constable 1       | \$ 447.38    | Constable 2      | \$ 500.00   |
| Constable 5       | \$ 102.58    | Veterans Admin   | \$ 245.15   |
| Data Proc Admin   | \$ 4,329.90  | TDH TB Grant     | \$ 3.50     |
| Foster Child Care | \$ 2,490.00  | In Home Spec.    | \$ 83.58    |
| TDH M&C Grant     | \$ 144.42    | Fire Marshal/EMC | \$ 22.57    |
| District Court    | \$ 665.50    | County Court     | \$ 1,026.40 |
| R&B General       | \$ 170.02    | Precinct 1       | \$ 1,280.08 |
| Precinct 2        | \$ 3,954.46  | Precinct 3       | \$ 4,473.78 |
| Precinct 4        | \$ 664.32    | Hot Check Fee    | \$ 847.95   |
| Law Library       | \$ 28.50     | Jail Constr      | \$ 974.12   |
| Public Works      | \$ 19,812.30 | Sheriff's Drug F | \$ 770.42   |

## 10033 APPOINTMENT TO NORTHEAST HAYS COUNTY EMERGENCY SERVICE DISTRICT.

Commissioner Ford spoke of resignation of Sandra Liberman on the Board of Directors of the Northeast Hays County Emergency Service District - would like to fill the vacancy with Frank Burdette. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to appoint Frank Burdette to the Board of Directors of the Northeast Hays County Emergency Service District. All present voting "Aye".

## 10034 ACCEPT ROAD IN GRAPE CREEK SUBDIVISION FOR COUNTY MAINTENANCE

Commissioner Ford spoke of Grape Creek subdivision road - road is less than 1,000 feet long and connects with County Road #148 - would like to reconstruct roadway where it intersects with C.R.#148. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to accept Grape Creek Subdivision road (Little Pool Road and Axis Road) for County maintenance. All present voting "Aye".

## 10035 CARROLL &amp; MARY BAKER REQUEST FOR COMPENSATION FOR DAMAGES (CR 119)

Commissioner Ford read letter from the Baker's Attorney requesting payment of \$1,500 as settlement for County Pct. 2 crew trespassing on the Baker's property and bulldozing down several large trees along County Road 119 - gave the County thirty (30) days to pay settlement or they will file suit against the County for intentional trespass and will seek all actual damages as well as exemplary damages and cost of court. Commissioner Ford explained the situation - trees were in his opinion on county right of way - would like to offer \$750 in punitive damages - spoke of Baker's not being satisfied with the appraisal of their property on CR119 project - spoke of septic tanks on the property which were not permitted through the Health Dept. - admitted that County Pct. 2 crew was guilty of getting on the Baker's property without permission to remove the trees from the right of way. A motion was made by Commissioner Ford, seconded by Judge Rains to authorize payment of \$750 to the Baker's for alleged damages to their property. Commissioner Ford voting "Aye" Commissioner Gonzales and Commissioner Payne voting "No". Motion Failed.

\*DECEMBER 18, 1989\*

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize payment of \$750 to the Baker's for alleged damages to their property upon authorization by Commissione Ford and if payment is made out of Pct. 2 funds. Commissioner Gonzales and Commissioner Payne voting "Aye", Commissioner Ford voting "No". County Auditor Bill Herzog spoke of self insurance fund. Commissioner Ford stated that he would not make an offer if it will have to come out of his Precinct funds rather than the R-O-W expense line item. Commissioner Gonzales spoke of similar situations in his pct. - we need to be fair and pay for damages. Judge Rains suggested turning the claim over to the insurance company and use District Attorney Charles Chapman as the County's Attorney.

10036 SCOTTIE FUCHS (WIMBERLEY)-REQUEST FOR EXEMPTION TO AUTOMOTIVE WRECKING SALVAGE YARD ORDINANCE

Scottie Fuchs did not appear. County Health Department has received a request for exemption from the Hays County Ordinance establishing rules for junkyards and automotive wrecking and salvage yards:

I, Scottie Fuchs, hereby request that the junkyard and automotive wrecking and salvage yard operated on property owned by me, known as Lots 20, 21, and 22 of Breezeway a subdivision in Hays County, Texas, be exempted from compliance with the Hays County Ordinance establishing rules for junkyards and automotive wrecking and salvage yards for the reason that it legally began operation before the date upon which said rules were adopted by the Commissioners Court. As evidenced by the deeds attached hereto as Exhibits "A" and "B", I acquired title to tracts 21 and 22 on December 31, 1986, and to tract 20, on June 30, 1987. The property has been continuously operated as an automotive wrecking and salvage yard since my purchase thereof.

Additionally, prior to my purchase thereof the property was operated as an automotive wrecking and salvage yard. The prior owner, Mary Louise Blundell, approached me about buying it specifically as an automotive wrecking and salvage yard, and we entered into a commercial earnest money contract. A copy of said earnest money contract is attached hereto as Exhibit "C".

Therefore, I respectfully request that the property be granted an exemption from compliance.

Attorney Pat Rehmet appeared before the Court representing Marsha Fowler along with a group of neighbors to voice their opposition - property is located at entrance to the Breezeway Subdivision - there are presently 40 cars and 3 boats parked at this property - Scottie Fuchs' son Jimmie is currently operating a business on this property - business is not advertised and does not have a State Sales Tax Permit for parts that are sold off the vehicles - photos were shown to the Court - the Health Dept. has cited Mr. Fuchs for illegal disposal of liquids (i.e. oils, etc) causing contamination of water wells in the area. Marsha Fowler spoke of the original property owners - the Blundells - Mr. Blundell never worked on automobiles on this property - he was a Sears Appliance Repairman - she spoke of the Breezeway Subdivision located where Cypress Creek runs into the Blanco River. Terry Ewald, Health Dept. Administrator stated that exemption is being requested based on existence of automotive wrecking & salvage yard prior to adoption of county ordinance - the health department has cited Mr. Fuchs for drain fluids, garbage and excessive vehicles - conditions are worse and he is not willing to cooperate with the authorities. Mr. Rehmet spoke of citations - J.P. Pct. 3 Sonny Gold is a friend of Scottie Fuchs, however, he felt like at this point Judge Gold would proceed with this case. Terry Ewald, Health Dept. Administrator, recommended that the Court deny exemption request - conditions continue to deteriorate and Mr. Fuchs will not cooperate with the Health Department. Bob Fowler and his wife, residents of Breezeway Subd., spoke of work that is being done to cars on the roadway making it difficult for residents to get to their homes - there is only one entrance/exit to the subdivision - spoke of pollution of water wells that have been there for over 30 years. A motion was made by Commissioner Payne, seconded by Commissioner Ford to deny exemption request of the automotive wrecking salvage yard ordinance. All present voting "Aye". Commissioner Payne spoke of another one of the family members will be making application for a wrecking yard at a different location in the future.

\*DECEMBER 18, 1989\*

## HAYS COUNTY ANIMAL CONTROL AND RABIES CONTROL ACT - DISCUSSION

Commissioner Ford spoke of being under the impression that Hays County had adopted the Rabies Control Act since they had appointed the Sheriff as the Animal Control Officer - this can only be done if the Act is adopted - suggested that the Court appoint a committee to review - Sheriff's Dept. is unsure of their authority in animal control - need to establish a contract with the two animal shelters in Hays County to dispose of animals. Judge Rains spoke of Commissioner's Court minutes concerning this matter dated December 13, 1983 - felt like all dogs and cats should be inoculated against rabies - spoke of problems in certain areas of the County. Commissioner Ford spoke of County providing the catalyst by providing an Animal Control Officer and a vehicle. Jim Blystone (Kyle) spoke - bottom line is that no one had the money to spend on the program - it is a very costly program - City of Kyle has spent \$10,000 for impoundment alone - Kyle's Health Authority is their Chief of Police and they are used for quarantine only - there is no licensing, etc. Commissioner Ford spoke of rabies control act - rules adopted by the State Board are in place - we need to adopt county rules that would apply to cities that do not have rules or less stringent rules. Mr. Blystone spoke of need for licensing and a person to pickup animal, research ownership, etc. Commissioner Ford recommended appointing a committee to develop rules, guidelines, costs, etc. Each Commissioner to appoint two members and County Judge to appoint three members at large at the January 8, 1990 meeting.

## 10037 COUNTY EXTENSION AGENT - REQUEST FOR A CELLULAR TELEPHONE

Judge Rains read letter from Cliff Caskey, County Extension Agent, requesting a cellular telephone - cost = \$395 w/installation and monthly charge of \$25 per month + 24 cents per minute. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to deny request of county Extension Agent for a cellular telephone. Commissioner Gonzales and Commissioner Payne voting "Aye" and Commissioner Ford voting "No".

## 10038 MIRANDA SUBDIVISION LOTS 1 &amp; 2 (PCT. 2) - 3RD READING

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve "Miranda Subdivision Lots 1 & 2" on 3rd reading. All present voting "Aye".

## 10039 HILL COUNTRY RANCHES REPLAT LOTS 136A &amp; 136B (PUBLIC HEARING) - 1ST-3RD READINGS

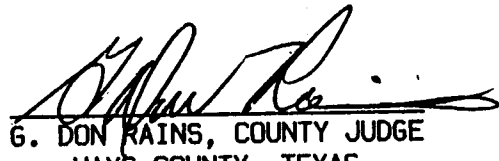
Judge Rains called public hearing to order - Surveyor William Kolodzie appeared before the Court - lot is being divided into two lots - advertising of public hearing was published. Commissioner Payne spoke of neighbors concerns being what is the intent for the property and are there any restrictions. Mr. Kolodzie stated that property owners want to build a home on the lot - spoke of right of way easement - there is a water well on the lot - no deed restrictions that he is aware of. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve "Hill Country Ranches Replat Lots 136A & 136B" on first, second and third readings. All present voting "Aye".

## 10040 ESTATES OF SAN MARCOS (PCT. 1) - 1ST-3RD READINGS

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve "Estates of San Marcos" subdivision on first, second and third readings and grant variance to utilize 50' radius cul-de-sac for private roads. All present voting "Aye".

A motion was made by Commissioner Gonzales to adjourn until January 8, 1990.

  
RONNIE DANDELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 8TH DAY OF JANUARY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

SATELLITE HEALTH CLINIC IN DRIPPING SPRINGS

Betty Garnett spoke of growth in the Dripping Springs area - felt like they have not experienced an increase in services - she is an RN and is concerned about health services - would like to see at least half a day health services provided in the Dripping Springs area (i.e. Senior Citizens care, pre-natal care, family planning, diabetes testing, etc) - the Methodist Church has donated space on a temporary basis. Paul Lavelee spoke of helping hand program - most people serviced do not have money or transportation to San Marcos - would like to see a clinic in the Dripping Springs area. Ann Ashjian, Health Department, spoke of new grant position will provide services to the Dripping Springs area twice a month - spoke of liability using church property. It was stated that the schools do not want the services at their locations due to liability and the Dripping Springs Senior Citizens Center does not have space available. Commissioner Rippy suggested working with CARTS for transportation to San Marcos.

10041 HAYS COUNTY YOUTH LIVESTOCK SHOW WEEK - PROCLAMATION

A motion was made by Commissioner Payne, seconded by Commissioner Ford to adopt proclamation Re: Hays County Youth Livestock Show Week. All voting "Aye".

P R O C L A M A T I O N

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

WHEREAS, the Hays County Youth Livestock Show will be held at the Hays County Civic Center in San Marcos, Texas during the week of January 21 - 27, 1990;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that the week of January 21 - 27, 1990 be proclaimed as

HAYS COUNTY YOUTH LIVESTOCK SHOW WEEK

an urge all citizens of Hays County to participate in this special event.

s/ G. Don Rains  
\_\_\_\_\_  
G. DON RAINS  
County Judge

ATTEST:

s/ Ronnie Dannelley  
\_\_\_\_\_  
RONNIE DANNELLEY  
County Clerk



\*JANUARY 8, 1990\*

10042 APPOINTMENTS TO ANIMAL CONTROL BOARD

Judge Rains nominated: Fred Sanderson (Chairman), Travis Tate and Gail Fields  
Commissioner Ford nominated: Fern Howze and Brenda Cox  
Commissioner Payne nominated: Terry Ewald  
Commissioner Rippy nominated: Carl Wheeler and Evelyn Rios  
Commissioner Payne needs to make one more nomination and Commissioner Gonzales needs to make his two nominations. Commissioner Ford stated that he had spoken to the Sheriff and he will advise the Board of Laws dealing with animal control.

10043 NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT - RE-APPOINTMENTS

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to reappoint Jesse Halm, Homer Cearley and Niles Sheffield to the Northwest Hays county Rural Fire Prevention District Board. All voting "Aye".  
Bryan Hoot spoke of appointments to Fire Districts in general - concerned about appointing Fire Chiefs, Captains and fire fighters - seems to be a conflict of interest - he is opposed to appointing Chiefs to the Board - fire fighters appointed is OK as long as they are not the majority of the board members - felt like appointing Fire Chiefs and Fire Fighters to the Board would make the Board overseeing itself. Commissioner Ford stated that the Fire District Board does not oversee the operation of the fire departments. Commissioner Payne spoke - volunteers are not able to elect their own officers seems to be the problem that Mr. Hoot is talking about also. Ed Thomassen spoke - feels the same as Bryan Hoot - spoke of funding - governing with the same people you are funding. Fire Marshal/EMC and South Hays County VFD Chief A. D. Carroll spoke - Fire District Board has no control over operation of the Fire Dept., they only contract with the fire departments for tax monies. Commissioner Ford spoke of the Fire District Board in Pct. 2 - felt like the majority of people in this district supports putting knowledgeable people on the board.

10044 NORTH HAYS COUNTY EMS BOARD - APPOINTMENTS

Commissioner Rippy spoke - Martin Ramm and Charles Jones do not want to serve on the Board anymore - recommended appointment of Hal Turner (Dripping Springs) and Therold Farmer (Rolling Oaks). Commissioner Payne spoke of new appointments - had previously requested appointments from the Wimberley area - in the future he would like a Wimberley person appointed. Ed Thomassen spoke of needing representation from all areas of the District. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve appointment of Hal Turner and Therold Farmer to the North Hays County EMS Board. All voting "Aye".

10045 PROCLAMATION THANKING MARTIN RAMM AND CHARLES JONES FOR THEIR SERVICE TO THE NORTH HAYS COUNTY EMS BOARD

Commissioner Rippy read proclamation and thanked Martin Ramm personally as he was in attendance at this meeting. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to adopt proclamation thanking Martin Ramm and Charles Jones for their service to the North Hays County EMS Board. All voting "Aye".

P R O C L A M A T I O N

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

WHEREAS, Martin Ramm and Charles Jones have served on the North Hays County Emergency Management Service Board as diligent and concerned members;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that:

MARTIN RAMM and CHARLES JONES

be recognized for their dedicated service to EMS in north Hays County.

\*JANUARY 8, 1990\*

s/ G. Don Rains  
G. DON RAINS  
County Judge

ATTEST:  
s/ Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk

10046 SOUTH HAYS COUNTY RURAL FIRE PREVENTION DISTRICT RE-APPOINTMENTS

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to re-appoint Hugh Snellings and Ann Glaves to the South Hays County Rural Fire Prevention District Board. Under discussion: SHCVFD Chief A.D. Carroll spoke of re-appointments - Hugh Snellings is the President of the Board - the taxing board does not make appointments to the Volunteer Fire Department - the Fire Department is a Corporation with By-Laws - felt like there was no conflict of interest. Hugh Snellings spoke - the State Fire Marshal Association recommends putting the Chief and Fire Fighters on the Board because they are knowledgeable in this field. Commissioner Gonzales spoke - he is concerned about any complaints he might receive - relies on recommendation of the Fire Chief and has not heard any complaints. Commissioner Payne spoke of need for all Fire Departments to file their annual reports with the Court. All voting "Aye".

10047 SELECT TEMPORARY COUNTY FINANCIAL DEPOSITORY TO SERVICE COUNTY BANKING NEEDS DURING PERIOD WHEN BANKS ARE BIDDING FOR COUNTY DEPOSITORY CONTRACT

Judge Rains spoke of fact that the County's Depository Bank - The First National Bank of San Marcos - fell January 4, 1990 necessitating action by the Commissioners Court. Representatives of the Victoria Bank & Trust Central (Bank taking over FNB) appeared before the Court offering an interim contract in order to continue operations - spoke of differences in the new contract and the old one - will need to release some pledged securities - spoke of investment alternatives - Handler Smith is Vice Chairman of the Bank at this time. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to select Victoria Bank and Trust Central as Temporary County Financial Depository to service Hays County banking needs during period when Banks are bidding for County Depository Contract. All voting "Aye".

10048 AUTHORIZE COUNTY TREASURER & COUNTY AUDITOR TO SUBSTITUTE AND RELEASE COLLATERAL SECURING COUNTY FUNDS WHERE THEY DEEM NECESSARY TO SECURE DEPOSITED COUNTY FUNDS

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Treasurer and County Auditor to substitute and release collateral securing county funds where they deem necessary to secure deposited county funds during the interim of awarding a new County Depository Contract. All voting "Aye".

10049 AUTHORIZE COUNTY AUDITOR TO SOLICIT BIDS FROM BANKS TO SERVE UNDER CONTRACT AS HAYS COUNTY BANKING DEPOSITORY

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Auditor to solicit bids from Banks to serve under contract as Hays County Banking Depository. All voting "Aye".

DISCUSS TRANSFER OF MONEY FROM DISTRICT ATTORNEY'S OFFICE TO PRECINCT ONE FOR PAYMENT OF SALARY FOR PHILLIP HERNANDEZ

Commissioner Gonzales spoke - District Attorney Charles Chapman has agreed to the transfer of funds from his Department.

MEMORANDUM

FROM: Charles W. Chapman  
TO: Bill Herzog  
RE: Transfer of funds from District Attorney's budget to Precinct One budget

\*JANUARY 8, 1990\*

DATE: January 5, 1990

As you probably recall, Mr. Phillip Hernandez was transferred by the Commissioners' Court from the District Attorney's office to work for Precinct One, pending the adjudication of his case in Hays County Court at Law. Judge Claude Lilly, at the motion of the Special Prosecutor appointed by Judge Howard Warner, Mr. Tom Gates, dismissed the case against Mr. Hernandez.

Though the case has been dismissed, it is unlikely that Mr. Hernandez could rejoin the staff of the District Attorney's office in a way which would be productive, given that the complainant in the aforementioned case is also a staff member.

It has been my understanding that the Commissioners' Court provided funds for Mr. Hernandez's salary in the budget of the District Attorney. If that is the case, I have no objection to any pertinent accounting transaction which you determine to be necessary.

Mr. Hernandez's employment, job responsibilities, and supervision would continue, as authorized by the Commissioners' Court, to be under the Precinct One County Commissioner.

Commissioner Rippy asked if funds were available - Mr. Herzog stated that the salary is presently being paid out of the District Attorney's budget. Commissioner Payne spoke of his concerns about funding in the D.A.'s budget. Commissioner Gonzales spoke of this being a simple transaction of funds - transfer salary from the D.A.'s budget to Precinct One budget. A motion was made by Commissioner Gonzales to transfer funds from the District Attorney's budget to Precinct #1 budget to pay salary for Phillip Hernandez - no second was made and motion was withdrawn. Commissioner Gonzales spoke of this being a case of discrimination against a Mexican American. Phillip Hernandez spoke to the Court - felt like there has been a conspiracy against him that started in February 1989 - spoke of Mr. Chapman putting the monkey on the Court's back - Mr. Hernandez stated that he plans on filing suit against the County if he is denied his income - felt like the Court should let Mr. Chapman make the decision of firing him or allowing him to rejoin the staff. Commissioner Ford spoke of Courts previous decision to transfer Mr. Hernandez to Pct. #1 - law required action because both employees involved in the case worked in the same office - rather than pay Mr. Hernandez a salary without service he was transferred to Pct. #1. County Auditor Bill Herzog stated that Mr. Hernandez would continue to be a county employee until someone terminates him. No action was taken.

10050 ENTER INTO THE MINUTES THE NAMES OF BIDDERS FOR ELECTION EQUIPMENT AND AWARD CONTRACT FOR PURCHASE OF EQUIPMENT FOR ELECTION DEPARTMENT AND COPIER FOR SHERIFF'S DEPARTMENT

Election Administrator Joyce Cowan appeared before the Court - only one bid was received for election equipment: Business Records = \$15,750.00. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract for purchase of equipment for Election Department to Business Records Corp. in the amount of \$15,750.00. All voting "Aye".

Bid tabulation for Sheriff's office copier:

| <u>COMPANY</u>   | <u>MODEL</u>      | <u>COST</u> | <u>ANNUAL MAINTENANCE</u> |
|------------------|-------------------|-------------|---------------------------|
| Unicopy          | Sharp 9750        | \$10,028.00 | \$1,260 138,000/.0099     |
| Unicopy          | Savin 7450        | \$ 9,905.00 | 2,352 240,000/.0098       |
| Austin Bus Mach  | Minolta EP5400    | \$ 6,128.00 | 1,932 240,000/.008        |
| Office Comm Syst | Konica 4290       | \$ 6,895.00 | 1,509 120,000/.0088       |
| Hale Bus Systms  | Harris 3M 6242    | \$ 7,737.00 | 1,575 120,000/.009        |
| Pitney Bowes     | Pitney Bowes D640 | \$ 7,009.25 | 1,650 330,000/.005        |
| Amer Bus Equip   | Konica 4290       | \$ 8,326.25 | .009 .009                 |
| Advan Bus Syst   | Mita 4085         | \$ 8,280.00 | .01 .01                   |
| Texas Copy       | Canon NP4540 RDF  | \$ 8,126.00 | 1,296 144,000/.009        |

Sheriff Hastings recommended low bidder conditioned on timely service based on 24 hour operation of Sheriff's Dept/Jail - low bidder being Pitney Bowes @ \$7,009.25 with annual maintenance charges as bid (lowest bid because of decrease

\*JANUARY 8, 1990\*

in maintenance charges). A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract for Sheriff's office copier to Pitney Bowes (\$7,009.25) conditioned on timely service for 24hour operation. All voting "Aye".

10051 AUTHORIZE COUNTY AUDITOR TO PURCHASE MOBILE WORK STATION FOR COMPUTER AND A SECRETARIAL DESK

County Auditor Bill Herzog spoke of receptionist counter at the Courthouse Annex second floor - unable to properly setup a computer - need to remove the counter and purchase a mobile work station (\$370) and a secretarial desk (\$450) for Martha to work at. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Auditor to purchase a mobile work station \$370) and a secretarial desk (\$450). All voting "Aye".

PRESENTATION OF FY1987 AUDIT REPORT

County Auditor Bill Herzog presented Financial Statements and Additional Information Year Ended September 30, 1987 with Report of Certified Public Accountants as reported by Ernst & Young.

REPORT OF CERTIFIED PUBLIC ACCOUNTANTS

Honorable County Judge and Members  
of the Commissioners' Court  
Hays County, Texas

We have examined the combined financial statements of Hays County, Texas for the year ended September 30, 1987, identified under Part I in the Table of Contents. Our examination was made in accordance with generally accepted auditing standards and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

As described in Note 1, the County's policy is to prepare its financial statements on the basis of cash receipts and disbursements; consequently, certain revenue and the related assets are recognized when received rather than when earned, and certain expenses are recognized when paid rather than when the obligation is incurred. Also, as described in Note 1, the County has elected not to prepare certain financial statements and related disclosures required by generally accepted accounting principles. Accordingly, the accompanying financial statements are not intended to present the financial position and results of operations in conformity with generally accepted accounting principles.

As described in Note 1, the accompanying financial statements do not include the changes in cash balances and cash receipts and disbursements for the year ended September 30, 1987, of the District Clerk, the County Clerk, the County tax Assessor/Collector, and the Justices of the Peace.

In our opinion, except as noted in the preceding paragraph, the combined financial statements identified under Part I in the Table of Contents present fairly the combined changes in cash balances of Hays County, Texas and the combined cash receipts and disbursements during the year ended September 30, 1987, on the basis of accounting described in Note 1, which basis has been applied in a manner consistent with that of the preceding year.

Our examination was made for the purpose of forming an opinion on the basic combined financial statements taken as a whole, identified under Part I in the Table of Contents. The accompanying additional information identified under Part II in the Table of Contents is presented for purposes of additional analysis and is not a required part of the basic combined financial statements of Hays County, Texas. Such information has been subjected to the auditing procedures applied in the examination of the combined financial statements and, in our opinion, is fairly stated in all material respects in relation to the combined financial statements taken as a whole.

\*JANUARY 8, 1990\*

10052 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of County invoices as presented by the County Auditor in the amount of \$116,926.04. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| SHCVFD Util       | \$ 7.39      | Auditor          | \$ 147.38    |
| Treasurer         | \$ 71.16     | Extension Ofc    | \$ 268.91    |
| Judicial          | \$ 57.90     | Juvenile Prob    | \$ 96.26     |
| Election Admin    | \$ 34.03     | Transfer Sta     | \$ 110.54    |
| Building Mtc.     | \$ 4,363.03  | Health Dept.     | \$ 404.66    |
| Civic Center      | \$ 3,290.58  | Countywide Misc  | \$ 68,588.53 |
| Tax A/C           | \$ 397.71    | District Clk     | \$ 163.26    |
| County Clerk      | \$ 166.87    | Sheriff          | \$ 1,515.25  |
| Jail              | \$ 18,354.86 | County Judge     | \$ 78.61     |
| Admin. Coord.     | \$ 64.40     | Co.Crt.@ Law #1  | \$ 53.49     |
| Dist. Attorney    | \$ 577.89    | J.P. 1-1         | \$ 62.36     |
| J.P. 1-2          | \$ 175.67    | J.P. 2           | \$ 437.32    |
| J.P. 3            | \$ 361.67    | J.P. 4           | \$ 274.20    |
| J.P. 5            | \$ 185.70    | DPS              | \$ 1,090.39  |
| Constable 1       | \$ 83.03     | Constable 2      | \$ 64.44     |
| Constable 4       | \$ 86.38     | Constable 5      | \$ 123.39    |
| Veterans Admin    | \$ 30.04     | Data Proc Admin  | \$ 978.21    |
| Co.Crt.@ Law #2   | \$ 25.93     | TDH TB Grant     | \$ 100.00    |
| Foster Child Care | \$ 29.48     | Fire Marshal/EMC | \$ 27.15     |
| TABC              | \$ 85.87     | District Court   | \$ 66.53     |
| Dist. Court Rep   | \$ 67.68     | Fines & Forf.    | \$ 465.00    |
| R & B General     | \$ 9.16      | Precinct 1       | \$ 155.35    |
| Precinct 2        | \$ 189.57    | Precinct 3       | \$ 1,791.94  |
| Precinct 4        | \$ 188.97    | Hot Check Fee    | \$ 267.22    |
| Public Works      | \$ 9,386.10  | Sheriff's Drug   | \$ 360.72    |
| D.A.'s Drug       | \$ 943.86    |                  |              |

10053 NORTHEAST HAYS COUNTY EMERGENCY SERVICES DISTRICT - SET TERMS OF OFFICE FOR DIRECTORS

Commissioner Ford spoke of Statute requiring that terms of office be set for Directors appointed to the Northeast Hays County Emergency Services District. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to set terms of office for Directors of the Northeast Hays County Emergency Services District as follows:

|                |         |
|----------------|---------|
| Pete Stone     | 2 years |
| Roger Wheat    | 2 years |
| Brad Cossen    | 2 years |
| Paul Cossette  | 1 year  |
| Frank Burdette | 1 year  |

All voting "Aye".

10054 WILDWOOD HILLS RESUB OF LOT 1 - ACCEPT ROAD EXTENSION OF "WILDWOOD HILLS LANE" FOR COUNTY MAINTENANCE AND RELEASE LETTER OF CREDIT (PCT. 4)

Letter of Credit A-6727 dated Dec. 15, 1988 in the amount of \$15,000 (900 feet of road) was filed with the County Clerk December 22, 1988. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept road extension of "Wildwood Hills Lane" for county maintenance and release letter of credit. All voting "Aye".

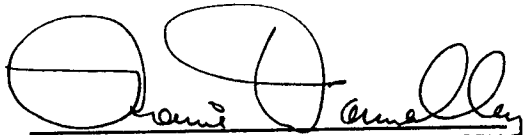
10055 KIRBY SPRINGS RANCH PHASE II REPLAT OF LOTS 41,43,44 & 45 (PCT. 4) - PUBLIC HEARING

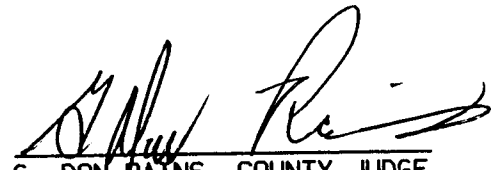
Judge Rains called public hearing open. Mark McManus presented subdivision on first and second readings - will be heard by City of Dripping Springs before requesting approval on third reading. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Kirby Springs Ranch Phase II Replat of Lots 41, 43, 44 & 45" subdivision on first and second readings. All voting "Aye".

\*JANUARY 8 & 15, 1990\*

10056 KIRBY SPRINGS RANCH PHASE III REPLAT OF LOTS 1, 2 & 2A (PCT. 4) PUBLIC HEARING

Judge Rains called public hearing open. Mark McManus presented subdivision on first, second and third readings - buyer is acquiring 30 more acres to his tract and property is being platted to reflect this addition. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Kirby Springs Ranch Phase III Replat of Lots 1, 2 & 2A" subdivision on first, second and third readings. All voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~o0o~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 15TH DAY OF JANUARY, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10057 WIMBERLEY RURAL FIRE PREVENTION DISTRICT - REPORT AND APPOINTMENTS

Rayomond Czichos and Mike Boni appeared before the Court. Mr. Czichos presented report:

A REPORT - JANUARY 1990

FROM: WIMBERLEY RURAL FIRE PREVENTION DISTRICT  
TO: HAYS COUNTY COMMISSIONER'S COURT

In accordance with Vernon Statue 2351a-6, Section 14, 13 Zish to present the following report on the progress of the Wimberley Rural Fire Prevention District for 1989.

The Fire District has had a very successful year and through the very dedicated efforts of the Wimberley Volunteer Fire Department and their programs, we have experienced a 20% reduction in fire calls. Their fire training school, now full sponsored and supported by the district, has resulted in quicker response and more efficient fire-fighting techniques, resulting in reduction of actual property loss at the fires. Our satelite fire station in Rolling Oaks, with volunteer members, has continued to reduce response times to less than 8 minutes and has resulted in a considerable property loss reduction on structure fires.

Fire responses in 1988 were 105 and our 1989 response calls were only 83. (reports attached to original report)

Structure fire calls were 13; vehicle wrecks and rescue were 30, up 30% from 1988; grass fires calls were 31, down 25% from 1988. Estimated property losses were down.

\*JANUARY 15, 1990\*

The district's financial condition is in excellent shape. See end of fiscal year (October 1, 1988-September 30, 1989) report attached.

An independent audit by a local accountant firm is now in progress.

Insurances continue to be our most costly item and represents in near 25% of our budget operating cost. All of the five fire trucks of the district are in excellent shape. Two trucks belonging to the Wimberley Volunteer Fire Department, #91 and #42, are over 35 years old and their replacement is being scheduled in the next year. Expansion and remodeling of station #2, where the E.M.S. and fire department offices are located, is under consideration.

The 3-cent/\$100 tax rate is vital to maintain the critical standards now required of volunteer fire departments. We are fortunate by prudent planning to meet these challenges with this necessary tax funding.

Hazardous material emergencies is an ever growing potential and is definitely one that cannot be met by our small volunteer fire organizations. A county-wide Haz-Mat unit is rapidly becoming a necessity for the county commissioners to consider. Our small volunteer fire organizations can no longer get protective and libel insurance without having a fully trained and equipped Haz-Mat unit at their disposal. Our present policy is to provide safety precaution around a Haz-Mat emergency situation and leave the actual containment to other state and county agencies involved.

The fire commissioners wish to commend the Wimberley Volunteer Fire Department and it's dedicated members that have made it possible for this to be a successful program. They continue to operate with no salaries.

We wish to express our appreciation to the commissioner's court for their past cooperation.

The term of three of our fire commissioners expires this month and we respectfully ask that Mike Boni, Raymond L. Czichos and Chester Franklin be appointed to a new two-year term.

Sincerely,

Raymond L. Czichos, President  
Chester Franklin, Vice-President  
Norman Kudla, Treasurer  
Mike Boni, Secretary  
Ron Spangenberg

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve re-appointment of Raymond L. Czichos, Mike Boni and Chester Franklin to the Wimberley Rural Fire Prevention District Board. All voting "Aye".

10058 ADOPT RESOLUTION INITIATING CONDEMNATION FOR PARCEL #1 FISCHER STORE ROAD BRIDGE IMPROVEMENTS

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt resolution initiating condemnation proceedings on Parcel #1 of the Fischer Store Road Bridge improvements. All voting "Aye".

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
\*  
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

\*JANUARY 15, 1990\*

WHEREAS, a good faith effort has been made by Hays County to negotiate a settlement with Mary T. Andrews, Kathleen Norvell and Steve Townsend as owners, and Spivey, Grigg, Kelly and Knisley, P.C., lienholder, of right-of-way required to widen County Road 180 (signed 181) known locally as the Fischer Store Road; and

WHEREAS, the offer has been refused by the owners;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners' Court of Hays County, Texas that

Condemnation proceedings be initiated in order to acquire the property known as 0.681 of an acre, more or less, out of and a part of the Harriet E. Norton Survey No. 9, in Hays County, Texas, in order to proceed with the widening of County Road 180.

RESOLUTION PASSED AND SECONDED ON THIS 15TH DAY OF JANUARY, 1990.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley,  
County Clerk

10059 APPROVE 1989-90 HOME HEALTH CARE BUDGET

Dr. Von Henner, Health Department Director, and Ann Ashjian, R.N. Administrator presented the Home Health Care Proposed budget for fiscal year ending 7-31-90.

INCOME

|                      |           |
|----------------------|-----------|
| Medicare 80%         | \$ 83,266 |
| Medicaid 6%          | \$ 6,300  |
| Private Insu. 6%     | \$ 6,300  |
| County (Indigent) 8% | \$ 8,250  |
| TOTAL                | \$104.116 |

EXPENSES

|                           |           |
|---------------------------|-----------|
| Salaries                  | \$ 65,547 |
| Fringe-FICA & health Ins. | \$ 7,674  |
| TEC-Fringe                | \$ 495    |
| Contract PT               | \$ 7,500  |
| Contract RN               | \$ 2,500  |
| Contract Aide             | \$ 4,000  |
| Travel                    | \$ 5,000  |
| Supplies                  | \$ 4,000  |
| Postage                   | \$ 400    |
| Phone                     | \$ 1,400  |
| Insurance/malpractice     | \$ 2,400  |
| Inservice                 | \$ 700    |
| Dues/Fees/License         | \$ 1,000  |
| Advertising/Misc.         | \$ 1,500  |
| TOTAL                     | \$104,116 |

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the 1989-90 Home Health Care Budget as proposed. All voting "Aye".



\*JANUARY 15, 1990\*

## 10060 SAN MARCOS-HAYS COUNTY HOME HEALTH CARE AGENCY - APPOINTMENTS

Ann Ashjian, Administrator of the Home Health Care services asked the Court to appoint Dr. Charles von Henner as the Court's representative to approve interim changes in policy and procedures of the Home Health Agency - felt like the Health Authority (Dr. Von Henner) would be the best choice. Dr. Von Henner stated that as the Health Authority he is more familiar with health services and the problems that go along with it and is in contact with Judge Rains when he feels it is necessary. Commissioner Ford stated that he felt like the County Judge should be the representative of the court. Ann Ashjian explained the responsibilities of the county representative - she also stated that the Court needs to appoint an Administrator and Director for the Home Health Services - requested that she (Ann Ashjian) be appointed as Administrator and that Judy Stovall be appointed as Director. Commissioner Ford stated that he felt like the court would be better informed if the County Judge was appointed as the County Representative.

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to confirm appointment of Dr. Charles Von Henner as the Hays County Commissioners' Court representative to approve interim changes in policy and procedures of the Home health Care Agency. Commissioner Payne, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Gonzales and Commissioner Ford voting "Nay". PASSED

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve appointment of Ann Ashjian as Administrator and Judy Stovall as Director of the Home Health Services. All voting "Aye".

We, the members of the Hays County Commissioners Court, the governing body of the San Marcos-Hays County Home Health Care Agency, appoint Ann Ashjian, R.N., M.P.H., as Administrator of Home Health Services effective July 1, 1989, and Judy Stovall, R.N., Director of Home Health Services effective 9-15-89.

Dated this 15th day of January, 1990.

s/ G. Don Rains  
County Judge

s/Rafael Gonzales  
Commissioner, Pct. #1

s/Wayne Ford  
Commissioner, Pct. #2

s/Craig D. Payne  
Commissioner, Pct. #3

s/Dran H. Rippy  
Commissioner, Pct. #4

ATTEST:

s/Ronnie Dannelley  
County Clerk  
Hays County, Texas

Ann Ashjian presented copies of the By-Laws of the San Marcos-Hays County Home Health Advisory Board to the Court. Commissioner Ford asked who made appointments to the Advisory Board when there is a vacancy - he was advised that the Board itself made the appointment. Court advised that they needed time to evaluate the By-Laws before approval is given.

## 10061 AUTHORIZE TRAVEL ADVANCES

County Auditor Bill Herzog spoke - Sheriff's Department would like to receive travel advance for prisoner transportation - spoke of request forms that could be filled out with details of travel and estimated cost with vouchers to be returned - could use a credit card held by the Auditor and given out only when needed. Commissioner Ford spoke of authorized signatures to sign for credit card use could be a problem. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize travel expense advances with request forms required. All voting "Aye".

\*JANUARY 15, 1990\*

10062 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog advised that the Adult Probation Department expenditures will be on the county invoice list (reimbursed funds) - Pct. 4 Public Works is over (\$3,087) and may have to be paid out of Pct. 4 budget. Commissioner Payne spoke of Constable #5's purchase of law books paid out of office supplies line item. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County invoices in the amount of \$186,273.57 as presented by the County Auditor. All voting "Aye".

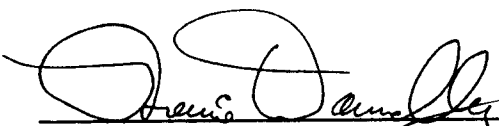
|                   |              |                 |              |
|-------------------|--------------|-----------------|--------------|
| Central Storerm   | \$ 1,486.00  | Lic & Permit    | \$ 120.00    |
| Auditor           | \$ 3,018.21  | Treasurer       | \$ 204.81    |
| Extension Ofc.    | \$ 64.74     | Judicial        | \$ 3,278.00  |
| Juv. Prob.        | \$ 4,352.12  | Election Admin  | \$ 298.01    |
| Community Serv.   | \$ 21,952.25 | Indigency       | \$ 13,252.30 |
| Transfer Sta.     | \$ 3,740.00  | Bldg. maint.    | \$ 313.10    |
| Health Dept.      | \$ 146.87    | Civic Center    | \$ 257.44    |
| Countywide Misc.  | \$ 28,314.65 | Tax A/C         | \$ 8,714.54  |
| District Clerk    | \$ 321.89    | County Clerk    | \$ 367.15    |
| Sheriff's Dept.   | \$ 1,175.24  | Jail            | \$ 25,754.60 |
| County Judge      | \$ 55.95     | Co.Crt.@ Law 1  | \$ 37.30     |
| District Attorney | \$ 599.24    | J.P. 1-1        | \$ 151.79    |
| J.P. 1-2          | \$ 49.25     | J.P. 2          | \$ 137.80    |
| J.P. 4            | \$ 50.00     | J.P. 5          | \$ 97.34     |
| DPS               | \$ 439.39    | Constable 1     | \$ 55.01     |
| Constable 2       | \$ 2,388.00  | Constable 3     | \$ 301.60    |
| Constable 4       | \$ 50.00     | Constable 5     | \$ 377.02    |
| Social Services   | \$ 28,462.50 | Veterans Admin  | \$ 46.25     |
| Data Proc Admin   | \$ 753.95    | Co.Crt. @ Law 2 | \$ 149.85    |
| CJD Grant         | \$ 1,774.20  | TDH TB Grant    | \$ 16.00     |
| Foster Child Care | \$ 7.00      | Home Specialist | \$ 52.61     |
| TDH M&C Grant     | \$ 607.39    | District Court  | \$ 4,607.15  |
| County Court      | \$ 2,220.82  | R&B General     | \$ 1,029.96  |
| Precinct 1        | \$ 1,929.24  | Precinct 2      | \$ 8,003.06  |
| Precinct 3        | \$ 2,295.53  | Precinct 4      | \$ 1,262.44  |
| Self Insurance    | \$ 760.15    | Hot Check Fee   | \$ 459.92    |
| Law Library       | \$ 1,833.05  | Jail Constr     | \$ 260.38    |
| Public Works      | \$ 3,627.99  | Sheriff Drug    | \$ 98.00     |
| Adult Probation   | \$ 3,683.42  | Adult Prob Fac  | \$ 411.10    |


10063 APPROVE MINUTES OF DECEMBER 1989

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve minutes of December 1989 as presented. All voting "Aye".

10064 APPROVE PURCHASE OF FILE CABINETS (ONE FOR CONSTABLE PCT. 1)

Commissioner Gonzales spoke - Constable Pct. 1 Lupe Cruz is in need of a legal size locking file cabinet - he presently has a used letter size file cabinet, however, the majority of his paperwork is legal size. County Clerk Ronnie Dannelley stated that he was also in need of a locking file cabinet. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Auditor to purchase four legal size filing cabinets - one to go to Constable Pct. 1. All voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

\*JANUARY 22, 1990\*

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 22nd DAY OF JANUARY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10065 APPROVE INTERLOCAL AGREEMENT WITH CITY OF SAN MARCOS FOR HOUSING OF PRISONERS IN THE COUNTY JAIL

Sheriff Paul Hastings introduced the new City of San Marcos Police Chief Tom Martin. Chief Martin spoke - wants to work with the County in a cooperative effort. Sheriff Hastings spoke of interlocal agreement to provide jail service to the City of San Marcos - in 1989 the San Marcos Police Dept. processed 1,943 arrests through their jail; 1,185 of these were charged in County or District Courts and had to be processed through the San Marcos Police Jail and the Hays County Jail, creating unnecessary duplication of effort - felt like the County Jail could absorb all of the SMPD prisoners without hiring any additional personnel - felt that since the citizens of San Marcos are also Hays County taxpayers, the county should provide this service with no cost to the City of San Marcos - City of San Marcos is considering construction of a new police facility and it would be beneficial to them not to include a municipal jail in their plans. Commissioner Payne spoke of his concerns of possible tax increase that could be created if this contract is approved. Sheriff Hastings spoke of cost that will be paid by SMPD for additional photos and fingerprints for their own files. Commissioner Ford spoke of need for local governments to work together - spoke of figure given of 48% of the County tax levy coming from taxpayers located in the City of San Marcos. Sheriff Hastings spoke of need to get out of "territorial" thinking - we need to work together to fight crime throughout the County. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve interlocal agreement with the City of San Marcos to provide jail services. Commissioner Gonzales spoke of this being the first time he has heard of this jail services contract and would like to be informed and given a chance to talk to the taxpayers and receive their input on the issues. Sheriff Hastings spoke of having left material at the courthouse for all the Commissioners last Wednesday - contract has been reviewed by the District Attorney's office. Judge Rains, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Gonzales and Commissioner Payne voting "Nay".

JAIL SERVICES CONTRACT

STATE OF TEXAS  
 COUNTY OF HAYS

KNOW ALL PERSONS BY THESE PRESENTS:

1. GENERAL PROVISIONS

- 1.01. This is a contract for jail services between Hays County, Texas ("County") and the City of San Marcos, Texas ("City").
- 1.02. This contract is entered into under the authority of the Texas Interlocal Cooperation Act and Chapter 361 of the Texas Local Government Code.
- 1.03. This contract has been authorized by the governing bodies of the County and the City.
- 1.04. It is the policy of the County that all prisoners lawfully arrested by cities located in Hays County, including the City, will be accepted at the jail maintained by the County ("County Jail"), without regard to the venue of criminal charges against the prisoners.

\*JANUARY 22, 1990\*

2. COUNTY'S AGREEMENTS

- 2.01. The county agrees to accept all prisoners lawfully arrested by police officers of the City and to incarcerate the prisoners in the County Jail, without regard to the venue of criminal charges against the prisoners.
- 2.02. The County, upon acceptance of prisoners for booking by personnel at the County Jail, will be responsible for any required medical treatment for the prisoners.
- 2.03. The County will be responsible for operation of the County Jail in compliance with applicable legal standards, including without limitation the standards adopted by the Texas Commission on Jail Standards; the County will receive and retain a certification of compliance from this Commission.
- 2.04. The County will allow regular, on-site monitoring of the facilities at the County Jail by the Chief of Police of the City or the Chief's designated representative.
- 2.05. The County will be responsible for developing and administering comprehensive standards for the confinement of prisoners at the County Jail.

3. CITY'S AGREEMENTS

- 3.01. The City agrees, subject to the orders of appropriate courts and prosecuting agencies, to submit for incarceration in the County Jail all prisoners lawfully arrested by police officers of the City, without regard to the venue of criminal charges against the prisoners.
- 3.02. The City will secure required medical treatment for prisoners injured prior to booking at the County Jail at the expense of either the prisoners or the City.
- 3.03. The City, through its Chief of Police or the Chief's designated representative, will perform regular, on-site monitoring of the facilities of the County Jail.

4. CONSIDERATION

- 4.01. The consideration for this contract consists solely of the mutual covenants of the County and City, and no cash consideration will be paid either by the County to the City or by the City to the County for performance of this agreement.

5. TERM

- 5.01. This contract will be effective between the parties for an indefinite term, except that either party through its governing body may terminate this agreement by giving ninety (90) days advance written notice to the other party. This Agreement shall take effect on February 1, 1990.

THE CITY OF SAN MARCOS

BY: \_\_\_\_\_  
Larry D. Gilley, City Manager

COUNTY OF HAYS

BY: s/ G. Don Rains  
G. Don Rains, County Judge

s/ Paul Hastings  
Paul Hastings, Sheriff

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
Hays County Clerk

\*JANUARY 22, 1990\*

**10066 AUTHORIZE PURCHASE OF A TYPEWRITER FOR JUSTICE OF THE PEACE PCT. 5**

Commissioner Ford spoke of J.P. Pct. 5 request for a new typewriter - present typewriter is 14 years old - replacement will cost \$311.82.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of a typewriter in the amount of \$311.82 for the Justice of the Peace Pct. #5 to be paid out of contingency line item. All voting "Aye".

**10067 AMEND BUDGET TO PAY FOR PAUPER BURIALS AND FILING CABINETS**

Assistant County Auditor Paula Pond spoke of need for additional funds for pauper burials in the amount of \$2000 and Constable Pct. #1 needs funds to pay for filing cabinet in the amount of \$141. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend the budget for pauper burials in the amount of \$2000 and Constable Pct. #1 equipment in the amount of \$141 out of the contingency line item. All voting "Aye".

**10068 AUTHORIZE PAYMENT OF \$425 FOR PAUPER BURIAL TO LOS ANGELES FUNERAL HOME FOR ADDITIONAL SERVICES PROVIDED**

Asst. County Auditor Paula Pond spoke of request by Los Angeles Funeral Home for additional payment on pauper burial requiring additional services because of a highly contagious disease - Court's authorized payment is \$350 - request is for \$425. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize payment of \$425 for pauper burial to Los Angeles Funeral Home for additional services provided. All voting "Aye".

**10069 AUTHORIZE PAYMENT OF RADIOS FOR SHERIFF'S DEPT.'S NEW AUTOMOBILES**

Asst. County Auditor Paula Pond spoke - seven radios have been purchased @ \$1600 each = \$11,200 - does the Court wish to pay for them outright or finance (current interest rate is 11%). A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize payment for seven Sheriff's Dept. radios in the amount of \$11,200 out of the Sheriff's budget and amend that budget later as needed. All voting "Aye".

**10070 DISCUSS INCREASING LAW ENFORCEMENT LIABILITY INSURANCE FROM \$500,000 TO \$1,000,000**

Assistant County Auditor Paula Pond spoke of possibility of increasing the law enforcement liability insurance from \$500,000 to \$1,000,000 at a cost of \$15,000. Court decided to table this item for now.

Presentation by Dan Roberts regarding Bail Bonds was withdrawn from the Agenda.

**HAYS COUNTY HISTORICAL COMMISSION - ANNUAL REPORT**

Hays County Historical Commission Chairman Frances Stovall presented the Court with the HCHC Annual Report and 1989 budget (Income = \$5,205.65 Expenditures = \$3,450.65) - Mrs. Stovall stated that she will not continue being the HCHC Chairman after 1990 - spoke of data being acquired on private & public cemeteries throughout the County - need to update and publish a book on Historical Markers in Hays County Volume II - requested office space for archival cataloging project (will apply for grant to assist) - requested \$5,000 in funding for upcoming expenses.

\*JANUARY 22, 1990\*

10071 ADOPT RESOLUTION INITIATING CONDEMNATION FOR PARCEL #4 - FISCHER STORE ROAD BRIDGE IMPROVEMENTS

A motion was made by Commissioner Payne, seconded by Commissioner Ford to adopt resolution initiating condemnation proceedings for Parcel #4 of the Fischer Store Road Bridge improvement project. All voting "Aye".

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT
\*
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, a good faith effort has been made by Hays County to negotiate a settlement with The Crossing, Ltd., as owners, and The Wimberley Bank, lienholder, of right-of-way required to widen County Road 180 (signed 181) known locally as the Fischer Store Road; and

WHEREAS, the offer has been refused by the owners;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that

Condemnation proceedings be initiated in order to acquire the property known as 0.286 of an acre, more or less, out of and a part of the Harriet E. Norton Survey No. 9, in Hays County, Texas, in order to proceed with the widening of County Road 180.

RESOLUTION PASSED AND SECONDED ON THIS 22ND DAY OF JANUARY, 1990.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains
G. Don Rains, County Judge

s/ Rafael Gonzales
Ralph Gonzales, Pct. 1

s/ Wayne Ford
Wayne Ford, Pct. 2

s/ Craig Payne
Craig Payne, Pct. 3

s/ Oran Hill Rippy
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley
Ronnie Dannelley,
County Clerk

10072 ADOPT DRUG-FREE WORKPLACE POLICY FOR HAYS COUNTY

Administrative Coordinator Patsy Greiner spoke of SWT seminar on new Legislation - if Federal Grant money is received you must adopt a drug-free workplace policy. Nina Wright spoke to the Court - need to educate employees of services available to them - outpatient treatment is available at a low cost - Provide time off (or other incentives) for employees who are parents to be trained in Parenting for Drug Free Youth - There is no charge for the two hour training provided by Drug Free San Marcos - Training sessions will be held at morning, afternoon, and evening times - if you have 20 or more employees wishing to attend, a session can be arranged at your place of business. Commissioner Payne spoke of definitions in detail. Sheriff Hastings spoke of seminars being held at the County jail and of random drug testing for the Sheriff's Department

\*JANUARY 22, 1990\*

- commended Nina Wright on her work. Commissioner Gonzales asked about hospitalization for one month - would it be with or without pay? Court advised that this would be left up to the Department Head/Supervisor on an individual basis. Commissioner Ford spoke of prescription drugs given under a Doctor's care - concerned about the broad coverage in the policy. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt Hays County Policy on Drug-Free Workplace. All voting "Aye".

## HAYS COUNTY, TEXAS

POLICY  
on  
DRUG-FREE WORKPLACE

PURPOSE

As part of the omnibus drug legislation enacted November 18, 1988, the U.S. Congress created the Drug-Free Workplace Act of 1988 requiring that contractors and grantees of Federal agencies certify that they will provide drug-free workplaces. Under these rules, Hays County is required to certify to the Federal government that it is providing drug-free workplaces. This policy implements the Drug-Free Workplace Act of 1988 at Hays county. This policy is in addition to and not in lieu of any other county policy. The county reserves the right to take disciplinary action against employees regarding misconduct under this or other applicable policies of the county.

POLICY

Drug and alcohol abuse in the workplace is detrimental to employee health and safety and to the provision of services to Hays County citizens. It also contributes to increases in absenteeism, tardiness, medical costs, and decreased productivity.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance as well as reporting to work while under the influence of alcohol or work impairing drugs is prohibited in all County workplaces. A County employee who violates this prohibition is subject to disciplinary action, including immediate termination. Upon receipt of notification that an employee has been convicted of violating any criminal drug statute in a workplace where the work being performed is directly related to a Federal grant or contract, the County shall review the circumstances of the individual case and take appropriate action.

Each employee engaged in performance of a grant from any Federal agency or a Federal contract for the procurement of any property or services of a value of \$25,000 or more from any Federal Agency must be given a copy of this operating policy by the person responsible for administering the grant or contract. As a condition of employment in such grant or contract, each County employee must abide by the terms of this policy and notify their supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. When the supervisor receives actual notice of an employee's conviction, as described above, he shall notify the granting or contracting agency within ten (10) days after receiving notice of a conviction. Further, the employee's supervisor shall, within thirty (30) days after receiving notice of a conviction as provided above, either:

take appropriate personnel action against the employee up to and including termination; or

require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.

DEFINITIONS

Contract - procurement contracts (including purchase orders) in excess of \$25,000 awarded to Hays County pursuant to the provisions of the Federal Acquisition Regulation (FAR) that are to be performed, in whole or in part, in the United States.

\*JANUARY 22, 1990\*

Contractor - Hays County, Texas.

Controlled substance - a controlled substance in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) or the Texas Controlled Substances Act (Article 4476-15, V.A.C.S.).

Conviction - a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or state criminal drug statutes.

Criminal drug statute - a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

Drug-free workplace - a site for the performance of work done in connection with a specific Federal grant or contract at which employees of the County are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.

Employee - any employee of Hays County directly engaged in the performance of work pursuant to the provisions of a Federal grant or contract.

Federal agency - any United States executive department, military department, government corporation, government controlled corporation, any other establishment in the executive branch (including the Executive Office of the President), or any independent regulatory agency.

Grant - an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a Federal agency directly to Hays County. The term "grant" includes block grant and entitlement grant programs, whether or not exempted from coverage under the grants management government-wide regulation. The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations, or any veterans' benefits to individuals.

Grantee - Hays County, Texas

Under the influence - the employee is affected by a drug or alcohol, or the combination of a drug and alcohol, in any amount.

10073 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$171,123.07. All voting "Aye".


|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Auditor          | \$ 509.36    | Treasurer         | \$ 100.00    |
| Extension Ofc    | \$ 201.12    | Judicial          | \$ 5,430.45  |
| Juvenile Prob    | \$ 259.29    | Indigency         | \$ 24,976.43 |
| Transfer Station | \$ 2.85      | Building Maint    | \$ 3,818.11  |
| Health Dept.     | \$ 54.29     | Civic Center      | \$ 306.85    |
| Countywide Misc  | \$ 84,204.44 | Tax A/C           | \$ 240.29    |
| County Clerk     | \$ 3,004.45  | Sheriff's Dept    | \$ 1,515.20  |
| Jail             | \$ 3,888.02  | Co. Judge         | \$ 550.24    |
| Admin. Coord     | \$ 28.60     | Co.Crt @ Law 1    | \$ 572.36    |
| Dist. Attorney   | \$ 377.94    | J.P. 1-2          | \$ 30.00     |
| J.P. 3           | \$ 5.46      | J.P. 5            | \$ 13.74     |
| Constable 1      | \$ 191.75    | Constable 2       | \$ 500.00    |
| Constable 5      | \$ 163.67    | Data Proc Admin   | \$ 6,795.68  |
| TDH TB Grant     | \$ 3.50      | Foster Child Care | \$ 6,843.00  |
| TDH M&C Grant    | \$ 429.62    | TABC              | \$ 16.26     |
| County Court     | \$ 776.94    | R&B General       | \$ 1,561.92  |
| Precinct 1       | \$ 2,391.36  | Precinct 2        | \$ 4,614.32  |




**\*JANUARY 22, 1990\***

|                   |             |                |             |
|-------------------|-------------|----------------|-------------|
| Precinct 3        | \$ 6,538.39 | Precinct 4     | \$ 2,179.26 |
| Self Insur Exp    | \$ 469.70   | Hot Check Fee  | \$ 152.79   |
| Law Library       | \$ 37.75    | Springlake I&S | \$ 376.38   |
| Jail Construction | \$ 274.00   | Public Works   | \$ 2,330.46 |
| Sheriff's Drug    | \$ 20.00    | Adult Prob     | \$ 3,252.11 |
| Adult Prob Fac    | \$ 1,114.72 |                |             |

Court recessed until 9:00 A.M. January 29, 1990.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

\*\*\*\*\* 000 \*\*\*\*\*

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 29TH DAY OF JANUARY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10074 APPROVE COUNTY TREASURER'S REPORT FOR NOVEMBER & DECEMBER 1989

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the County Treasurer's Reports for November & December 1989 as presented. All voting "Aye".

**AFFIDAVIT - COUNTY TREASURER'S REPORT**

THE STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

On this the 29TH day of JANUARY, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of NOVEMBER, 1989 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains  
 COUNTY JUDGE

s/ Rafael Gonzales  
 COMMISSIONER, PRECINCT 1

s/ Wayne Ford  
 COMMISSIONER, PRECINCT 2

\*JANUARY 29, 1990\*

s/ Craig Payne  
COMMISSIONER, PRECINCT 3

s/ Oran Hill Rippy  
COMMISSIONER, PRECINCT 4

ATTEST:

s/ Ronnie Dannelley  
HAYS COUNTY CLERK

(see Summary on pages 284-287)

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 29TH day of JANUARY, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of DECEMBER, 1989 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains  
COUNTY JUDGE

s/ Rafael Gonzales  
COMMISSIONER, PRECINCT 1

s/ Wayne Ford  
COMMISSIONER, PRECINCT 2

s/ Craig Payne  
COMMISSIONER, PRECINCT 3

s/ Oran Hill Rippy  
COMMISSIONER, PRECINCT 4

ATTEST:

s/ Ronnie Dannelley  
HAYS COUNTY CLERK

(see Summary on Pages 288-291)

10075 MARDI GRAS CELEBRATION (FEB. 23 & 24) - AUTHORIZED USE OF COURTHOUSE LAWN

Ben Gonzales appeared before the Court - spoke of third annual Mardi Gras celebration to be held February 23 & 24, 1990 - requested use of courthouse lawn from noon Friday Feb. 23rd to midnight Saturday Feb. 24th. Commissioner Gonzales spoke of concerns about cleaning up the parking areas before Monday morning. Maintenance Supervisor Bryan Hoot spoke of cleanup operations. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize use of courthouse lawn for Mardi Gras celebration to be held February 23rd & 24th, 1990. All voting "Aye".

\*JANUARY 29, 1990\*

COUNTY OF HAYS  
SUMMARY OF RECEIPTS & DISBURSEMENTS  
FOR THE PERIOD NOVEMBER, 1989

|                             | GENERAL      | JURY      | R & B<br>GENERAL | R & B<br>PCT #1 | R & B<br>PCT #2 | R & B<br>PCT #3 | R & B<br>PCT #4 | ALL<br>OTHER<br>FUNDS | TOTAL<br>FUNDS |
|-----------------------------|--------------|-----------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------------|----------------|
| Balance on 11-1-89          | 157,934.09   | 18,007.42 | 9,138.53         | 16,268.44       | 10,883.38       | 10,749.14       | 40,577.94       | 18,419.63             | 281,978.57     |
| Deposit Warrants (Receipts) | 1,126,519.70 | 25,088.47 | 38,780.00        | 23,216.77       | 50,020.24       | 34,751.96       | 20,269.00       | 3,757.60              | 1,322,403.74   |
| Total                       | 1,284,453.79 | 43,095.89 | 47,918.53        | 39,485.21       | 60,903.62       | 45,501.10       | 60,846.94       | 22,177.23             | 1,604,382.31   |
| Disbursements (Claims)      | 1,275,716.26 | 20,704.49 | 33,457.76        | 39,394.12       | 53,409.86       | 36,260.65       | 27,638.65       | 7,841.37              | 1,494,423.16   |
| Total                       | 8,737.53     | 22,391.40 | 14,460.77        | 91.09           | 7,493.76        | 9,240.45        | 33,208.29       | 14,335.86             | 109,959.15     |
| Balance in bank on 11-30-89 | 8,737.53     | 22,391.40 | 14,460.77        | 91.09           | 7,493.76        | 9,240.45        | 33,208.29       | 14,335.86             | 109,959.15     |
| Certificates of Deposits    | 1,425,000.00 | -0-       | -0-              | -0-             | -0-             | 23,000.00       | -0-             | -0-                   | 1,448,000.00   |
| Money Market                | 142,610.58   | 23,511.76 | 5,570.03         | 331.36          | 175.50          | 43,663.95       | 12.65           | 32,189.77             | 248,065.60     |
| Total Fund Balance          | 1,576,348.11 | 45,903.16 | 20,030.80        | 422.45          | 7,669.26        | 75,904.40       | 33,220.94       | 46,525.63             | 1,806,024.75   |

All Other Funds include:

|                                    |          |
|------------------------------------|----------|
| Unemployment Self Insurance        | 3,779.48 |
| Hot Check Fee Fund                 | 3,281.15 |
| Hays County Cummings Hospital Fund | 1.00     |
| Law Library                        | 7,274.23 |

Temporary Transfers

|          |                        |             |
|----------|------------------------|-------------|
| 11-15-89 | R&B General to Pct. #1 | \$10,000.00 |
| 11-15-89 | General to Pct #2      | 20,000.00   |
| 11-30-89 | R&B General to Pct. #2 | 10,000.00   |

*Dorothy P. Sims*  
Dorothy P. Sims, County Treasurer

COUNTY OF HAYS  
 SUMMARY OF COUNTY JAIL AND HAYS COUNTY FUNDS  
 FOR THE PERIOD ENDING NOVEMBER 30, 1989

|  | County Jail Construction | County Jail Addition Construction | County Jail Interest & Sinking | Jail Addition Interest & Sinking | Hays County Interest & Sinking | HAYS CO. MED. & DENT. FUND | HAYS CO. MED. & DENT. CLAIMS ACCT. |
|--|--------------------------|-----------------------------------|--------------------------------|----------------------------------|--------------------------------|----------------------------|------------------------------------|
| Beginning balance in C.D.'s on 11-1-89     | 200,000.00               | -0-                               | 46,500.00                      | -0-                              | -0-                            | -0-                        | -0-                                |
| New C.D.'s                                 |                          |                                   | 127,000.00                     | 27,000.00                        | 20,000.00                      |                            |                                    |
| Matured C.D.'s transferred to Money Market | 200,000.00               |                                   | -0-                            | -0-                              | -0-                            |                            |                                    |
| Ending balance on 11-30-89                 | -0-                      | -0-                               | 173,500.00                     | 27,000.00                        | 20,000.00                      | -0-                        | -0-                                |
| Beginning balance in Money Mkt on 11-1-89  | 1,476,653.28             | 121,310.23                        | 257.98                         | 23,790.71                        | 34,863.07                      | -0-                        | -0-                                |
| Interest (Includes C.D. interest)          | 7,654.02                 | 548.39                            | 1.16                           | 107.54                           | 157.60                         |                            |                                    |
| Deposits                                   |                          | -0-                               | -0-                            | -0-                              |                                |                            |                                    |
| Transfers to checking for disbursement     | -0-                      | -0-                               | -0-                            | -0-                              |                                |                            |                                    |
| Matured C.D. transferred to Money Market   | 200,000.00               | -0-                               | -0-                            | -0-                              |                                |                            |                                    |
| Ending balance on 11-30-89                 | 1,684,307.30             | 121,858.62                        | 259.14                         | 23,898.25                        | 35,020.67                      | -0-                        | -0-                                |
| Beginning balance in checking on 11-1-89   | 109,289.21               | 1,371.69                          | 35,707.30                      | 8,449.60                         | 32,140.66                      | 27,891.70                  | 1.00                               |
| Deposits                                   | 1,385.21                 | -0-                               | 91,640.66                      | 19,531.99                        | 29,130.45                      | 46,480.26                  | 11,182.32                          |
| Disbursements                              | 51,999.41                | -0-                               | 127,000.00                     | 27,000.00                        | 30,473.56                      | 20,094.25                  | 11,097.60                          |
| Ending balance on 11-30-89                 | 58,675.01                | 1,371.69                          | 347.96                         | 981.59                           | 30,797.55                      | 54,277.71                  | 85.72                              |
| TOTAL BALANCE FOR EACH FUND                | 1,742,982.31             | 123,230.31                        | 174,107.10                     | 51,879.84                        | 85,818.22                      | 54,277.71                  | 85.72                              |

\*JANUARY 29, 1990\*

\*JANUARY 29, 1990\*

COUNTY OF HAYS  
 SUMMARY OF PUBLIC WORKS PROJECTS AND SPRINGLAKE  
 FOR THE PERIOD ENDING NOVEMBER, 1989

|  | Hays County<br>Public Works | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>Road District |
|--|-----------------------------|-----------------------|---------------------|---------------------------------|
| Beginning balance in C.D.'s on 11-1-89       | 150,000.00                  | 81,700.00             | 15,000.00           | -0-                             |
| New C.D.'s                                   |                             | 70,000.00             | 14,000.00           |                                 |
| Matured C.D.'s transferred to Money Market   | 150,000.00                  | -0-                   | -0-                 |                                 |
| Ending balance on 11-30-89                   | -0-                         | 151,700.00            | 29,000.00           | -0-                             |
| Beginning balance in Money Market on 11-1-89 | 221,454.60                  | 74.87                 | 39,258.37           | -0-                             |
| Interest (Includes C.D. Interest)            | 1,106.57                    | .33                   | 177.47              |                                 |
| Deposits                                     |                             | -0-                   | -0-                 |                                 |
| Transfers to checking for disbursement       | 120,000.00                  | -0-                   | -0-                 |                                 |
| Matured C.D.'s transferred to Money Market   | 150,000.00                  |                       | -0-                 |                                 |
| Ending balance on 11-30-89                   | 252,561.17                  | 75.20                 | 39,435.84           | -0-                             |
| Beginning balance in checking on 11-1-89     | 6,797.38                    | 18,649.83             | 5,571.94            | 640.00                          |
| Deposits                                     | 142,463.72                  | 53,806.57             | 8,876.34            | -0-                             |
| Disbursements                                | 133,055.74                  | 70,000.00             | 14,000.00           | -0-                             |
| Ending balance on 11-30-89                   | 16,205.36                   | 2,456.40              | 448.28              | 640.00                          |
| <b>TOTAL BALANCE FOR EACH FUND</b>           | <b>268,766.53</b>           | <b>154,231.60</b>     | <b>68,884.12</b>    | <b>640.00</b>                   |

**COUNTY OF HAYS**  
**SUMMARY OF RECEIPTS & DISBURSEMENTS**

FOR THE PERIOD December 1989

|                             | <u>GENERAL</u> | <u>JURY</u> | <u>R &amp; B<br/>GENERAL</u> | <u>R &amp; B<br/>PCT #1</u> | <u>R &amp; B<br/>PCT #2</u> | <u>R &amp; B<br/>PCT #3</u> | <u>R &amp; B<br/>PCT #4</u> | <u>ALL<br/>OTHER<br/>FUNDS</u> | <u>TOTAL<br/>FUNDS</u> |
|-----------------------------|----------------|-------------|------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|--------------------------------|------------------------|
| Balance on 12-01-89         | 8,737.53       | 22,391.40   | 14,460.77                    | 91.09                       | 7,493.76                    | 9,240.45                    | 33,208.29                   | 14,335.86                      | 109,959.15             |
| Deposit Warrants (Receipts) | 1,019,963.01   | 33,622.44   | 16,148.50                    | 34,877.64                   | 24,321.95                   | 27,969.44                   | 23,552.54                   | 1,639,006.                     | 1,182,094.58           |
| Total                       | 1,028,700.54   | 56,013.84   | 30,609.27                    | 34,968.73                   | 31,815.71                   | 37,209.89                   | 56,760.83                   | 15,974.92                      | 1,292,053.73           |
| Disbursements (Claims)      | 799,622.70     | 15,122.80   | 18,248.96                    | 32,261.50                   | 28,514.08                   | 29,045.10                   | 19,658.82                   | 3,652.10                       | 946,126.06             |
| Total                       | 229,077.84     | 40,891.04   | 12,360.31                    | 2,707.23                    | 3,301.63                    | 8,164.79                    | 37,102.01                   | 12,322.82                      | 345,927.67             |
| Balance in bank on 12-30-89 | 229,077.84     | 40,891.04   | 12,360.31                    | 2,707.23                    | 3,301.63                    | 8,164.79                    | 37,102.01                   | 12,322.82                      | 345,927.67             |
| Certificates of Deposits    | 900,000.00     | -0-         | -0-                          | -0-                         | -0-                         | -0-                         | -0-                         | -0-                            | 900,000.00             |
| Money Market                | 569,002.26     | 23,614.50   | 5,594.37                     | 332.81                      | 176.26                      | 56,884.29                   | 12.70                       | 32,330.39                      | 687,947.58             |
| Total Fund Balance          | 1,698,080.10   | 64,505.54   | 17,954.68                    | 3,040.04                    | 3,477.89                    | 65,049.08                   | 37,114.71                   | 44,653.21                      | 1,933,875.25           |

All Other Funds include:

Temporary Transfers

|                                    |           |
|------------------------------------|-----------|
| Unemployment Self Insurance        | 34,692.76 |
| Hot Check Fee Fund                 | 2,681.02  |
| Hays County Cummings Hospital Fund | 104.70    |
| Law Library                        | 7,174.73  |

12-06-89 General to Pct: #1 \$10,000.00  
 12-22-89 R&B General to Pct. #1 5,000.00

*Dorothy P. Sims*  
 Dorothy P. Sims, County Treasurer

\*JANUARY 29, 1990\*

**COUNTY OF HAYS  
ALL OTHER FUNDS  
MONTH NOVEMBER, 1989**

|                              | <u>SELF INS</u>  | <u>HCPF</u>     | <u>LAW LIB</u>  | <u>CUMMINGS</u> |
|------------------------------|------------------|-----------------|-----------------|-----------------|
| Bal on <u>11-1-89</u>        | <u>8,119.40</u>  | <u>1,672.55</u> | <u>8,626.68</u> | <u>1.00</u>     |
| Deposit Warrants             | <u>-0-</u>       | <u>3,227.60</u> | <u>530.00</u>   | <u>-0-</u>      |
| <b>Total</b>                 | <u>8,119.40</u>  | <u>4,900.15</u> | <u>9,156.68</u> | <u>1.00</u>     |
| Disbursements                | <u>4,339.92</u>  | <u>1,619.00</u> | <u>1,882.45</u> | <u>-0-</u>      |
| <b>Total</b>                 | <u>3,779.48</u>  | <u>3,281.15</u> | <u>7,274.23</u> | <u>1.00</u>     |
| C.D.'s                       | <u>-0-</u>       | <u>-0-</u>      | <u>-0-</u>      | <u>-0-</u>      |
| Money Market                 | <u>32,085.47</u> | <u>1.01</u>     | <u>-0-</u>      | <u>103.29</u>   |
| <b>Total Fund Balance</b>    | <u>35,864.95</u> | <u>3,282.16</u> | <u>7,274.23</u> | <u>104.29</u>   |
| <b>TOTAL ALL OTHER FUNDS</b> | <u>46,525.63</u> |                 |                 |                 |

**COUNTY OF HAYS  
ALL OTHER FUNDS  
MONTH December 1989**

|                              | <u>SELF INS</u>  | <u>HCPF</u>     | <u>LAW LIB</u>  | <u>CUMMINGS</u> |
|------------------------------|------------------|-----------------|-----------------|-----------------|
| Bal on <u>12-1-89</u>        | <u>3,779.48</u>  | <u>3,281.15</u> | <u>7,274.23</u> | <u>1.00</u>     |
| Deposit Warrants             | <u>-0-</u>       | <u>1,379.06</u> | <u>260.00</u>   | <u>-0-</u>      |
| <b>Total</b>                 | <u>3,779.48</u>  | <u>4,660.21</u> | <u>7,534.23</u> | <u>1.00</u>     |
| Disbursements                | <u>1,312.40</u>  | <u>1,980.20</u> | <u>359.50</u>   | <u>-0-</u>      |
| <b>Total</b>                 | <u>2,467.08</u>  | <u>2,680.01</u> | <u>7,174.73</u> | <u>1.00</u>     |
| C.D.'s                       | <u>-0-</u>       | <u>-0-</u>      | <u>-0-</u>      | <u>-0-</u>      |
| Money Market                 | <u>32,225.68</u> | <u>1.01</u>     | <u>-0-</u>      | <u>103.70</u>   |
| <b>Total Fund Balance</b>    | <u>34,692.76</u> | <u>2,681.02</u> | <u>7,174.73</u> | <u>104.70</u>   |
| <b>TOTAL ALL OTHER FUNDS</b> | <u>44,653.21</u> |                 |                 |                 |

**COUNTY OF HAYS**  
**SUMMARY OF COUNTY JAIL AND HAYS COUNTY FUNDS**  
**FOR THE PERIOD ENDING December 1989**

|  | County Jail<br>Construction | County Jail<br>Addition<br>Construction | County Jail<br>Interest &<br>Sinking | Jail Addition<br>Interest &<br>Sinking | Hays County<br>Interest &<br>Sinking | Hays County<br>Medical &<br>Dental Fund | Hays County<br>Med & Dent<br>Claims Acct |
|--|-----------------------------|---|--------------------------------------|--|--------------------------------------|---|--|
| Beginning balance in C.D.'s on 12-01-89    | -0-                         | -0-                                     | 173,500.00                           | 27,000.00                              | 20,000.00                            | -0-                                     | -0-                                      |
| New C.D.'s                                 |                             |   |                                      |  |                                      |   |  |
| Matured C.D.'s transferred to Money Market |                             |   |                                      |  |                                      |   |  |
| Ending balance on 12-30-89                 | -0-                         | -0-                                     | 173,500.00                           | 27,000.00                              | 20,000.00                            | -0-                                     | -0-                                      |
| Beginning balance in Money Mkt on 12-01-89 | 1,684,307.30                | 121,858.62                              | 259.14                               | 23,898.25                              | 35,020.67                            | -0-                                     | -0-                                      |
| Interest (Includes C.D. interest)          | 7,360.19                    | 532.50                                  | 1.13                                 | 104.43                                 | 153.03                               |   |  |
| Deposits                                   |                             |   |                                      |  |                                      |   |  |
| Transfers to checking for disbursement     |                             |   |                                      |  |                                      |   |  |
| Matured C.D. transferred to Money Market   |                             |   |                                      |  |                                      |   |  |
| Ending balance on 12-30-89                 | 1,691,667.49                | 122,391.12                              | 260.27                               | 24,002.68                              | 35,173.70                            | -0-                                     | -0-                                      |
| Beginning balance in checking on 12-01-89  | 58,675.01                   | 1,371.69                                | 347.96                               | 981.59                                 | 30,797.55                            | 54,277.71                               | 85.72                                    |
| Deposits                                   |                             |   | 123,556.69                           | 26,334.14                              | 39,632.83                            | 47,510.74                               | 25,821.17                                |
| Disbursements                              | 974.12                      |   |                                      |  | 19,668.96                            | 35,326.79                               | 25,905.89                                |
| Ending balance on 12-30-89                 | 57,700.89                   | 1,371.69                                | 123,904.65                           | 27,315.73                              | 50,761.42                            | 66,461.66                               | 1.00                                     |
| <b>TOTAL BALANCE FOR EACH FUND</b>         | <b>1,749,368.38</b>         | <b>123,762.81</b>                       | <b>297,664.92</b>                    | <b>78,318.41</b>                       | <b>105,935.12</b>                    | <b>66,461.66</b>                        | <b>1.00</b>                              |



COUNTY OF HAYS  
SUMMARY OF PUBLIC WORKS PROJECTS AND SPRINGLAKE  
FOR THE PERIOD ENDING December 1989

|   | Hays County<br>Public Works | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>Road District | Pioneer Trail<br>Road District<br>I & S |
|---|-----------------------------|-----------------------|---------------------|---------------------------------|---|
| Beginning balance in C.D.'s on 12-01-89       | -0-                         | 151,700.00            | 29,000.00           | -0-                             | -0-                                     |
| New C.D.'s                                    |                             |                       |                     |                                 |   |
| Matured C.D.'s transferred to Money Market    |                             |                       |                     |                                 |   |
| Ending balance on 12-30-89                    | -0-                         | 151,700.00            | 29,000.00           | -0-                             | -0-                                     |
| Beginning balance in Money Market on 12-01-89 | 252,561.17                  | 75.20                 | 39,435.84           | -0-                             | -0-                                     |
| Interest (Includes C.D. Interest)             | 957.49                      | .33                   | 172.33              |                                 |   |
| Deposits                                      |                             |                       |                     |                                 |   |
| Transfers to checking for disbursement        | 55,000.00                   |                       |                     |                                 |   |
| Matured C.D.'s transferred to Money Market    |                             |                       |                     |                                 |   |
| Ending balance on 12-30-89                    | 198,518.66                  | 75.53                 | 39,608.17           | -0-                             | -0-                                     |
| Beginning balance in checking on 12-01-89     | 16,205.36                   | 2,456.40              | 448.28              | 640.00                          | -0-                                     |
| Deposits                                      | 55,000.00                   | 73,914.36             | 10,482.51           |                                 |   |
| Disbursements                                 | 47,881.15                   |                       |                     |                                 |   |
| Ending balance on 12-30-89                    | 23,324.21                   | 76,370.76             | 10,930.79           | 640.00                          | 731.04                                  |
| TOTAL BALANCE FOR EACH FUND                   | 221,842.87                  | 76,446.29             | 50,538.96           | 640.00                          | 731.04                                  |

\*JANUARY 29, 1990\*

## DISCUSS INCREASING LAW ENFORCEMENT LIABILITY INSURANCE

County Auditor Bill Herzog spoke of offer to increase law enforcement liability insurance from \$500,000 to \$1,000,000 - extra coverage would cost \$14,000 - spoke of worker's comp increasing leaving no funds available for additional insurance coverage. No action was taken.

## TEXAS WATER DEVELOPMENT BOARD - RECEIVE REPORT FROM BILL BASSETT, MEMBER OF THE ADVISORY COMMITTEE

Bill Bassett spoke of questionnaire that was sent out - spoke of 5 county area over the Trinity Aquifer - study shows this area to be a "critical area" as established by the criteria based on facts: (1) decrease in water table caused by man pumping (2) degradation of water quality caused by man - there is a need for underground water protection as set out by the law - Chapter 52 allows a tax levy for new districts.

## 10076 PCT. 1 - DISCUSS MAINTAINER REPAIRS AND NEED FOR NEW MAINTAINER

Commissioner Ralph Gonzales spoke of repairs to his maintainer - \$11,500 has already been spent for repairs - the maintainer continues to require costly repairs - requested advertising for bids for a new maintainer for Pct. 1. Commissioner Wayne Ford spoke of his maintainers being 30-40 years old - he is in the same predicament - spoke of renting equipment when needed. Commissioner Rippy spoke of need for equity between the Precincts on dollars spent for equipment. Commissioner Ford spoke of dollars spent for miles of road per precinct. Commissioner Gonzales stated that salary/gasoline line items will be used for repairs if necessary. A motion was made by Commissioner Gonzales to authorize the County Auditor to advertise for a new maintainer for Precinct #1. Commissioner Rippy stated that he would go along with only if the funds come out of Precinct #1. Commissioner Ford spoke of the population in Pct. #2. Commissioner Gonzales felt like more taxes are paid in Pct. 1 than any other precinct - suggested a Unitary Road System. Motion died for lack of a second.

## 10077 COUNTY TREASURER OFFICE - RECLASSIFICATION OF BOOKKEEPER FROM PART-TIME TO FULL-TIME

County Treasurer Dottie Sims spoke of increase in workload due to C.O.'s and new jail with additional staff - County has gone from 14 checking accounts to 45 and 20 money market accounts - there are presently 404 employees on the payroll (has doubled in the last year) - law requires that Hays County take on the Adult Probation Department budget (39 employees and all invoices) which is State funded. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve reclassification of bookkeeper in the County Treasurer's office from part-time to full-time (\$5,985). Commissioner Payne asked Mrs. Sims about her employees working a 40 hour work week - could this help the situation. Mrs. Sims spoke of her employees presently putting in at least 40 hours per week even though her office is open to the public for 35 hours. Commissioner Rippy spoke of his concerns - does not want to increase taxes. Commissioner Gonzales, Commissioner Ford, and Commissioner Rippy voting "Aye". Commissioner Payne abstained.

## 10078 REQUEST STATE DEPT. OF HIGHWAYS TO CONSTRUCT A CENTER TURN LANE ON HIGHWAY 290 THROUGH DRIPPING SPRINGS

Commissioner Rippy spoke of need for a center turn lane on Highway 290 in Dripping Springs from the Dairy Queen to the High School (approximately 20 miles). A motion was made by Commissioner Rippy, seconded by Commissioner Payne to prepare a resolution to the State Highway Department requesting construction of a center left turn lane in Dripping Springs from the Dairy Queen to the High School. All voting "Aye".

## 10079 RANCH ROAD 12 PROJECT - APPROVE PAYMENT TO TEX BROWNSON TO REBUILD FENCE ON PARCEL #38 (\$420.75)

Patsy Greiner, Admin. Coord., spoke - fence replacement was figured @ \$1.65 lin

\*JANUARY 29, 1990\*

ft. - property owners has already signed over the deed to the property and returned it to us. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment to Tex Brownson to rebuild fence on Parcel #38 of the Ranch Road 12 Project in the amount of \$420.75. All voting "Aye". Commissioner Payne requested an update on the R-O-W funds.

10080 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$ 138,421.05 . All voting "Aye".

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| S HAYS VFD        | \$ 120.72   | AUDITOR           | \$ 334.35   |
| TREASURER         | \$ 162.85   | EXTENSION OFC     | \$ 47.95    |
| JUDICIAL          | \$ 1,163.00 | JUV. PROB.        | \$ 1,230.32 |
| ELECTION ADMIN    | \$ 1,212.24 | COMMUNITY SERV    | \$20,938.00 |
| INDEGENCY         | \$ 6,240.83 | TRANSFER STA      | \$ 66.41    |
| BUILDING MAINT    | \$ 1,582.52 | HEALTH DEPT.      | \$ 40.66    |
| CIVIC CENTER      | \$ 209.12   | COUNTYWIDE MISC   | \$ 2,689.62 |
| TAX A/C           | \$ 518.95   | DISTRICT CLERK    | \$ 1,337.16 |
| COUNTY CLERK      | \$ 8,138.86 | SHERIFF           | \$18,706.62 |
| JAIL              | \$ 5,544.28 | COUNTY JUDGE      | \$ 67.00    |
| ADMIN COORD.      | \$ 51.08    | CO.CRT@LAW 1      | \$ 5.51     |
| DISTRICT ATTY     | \$ 533.29   | J.P. 1-2          | \$ 50.79    |
| J.P. 3            | \$ 61.87    | J.P. 5            | \$ 117.09   |
| DPS               | \$ 593.17   | CONSTABLE 1       | \$ 4.95     |
| CONSTABLE 5       | \$ 160.76   | VETERANS ADM      | \$ 53.44    |
| DATA PROC ADM     | \$ 54.50    | CJD GRANT         | \$ 1,197.97 |
| TDH TB GRANT      | \$ 116.00   | FOSTER CHILD CARE | \$ 1,440.00 |
| FIRE MARSH/EMC    | \$ 47.23    | DISTRICT COURT    | \$ 379.25   |
| COUNTY COURT      | \$ 3,448.25 | R&B GENERAL       | \$ 444.58   |
| PRECINCT 1        | \$ 2,179.88 | PRECINCT 2        | \$ 6,363.48 |
| PRECINCT 3        | \$ 2,840.68 | PRECINCT 4        | \$ 7,954.17 |
| HOT CHECK FEE     | \$ 118.02   | LAW LIBRARY       | \$ 45.00    |
| JAIL CONSTRUCTION | \$ 268.68   | PUBLIC WORKS      | \$37,783.00 |
| SHERIFF'S DRUG    | \$ 133.00   | DA'S DRUG         | \$ 23.89    |
| ADULT PROB OPER   | \$ 1,084.19 | ADULT PROB FAC    | \$ 515.87   |

10081 OLD BASTROP ROAD SUBDIVISION UNIT I (PCT. 1)


Craig Hollmig presented first, second and third readings - located in the City of San Marcos ETJ - San Marcos has approved. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve "Old Bastrop Road Subdivision Unit I" on first, second and third readings. All voting "Aye".

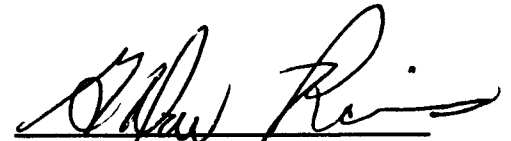
10082 RIVER OAKS OF WIMBERLEY SECTION 5 AMENDED (PCT. 3)

Craig Hollmig presented on first, second and third readings. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "River Oaks of Wimberley Section 5 amended" on first, second and third readings. All voting "Aye".

10083 FORREST WOODS ESTATES REPLAT (PCT. 4)

Mr. Woods presented subdivision on first, second and third readings - 24 lots are being made into 3 lots - vacating roads - subdivision not located in the ETJ of Dripping Springs. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Forrest Woods Estates Replat" on first, second and third readings. All voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 5TH DAY OF FEBRUARY, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10084 AUTHORIZE TAX ABATEMENT FOR FACTORY STORES LTD. (PRIME GROUP & VANITY FAIR

Judge Rains spoke of factory outlet mall on IH35 south under construction. Paul Reed of Prime Group spoke - taxing entities would receive property taxes, sales tax revenues and jobs (445) would be created - tax abatement is needed on improvements in order to bring in A rated businesses - stores will be factory outlets (merchandise straight from the factory with no middle man, directly to the consumer). Commissioner Gonzales spoke of petition that has been circulated opposing abatements - could cause a referendum election. Judge Rains spoke of petition - a vote against the abatement would void any previously allowed abatements. Bill Coddington spoke of abatements - not fair to existing businesses that are competing for sales - they must pay taxes - asked how much taxes will be lost? - if you don't know how much will be lost then don't vote on the issue - there are 315 signatures on the petition - spoke of foreclosures because of property owners inability to pay taxes. Dr. Ken Long spoke of competition on an equal footing with local businesses - need to check and see if Westpoint Peppermill in New Braunfels received a tax abatement and is it necessary. Janace Wade, Chairman of the Board of the San Marcos Chamber of Commerce, read a letter of support for abatement - spoke of surveys - members want economic development with clean industry. Lupe Carbajal spoke of abatement he has received - spoke of other large businesses that have received abatements and they are still in business (Thermon, Wide-Lite, Butler, Marshal Gas). Al Lowman spoke of new businesses opening and old businesses closing - more are closing than opening and jobs are needed - supports abatement. Bill Coddington spoke - how much will it cost in taxes lost and how many jobs will be lost (small business closings) and how many jobs will be gained. Jerry Romero (Economic Development Board/San Marcos Chamber of Commerce) spoke of CTEC jobs created - felt like bottom line is JOBS. Paul Reed (Prime Group) spoke of infrastructure is being provided by developer (waterlines, watermain, storage tank for fire protection) - will provide matching funds (\$70,000) for trolley system with City of San Marcos. Commissioner Gonzales stated that there seems to be a better possibility for jobs with this project than CTEC provided.

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to adopt resolution authorizing tax abatement between the County and Factory Stores Ltd. Commissioner Ford stated that he would like to see taxing entites create a committee to address tax abatements - concerned about exact figures involved - spoke of reinvestment zone and need to negotiate - requested reconsideration of approval and look into negotiations - need job guarantees for Hays County residents. District Attorney Charles Chapman spoke - felt like tax abatement law allows entities to negotiate with different agreements. Commissioner Payne spoke in favor of the abatement. Commissioner Rippy spoke of this project having been in the works for a long time and we need to proceed. Commissioner Gonzales, Commissioner Payne, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Ford voting "Nay".

RESOLUTION

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
 \*  
 COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, a tax abatement between the County and Factory Stores Ltd. has been authorized; and

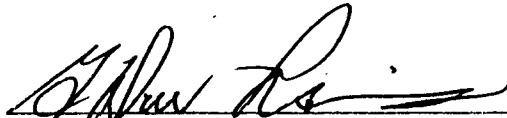
WHEREAS, the terms and conditions of the tax abatement are available in the Tax Abatement Agreement and the terms of such Agreement, by state law, must not differ from those accepted by the City of San Marcos, and they do not; and


WHEREAS, the County Judge is the agent for the Commissioners' Court;

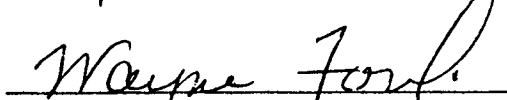
NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:


The County Judge is hereby authorized to sign on behalf of Hays County the Tax Abatement Agreement with Factory Stores Ltd. as approved by the City of San Marcos and the San Marcos Independent School District.

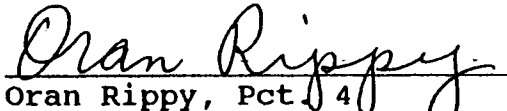
RESOLUTION PASSED AND ADOPTED ON THIS 5th DAY OF FEBRUARY, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

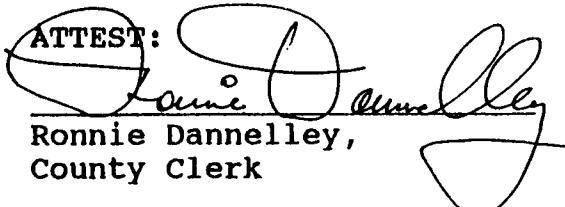
  
 G. Don Rains, County Judge

  
 Ralph Gonzales, Pct. 1

  
 Wayne Ford, Pct. 2

  
 Craig Payne, Pct. 3

  
 Oran Rippey, Pct. 4

ATTEST:   
 Ronnie Dannelley,  
 County Clerk

\*February 5, 1990\*

## DISCUSS COUNTY SELF INSURANCE PROGRAM AND CONFLICTING STATE STATUTES ON SELF INSURANCE (JIM ROTAN)

Jim Rotan spoke - feels like there are areas of conflict concerning County Self Insurance Program - SB 936 and SB 262 - spoke of limitations on risk pool - Counties with fewer than 500,000 cannot provide self insurance unless claims exceed \$1 million - Supv/Admin of self insurance must provide background information - Risk Pool 3rd Party Administrator must be licensed by State Board of Insurance and Trustee's must have 14 hours of instruction - concerned about conflict of the Bills - would like for Court to request AG's opinion on the issues addressed. Jerry Southers (Boon Chapman) spoke of other counties with similar size, etc. to Hays County that are currently on self insurance program. Kathleen Miller spoke - SB 936/is not a pooling bill, requires re-insurance - SB 262 is the pooling bill and does not require re-insurance and provides training of Admin/Trustees. Jim Rotan spoke of risk pooling/self insurance - felt like there is a conflict and various public officials are aware of the conflict. It was agreed that Mr. Rotan could request that Mr. Gaven obtain an A.G.'s opinion on conflicting State statutes on self insurance and clarification on risk pool or self insurance .

## 10085 AUTHORIZE LETTER OF AGREEMENT WITH BOY SCOUTS OF AMERICA TROOP 112 FOR USE OF THE PARK BEHIND THE LAW ENFORCEMENT CENTER

Dr. Ken Long appeared before the Court requesting permission to use two concrete slabs for storage portable building and a trailer (fence to be built around the trailer) - would like to use the park for picnics, etc. Sheriff Hastings spoke in favor of the agreement. Commissioner Ford spoke of Statute governing Parks which does not allow the County to enter into such an agreement - he has, however, been unable to find a record of this property having been designated as a County Park. District Attorney Charles Chapman spoke - Court cannot alienate property to one individual group, however, it could allow use on a temporary basis. Commissioner Ford suggested changing "Park" reference in the agreement since there is no record of Park designation. Commissioner Gonzales spoke of liability and additional insurance. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to allow the County Judge to enter into an agreement with Boy Scouts of America Troop 112 for use of county property adjacent to the Law Enforcement Center. All voting "Aye". (see vol. N pg.301)

## 10086 ADOPT RESOLUTIONS AUTHORIZING SUBMISSION OF GRANT REQUESTS FOR "JUVENILE LAW ENFORCEMENT OFFICER, CHILD ABUSE INVESTIGATOR &amp; CRIME PREVENTION OFFICER" BY THE SHERIFF'S DEPARTMENT

Deputy Sheriff Larry Sowards (Juvenile Law Enforcement Officer) requested authorization to submit grant requests:

Juvenile Law Enforcement Officer - spoke of juvenile cases in Hays County (162 cases currently) - provides programs to schools and various organizations

Child Abuse Investigator - new grant request - would investigate child abuse referrals by other agencies - City of San Marcos will contribute a vehicle - Investigator will be a Deputy Sheriff and will work with the San Marcos Police Department - HCSO will provide the office space.

Crime Prevention Officer - new grant request - Russ Moleenar, Dripping Springs Deputy Sheriff spoke of burglaries - assistance is needed from residents and the Crime Prevention officer would be involved with the citizens to educate them in crime prevention.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolutions authorizing submission of grant requests for "Juvenile Law Enforcement Officer, Child Abuse Investigator and Crime Prevention Officer" to the Governor's Criminal Justice Division for funding to Hays County. All voting "Aye".

STATE OF TEXAS

\*

BEFORE THE COMMISSIONERS COURT

\*

COUNTY OF HAYS

\*

OF HAYS COUNTY, TEXAS

RESOLUTION

A RESOLUTION OF THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, FOR A PROGRAM KNOWN AS:

JUVENILE LAW ENFORCEMENT OFFICER

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, the County of Hays has the moral obligation to the citizens and taxpayers to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the County Commissioners of the County of Hays feel that the addition of the program known as "Juvenile Law Enforcement Officer" will materially enhance the administration of justice in the County of Hays, Texas, for all crime victims; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;


NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

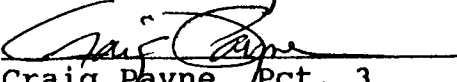
the County submit a grant request to the Office of the Governor of Texas, Criminal Justice Division, to assist in the funding of the program of "Juvenile Law Enforcement Officer".


RESOLUTION PASSED AND ADOPTED ON THIS 5th DAY OF FEBRUARY, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:


  
G. Don Rains, County Judge

  
Ralph Gorzales, Pct. 1

  
Wayne Ford, Pct. 2

  
Craig Payne, Pct. 3

  
Oran Rippey, Pct. 4

ATTEST:  
  
Ronnie Dannelley,  
County Clerk

STATE OF TEXAS

\*

BEFORE THE COMMISSIONERS COURT

\*

COUNTY OF HAYS

\*

OF HAYS COUNTY, TEXAS

RESOLUTION

A RESOLUTION OF THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, FOR A PROGRAM KNOWN AS:

CHILD ABUSE INVESTIGATOR

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, the County of Hays has the moral obligation to the citizens and taxpayers to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and


WHEREAS, the County Commissioners of the County of Hays feel that the addition of the program known as "Child Abuse Investigator" will materially enhance the administration of justice in the County of Hays, Texas, for all crime victims; and


WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

the County submit a grant request to the Office of the Governor of Texas, Criminal Justice Division, to assist in the funding of the program of "Child Abuse Investigator".

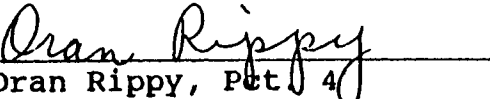
RESOLUTION PASSED AND ADOPTED ON THIS 5th DAY OF FEBRUARY, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

  
G. Don Rains, County Judge


  
Ralph Gonzales, Pct. 1

  
Wayne Ford, Pct. 2

  
Craig Payne, Pct. 3

  
Oran Rippey, Pct. 4

ATTEST:

  
Ronnie Dannelley,  
County Clerk



STATE OF TEXAS

\*

BEFORE THE COMMISSIONERS COURT

\*

COUNTY OF HAYS

\*

OF HAYS COUNTY, TEXAS

RESOLUTION

A RESOLUTION OF THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, FOR A PROGRAM KNOWN AS:

CRIME PREVENTION OFFICER

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, the County of Hays has the moral obligation to the citizens and taxpayers to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and

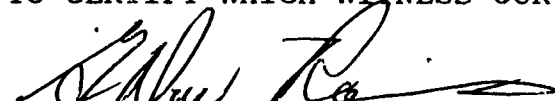
WHEREAS, the County Commissioners of the County of Hays feel that the addition of the program known as "Crime Prevention Officer" will materially enhance the administration of justice in the County of Hays, Texas, for all crime victims; and

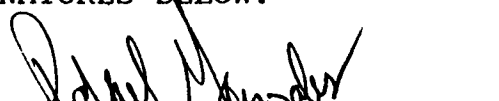
WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

the County submit a grant request to the Office of the Governor of Texas, Criminal Justice Division, to assist in the funding of the program of "Crime Prevention Officer".

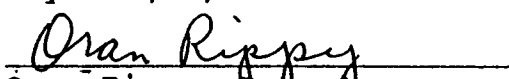
RESOLUTION PASSED AND ADOPTED ON THIS 5th DAY OF FEBRUARY, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:


  
G. Don Rains, County Judge

  
Ralph Gonzales, Pct. 1

  
Wayne Ford, Pct. 2

  
Craig Payne, Pct. 3

  
Oran Rippey, Pct. 4

ATTEST:  
  
Ronnie Dannelley,  
County Clerk

\*FEBRUARY 5, 1990\*

10087 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of County invoices as submitted by the County Auditor in the amount of \$181,132.80. All voting "Aye".

|                 |             |                |            |
|-----------------|-------------|----------------|------------|
| Other Revenue   | \$ 40.00    | Auditor        | \$ 619.98  |
| Treasurer       | \$ 138.28   | Extension Ofc. | \$ 86.45   |
| Judicial        | \$ 5,861.35 | Juv. Prob.     | \$1,194.10 |
| Indigency       | \$ 425.00   | Transfer Sta.  | \$ 217.49  |
| Bldg. Maint.    | \$ 245.31   | Countwide Misc | \$9,475.86 |
| Tax A/C         | \$ 64.44    | Dist. Clerk    | \$1,084.23 |
| County Clerk    | \$ 50.60    | Sheriff        | \$2,508.32 |
| Jail            | \$12,810.84 | Co. Judge      | \$ 66.03   |
| District Atty   | \$ 1,308.13 | J.P. 1-1       | \$ 101.06  |
| J.P. 1-2        | \$ 23.22    | J.P. 2         | \$ 421.26  |
| J.P. 3          | \$ 300.00   | J.P. 4         | \$ 250.00  |
| J.P. 5          | \$ 425.42   | DPS            | \$ 29.64   |
| Constable 1     | \$ 43.28    | Constable 2    | \$ 15.00   |
| Constable 3     | \$ 9.65     | Constable 4    | \$ 91.40   |
| Constable 5     | \$ 11.93    | Co.Crt.@ Law 2 | \$ 275.00  |
| District Court  | \$ 231.52   | County Court   | \$ 245.00  |
| R&B General     | \$ 159.69   | Precinct 1     | \$2,082.76 |
| Precinct 2      | \$ 927.11   | Precinct 3     | \$2,046.16 |
| Precinct 4      | \$ 90.46    | Self Insurance | \$1,850.40 |
| Law Library     | \$ 582.60   | Springlake I&S | \$ 21.96   |
| Public Works    | 133,292.20  | Sheriff's Drug | \$ 395.90  |
| Adult Prob Oper | \$ 711.52   | Adult Prob Fac | \$ 302.25  |

10088 APPROVE PAYMENT (\$200) TO JUVENILE CRIMINAL JUSTICE FOR HAYS COUNTY ADULT PARENTING CLASSES FOR SUPPLIES

Judge, County Court at Law #1, Howard Warner appeared before the Court - spoke of adult parenting classes starting this week - juveniles and parents will be required to attend these classes - they are for parents/kids who have lost touch with each other for various reasons - parents can be held in contempt of court if they do not appear - funds are needed for materials. Judge Rains spoke of need to encourage this activity - getting parents involved with their kids. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve \$200 funding out of the Contingency Line Item for Juvenile Criminal Justice for Hays County Adult Parenting Classes for supplies. All voting "Aye".

PRECINCT 1 - DISCUSS RELOCATION OF SHERIFF'S MECHANIC SHOP AND SOUTH HAYS COUNTY FIRE DEPARTMENT

Commissioner Gonzales spoke of Precinct #1 barn - 3500 sq. ft. is being used by the Sheriff's Mechanic and 4000 sq. ft is being used by the South Hays County Fire Department leaving 600 sq. ft. for Precinct #1 use - spoke of losses from vehicles not being parked inside - utilities are being paid by Pct.#1 except for gas bill (shared by 1/3). Sheriff Paul Hastings spoke - thanked Mr. Gonzales for use of his building - spoke of need to obtain a building or construct a new one - spoke of rental space. Judge Rains spoke of AutoTech building on Wonder World Drive is still available - has 12 bays, parts area, office and 1000' for document storage. Commissioner Gonzales stated that they need to start looking for adequate space for the Sheriff's mechanic and he is not sure what the fire Department will do.

DISCUSS INTERLOCAL AGREEMENT WITH CITY OF SAN MARCOS FOR HOUSING PRISONERS

Commissioner Gonzales spoke of concerns about the agreement to house municipal prisoners since Austin City limits fall in Hays County. Sheriff Paul Hastings stated that the agreements is only with the City of San Marcos - he is not required to take any other municipalities prisoners.

\*FEBRUARY 5, 1990\*

A motion was made by Commissioner Ford to recess until February 12, 1990.

Resolution #10085

Letter of Agreement Re: Boy Scouts of America Troop 112 :

LETTER OF AGREEMENT

BETWEEN HAYS COUNTY AND BOY SCOUTS OF AMERICA TROOP 112

1. Hays County agrees to permit San Marcos Troop 112 and Explorer Post 112 of the Boy Scouts of America to use the two concrete slabs located on the county property adjacent to the Hays County Law Enforcement Center on Uhland Road for the purpose of storing a twenty foot closed metal trailer and a portable building for the troop's and post's use and storage of equipment. The County agrees to permit construction of protective fences around the slabs for security purposes with prior approval of the type of fence by the county. Such fences would be removed by the scouts at the termination of this agreement or would remain as county property, at the option of the county. The trailer and building would remain the property of the Troop and Post and would be removed by the scouts within ninety days of receiving notice from the County to do so.

2. The County also agrees to permit the Troop and Post to use said area for the purposes of occasional picnic meals, overnight camping, and fishing and canoeing in the adjacent section of the Blanco River, and other usual and ordinary scouting activities, including meetings and campfires supervised by adult scout leaders. At least two adult leaders will accompany any scouts on the property at all times.

3. The Troop and Post agree to maintain the building, trailer and fences in a safe and clean condition and further agrees to hold the County safe and harmless from liability associated with the building, trailer, fences, Troop or Post equipment or activities of the members of the Troop and Post and their adult leaders. The Troop and Post further agree to maintain such insurance as the County shall require.

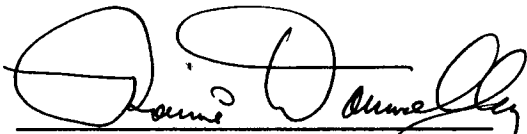
4. This agreement will remain in effect from the date signed until terminated after ninety (90) days notice by either party.


s/ G. Don Rains  
For Hays County - County Judge

s/ Paul Hendrix  
For Troop 112

Date: 2/9/90

s/ Ken Long, E.A.  
For Post 112

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 12TH DAY OF FEBRUARY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10089 CALL PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION (40MPH) SPEED LIMIT ON COUNTY ROAD #169 (BELL SPRINGS ROAD)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to call a public hearing to establish traffic regulation - speed limit (40mph) on County Road #169 (Bell Springs Road) from Hwy 290 to Hamilton Pool Road - to be held March 12, 1990 at 10:00 o'clock A.M. All present voting "Aye".

10090 BAIL BOND LEGAL SERVICES - CONSIDER APPROVAL OF INVOICE FROM FITZGERALD, MAJORS & STEVENS

Invoice submitted = \$3,029.20. Assistant District Attorney Bill Henry spoke of invoice submitted by Gene Majors, Special Attorney for Bail Bond Forfeiture cases (Judgment Nisi). Judge, County Court at Law #1, Howard Warner spoke of judgments already rendered - some monies have been collected - was unsure as to how much has been collected or where the funds have been deposited. Commissioner Ford stated that we still owe the bill and he felt like payment should be made. Bill Coddington spoke of Hays County being the only County he knows of that hires an Attorney to handle this type of service - should be handled by the District Attorney's office rather than pay a special prosecutor. Commissioner Gonzales spoke of need to know where monies are that have been collected on these cases. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to table approval of invoice from Fitzgerald, Majors & Stevens until it is determined where funds are being deposited. Commissioner Gonzales, Commissioner Rippy and Judge Rains voting "Aye" and Commissioner Ford voting "Nay".

10091 SAN MARCOS-HAYS COUNTY HOME HEALTH AGENCY - APPROVE BY-LAWS, REVISIONS AND 1988-89 EVALUATION

Terry Ewald and Ann Ashjian appeared before the Court requesting approval of the San Marcos-Hays County Home Health Agency By-Laws, Revisions and 1988-89 Evaluation. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve the San Marcos-Hays County Home Health Agency By-Laws, Revisions and 1988-89 Evaluation as submitted to the Court January 15, 1990. All present voting "Aye".

10092 APPROVE PROCLAMATION DECLARING CENSUS AWARENESS AND APPROVE POSTERS AND ASSISTANCE CENTERS

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt Proclamation declaring March 15 to April 15, 1990 as "U.S. Census Month" and approve posters and assistance centers. All present voting "Aye".

P R O C L A M A T I O N

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

WHEREAS, the 1990 Census will be the 21st in our Nation's history and the largest and most complex ever undertaken; and

\*FEBRUARY 12, 1990\*

WHEREAS, Census Day is April 1, 1990; and

WHEREAS, an accurate count is vital to Hays County in determining accurate representation as well as in planning and grant applications;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas, that

"U. S. CENSUS MONTH"

be recognized from March 15 to April 15, 1990.

PASSED, APPROVED AND ADOPTED this the 12th day of February, 1990.

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANDELLEY  
HAYS COUNTY CLERK

10093 AUTHORIZE INDIGENT HEALTH CARE EXPENSE (ORTHOPEDIC SHOES)

Judge Rains spoke of a 61 year old woman who is in need of orthopedic shoes which does not fall under the usual qualifications - requested approval by the Court for purchase of the shoes (\$250) out of the Indigent Health Care Misc. expense line item. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve purchase of orthopedic shoes in the amount of \$250 out of the Indigent Health Care Misc. line item. All present voting "Aye".

10094 ACCEPT ROAD OFF CR170 (ELDERHILL ROAD) FOR COUNTY MAINTENANCE AS PER PETITION

Petition was submitted to the Court:

P E T I T I O N

WE, the undersigned, hereby petition Hays County, or the appropriate agency or department thereof, and request that that one certain road, being approximately six tenths of one mile long, running in a generally Northerly direction from its intersection with Elder Hill Road at a point approximately 1.5 miles West of the intersection of Elder Hill Road and Ranch Road 150, be made, in all respects, a county road.

Robert L. Schandua  
P.O. Box 129  
Driftwood, Tx 78619  
(512) 858-7440

Gerald S. Raines, Jr.  
P. O. Box 25  
Driftwood, Tx 78619  
512 858-7447

Michael Leamans  
P. O. Box 62  
Driftwood, Tx 78619  
512-858-7982

G.....? D.....?  
Rt. Box 108  
Driftwood, Tx 78619  
858-4953

Cynthia Leamans  
P. O. Box 83  
Driftwood, Tx 78619  
512-858-4299

Kay Pils James  
P. O. Box 117  
Driftwood, Tx 78619  
512-858-4259

Elissa Johnson  
Rt. 1 Box 106  
Driftwood, Tx 78619  
512-858-4472

\*FEBRUARY 12, 1990\*

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept road located off County Road #170 (Elder Hill Road) for County maintenance as requested by petition (approximately 6/10 of a mile). Larry Cowie spoke of gravel roads in Pct. 4 - why take over more roads. Commissioner Rippy spoke about taking on more roads - property owners are taxpayers and are entitled to county services. All present voting "Aye".

**10095 ACCEPT ROADS IN BEAR CREEK OAKS AND GOLDENWOOD WEST FOR COUNTY MAINTENANCE**

Petition was submitted by the Goldenwood West Property Owners' Association - petition reads as follows:

The Goldenwood West Property Owners' Association request the Hays County Commissioner Court to accept the Goldenwood West roads in Hays County, Texas for the County Maintenance System. We, the undersigned, are property owners of Goldenwood West, Hays County, Texas, and will deed the roads to Hays County, Texas.  
(contains 32 signatures - see original)

Larry Cowie spoke of roads in the County - Bear Creek Oaks property owners have deeds to the centerline of the road - is the county going to maintain roads that belong to the property owners. Commissioner Ford spoke of many of the county roads are by prescriptive easement and not owned by the County - feels like it is the responsibility of the county to maintain all roads out in the county. Commissioner Rippy stated that the roads to be accepted are in good condition. Judge Rains asked if there are funds left in the homeowners association which could be deposited with the county to help maintain the roads. Hal Joe Petmecky spoke - lives on private road off CR #101 - asked if residents in his area submitted a petition, would roads be taken over? Commissioner Rippy stated that he would request the Court to accept maintenance, however, roads would be maintained as caliche roads and no promise of paved roads. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept roads in Goldenwood West (3.7 miles) and Bear Creek Oaks (4.7 miles) for county maintenance contingent upon submission of petition. All present voting "Aye". Judge Rains spoke of need to address this problem collectively - need to accept roads - have an obligation to taxpayers.

**10096 CONSTABLE PCT. #2 - TRANSFER USED TYPEWRITER FROM J.P. #5'S OFFICE**

Commissioner Ford spoke of 19 year old typewriter that was replaced in Judge Hehl's office - Constable #2 James Kohler advised that he is interested in obtaining the old typewriter for his use. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve transfer of used typewriter from J.P. #5 office to Constable #2 office. All present voting "Aye".

**DISCUSS AGREEMENT WITH BUREAU OF PRISONS FOR HAYS COUNTY TO PAY FOR MEDICAL EXPENSES AND BE REIMBURSED BY BOP**

Sheriff Paul Hastings spoke of payments being slow. County Auditor Bill Herzog spoke of agreement - puts burden on Court. Jail Administrator Rod Ellis appeared - most B.O.P. prisoners are medically treated before Hays County gets them - will meet with B.O.P. again before final agreement needs to be approved - we can refuse some prisoners if we feel they will be a problem. Rod Ellis spoke of a Ranger Lift that has been obtained from the government surplus equipment - if the Commissioners are in need of this equipment, it is available - spoke of savings (\$119,600) by obtaining equipment from the Feds.

**10097 ADOPT RESOLUTION RE: USE OF EXEMPT LICENSE PLATES BY THE SHERIFF & DISTRICT ATTORNEY'S OFFICES**

District Attorney Charles Chapman spoke of need for alias plates for undercover vehicles. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution designating regular exempt license plates for the Sheriff's Department and District Attorney's Department. All present voting "Aye".

\*FEBRUARY 12, 1990\*

RESOLUTION

EXEMPT LICENSE PLATES

WHEREAS, House Bill 763 by the 70th Texas Legislature has changed the procedures in issuance of Exempt License Plates; and

WHEREAS, Regular License Exempt Plates (previously referred to as undercover) are still available to exempt agencies that qualify under V.C.S. 670/m-2; and

WHEREAS, the need to designate vehicles used by the Sheriff's Department and the District Attorney's Department of Hays County exists; now

THEREFORE, BE IT HEREBY RESOLVED, the Commissioners' Court of Hays County designates all vehicles used by the Sheriff's Department and the District Attorney's Department (but not pertaining to regular marked Sheriff's Department vehicles and the District Attorney's Department vehicles) shall carry Regular License Exempt Plates and shall so be designated and attached at this Resolution.

Passed and approved this the 12th day of February, 1990.

COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS.

s/ G. Don Rains  
G. Don Rains, Hays County Judge

s/ Rafael Gonzales  
Rafael Gonzales, Commissioner  
Precinct 1

s/ Wayne Ford  
Wayne Ford, Commissioner  
Precinct 2

(absent)  
Craig Payne, Commissioner  
Precinct 3

s/ Oran Rippy  
Oran "Pug" Rippy, Commissioner  
Precinct 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
Hays County Clerk

10098 APPROVE PURCHASE OF BLINDS FOR THE WINDOWS IN THE CRIMINAL INVESTIGATORS DIVISION OF THE SHERIFF'S OFFICE

Sheriff Paul Hastings submitted copy of three bids obtained for blinds - lowest bid was from Designer Collections in the amount of \$382.00. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of blinds for the windows in the criminal investigators division of the Sheriff's office in the amount of \$382.00 out of the jail contingency funds. All voting "Aye".

10099 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$155,538.67. All present voting "Aye".

|                |             |                |           |
|----------------|-------------|----------------|-----------|
| Auditor        | \$ 148.58   | Treasurer      | \$ 78.52  |
| Extension Ofc. | \$ 192.60   | Judicial       | \$ 158.00 |
| Juvenile Prob. | \$ 622.91   | Election Admin | \$ 59.04  |
| Indigency      | \$ 4,434.73 | Transfer Sta.  | \$ 67.93  |
| Bldg. Maint.   | \$ 5,530.78 | Health Dept.   | \$ 460.76 |

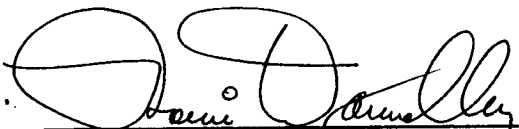
\*FEBRUARY 12, 1990\*

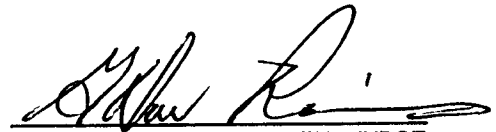
|                   |             |                  |              |
|-------------------|-------------|------------------|--------------|
| Civic Center      | \$ 3,684.71 | Countywide Misc. | \$ 65,571.71 |
| Tax A/C           | \$ 340.02   | District Clerk   | \$ 119.85    |
| County Clerk      | \$ 176.55   | Sheriff's Dept.  | \$ 4,019.19  |
| Jail              | \$35,547.36 | County Judge     | \$ 116.32    |
| Admin. Coord.     | \$ 106.72   | Co.Crt. @ Law #1 | \$ 59.33     |
| Dist. Atty.       | \$ 708.98   | J.P. 1-1         | \$ 58.97     |
| J.P. 1-2          | \$ 149.93   | DPS              | \$ 1,134.95  |
| Constable 1       | \$ 53.02    | Constable 2      | \$ 68.51     |
| Constable 5       | \$ 330.87   | Veteran's Adm    | \$ 41.96     |
| Data Proc         | \$ 751.69   | Co.Crt. @ Law 2  | \$ 24.59     |
| TDH M&C Grant     | \$ 944.49   | Fire Marshal/EMC | \$ 60.14     |
| TABC              | \$ 84.37    | District Court   | \$ 97.79     |
| County Court      | \$ 1,553.74 | Dist. Court Rep  | \$ 556.06    |
| Road & Bridge Gen | \$ 40.72    | Precinct 1       | \$ 6,421.30  |
| Precinct 2        | \$ 2,380.53 | Precinct 3       | \$ 3,194.02  |
| Precinct 4        | \$ 6,960.11 | Self Insurance   | \$ 150.00    |
| Hot Check Fee     | \$ 580.25   | Law Library      | \$ 146.75    |
| Jail Construction | \$ 137.00   | Public Works     | \$ 2,880.17  |
| Juv Dentention    | \$ 87.50    | Sheriff Drug     | \$ 20.30     |
| Adult Prob Oper   | \$ 3,640.05 | Adult Prob Fac   | \$ 784.30    |

10100 MANGHAM SUBDIVISION LOT 1 (PCT 4)

Billy Mangham appeared before the Court requesting approval of "Mangham Subdivision" - a 10 ac tract in the F.M. Stoval Survey. Terry Ewald, Health Department, spoke - subdivision is located in the Highlands area - not over the recharge zone. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Mangham Subdivision Lot 1" on first, second and third readings. All present voting "Aye".

Commissioner Ford made a motion to recess until February 20, 1990 at 9:00 o'clock A.M.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

~~~~~o0o~~~~~

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 20TH DAY OF FEBRUARY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| DRAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Rafael Gonzales was not present at the beginning of this meeting.



\*FEBRUARY 20, 1990\*

**10101 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS TO RESURFACE COUNTY ROAD #321 PROJECT**

Commissioner Payne spoke of project to resurface CR#321 (Cypress Creek Acres) 1.3 miles projected cost = \$25,000. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize County Auditor to advertise for bids to resurface County Road #321. All present voting "Aye".

**10102 INDIGENT BURIAL EXPENSE TO COOK-WALDEN FUNERAL HOME**

Commissioner Ford spoke of family that has requested assistance in paying for funeral expenses - wife of deceased is on social security (\$350 per month) with no other income - funeral expense = \$4,057 - brother of deceased loaned the wife \$1000 and social security paid \$250 toward funeral expense. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize payment of \$350 to wife of deceased for burial expense. Commissioner Payne spoke - felt like this was not a pauper burial and family is obligated for expense. Commissioner Gonzales came to the meeting at this time. Commissioner Rippy spoke - agrees to payment of \$350 if it is paid to the wife - she can pay either the funeral home or repay on loan. County Auditor Bill Herzog felt like payment would need to be made to the funeral home. Judge Rains spoke - opposed to subsidizing \$4,000 funerals. Commissioner Ford spoke of need to establish a policy for indigent burials. Eva Cruz spoke - family members need to have fund raisers or borrow money to pay for funeral expenses. Judge Rains and Commissioner Payne voting "No" Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Bill Herzog spoke of problem by not paying the vendor or loaner.

**ANIMAL CONTROL DISCUSSION**

Jean Bales spoke - supports laws to require people to be more responsible for their animals - concerned about the Kyle Autumn Fun Run to be held April 21st - there were dog problems at last years run. Eloise Romo, Member of the Kyle Chamber of Commerce and Kyle City Council, spoke of the area outside of the City of Kyle - requested assistance from the County. Commissioner Ford spoke of need to establish laws for the entire county - unable to extend the City law outside of that jurisdiction - would ask Constable Kohler to speak to residents along the run requesting them to restrain their dogs. Sheriff Hastings spoke - there are not enough Deputies to watch all the loose dogs - unable to act until after the fact on vicious dogs - Sheriff's Departments will be providing escorts for the run. Commissioner Ford spoke - there is not enough time to pass an ordinance and get all dogs registered before this event. Mrs. Bales spoke of having requested that residents restrain their animals, however, there is still the problem of strays that belong to no one. Commissioner Ford stated that he will make a diligent effort to assist in this matter. Sheriff Hastings also offered his assistance.

**10103 ANIMAL CONTROL COMMITTEE - ADDITIONAL APPOINTMENTS**

Commissioner Ford stated that not all appointments have been made - requested additional appointments of Tommy Poer and Jean Bales. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to appoint Jean Bales and Tommy Poer to the Animal Control Committee. All voting "Aye".  
Next meeting to be held Feb 21, 1990 at 3:00 pm.

**10104 BAIL BOND FORFEITURE CASES - AUTHORIZE PAYMENT OF INVOICE TO FITZGERALD, MAJORS & STEVENS FOR LEGAL FEES**

County Clerk Ronnie Dannelley passed out information his office compiled concerning judgments and monies received on bail bond forfeiture cases filed in his office:

143 cases (Judgment Nisi) have been filed

12 Judgments with Abstracts of Judgment issued  
3 Judgments satisfied/payments received = \$879  
(\$409 forfeiture funds \$470 court cost/service fees)  
3 Dismissed/Vacated without costs

\*FEBRUARY 20, 1990\*

Sheriff Hastings spoke of filing of bond forfeiture cases has gotten the attention of the Bonding Companies - bonding is cut off if there is a judgment against the Bonding Company. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize payment of \$3,029.20 to Fitzgerald, Majors & Stevens for legal fees rendered in bail bond forfeiture cases out of contingency funds. All voting "Aye".

10105 AUTHORIZE PURCHASE OF CHECK SIGNING MACHINE

County Auditor Bill Herzog spoke of need for a check signing machine - costs range from \$1400 to \$2495. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of a check signing machine not to exceed \$1,800. All voting "Aye".

10106 APPROVE PRISONER DAY RATE WITH U.S. MARSHAL'S SERVICE (JAIL)

County Auditor Bill Herzog spoke of prisoner day rate expiring November 30th gave recap of jail expenditures for 6 months ended 09/30/89:

|                                                                                                     |              |
|-----------------------------------------------------------------------------------------------------|--------------|
| Expenses 03/31/89 to 09/30/89 Jail Budget                                                           | \$ 1,673,208 |
| Schedule of Support Staff not directly paid from Jail Budget                                        | \$ 61,024    |
| Schedule of Insurance Costs relating to activity of the Jail but not directly paid from Jail Budget | \$ 112,615   |
| Salary increases & longevity to be paid to employees in FY90                                        | \$ 19,586    |
| Depreciation                                                                                        | \$ 210,547   |
| TOTAL COSTS                                                                                         | \$ 2,076,980 |

# of prisoner mandays served = 48,760

Cost per manday \$42.59

This figure does not include cost related to paying back certificates of obligation - actual costs per manday = \$36.55 - proposed fixed rate is \$40. Sheriff Hastings spoke of old jail and new jail - they are housing 120-125 county prisoners - it is not costing any more to operate the new jail as it did the old jail because of paying prisoners (Federal prisoners and other County's prisoners) A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Judge to negotiate the prisoner day rate with the U.S. Marshal's Service - not to go below \$40 per day per prisoner. Commissioner Gonzales asked if the County is making money. Mr. Herzog stated that the Jail budget is on line at this time. Commissioner Ford thanked Sheriff Hastings for a job well done and Judge Rains commended the Court for their tough decisions concerning the County Jail. All voting "Aye".

JUVENILE PROBATION DEPARTMENT - OFFICE SPACE AT COURTHOUSE ANNEX

Judge Rains spoke of possibly moving the Juvenile Probation Department to the third floor of the Courthouse Annex - felt like space could be renovated at a cost of \$8,800 to \$10,000 - there has been an increase in juvenile cases and they are presently using one room for 3 Probation Officer and 1 Secretary - there is no privacy and no place to interview parents and juveniles separately - spoke of need for juvenile detention. Work on courthouse annex would be done by Bryan Hoot and Community Service Restitution people - requested authority by the court to proceed with renovation of office space on the third floor of the Courthouse Annex for the Juvenile Probation Department. Commissioner Ford spoke of need to stop at \$10,000 on the project before proceeding further without Court approval - need to complete current projects before starting new ones - spoke of CSR people need to be directed to the Precincts since the fines they would have been paying would have gone into the R&B Precinct funds. Judge Rains spoke of current projects being done by Bryan Hoot and the maintenance department: renovation of courthouse rotunda, re-wiring the Max C. Smith building, new lights at the Civic Center and maintenance at the Health Department. No action was taken.

\*FEBRUARY 20, 1990\*

10107 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of county invoices as presented by the County Auditor in the amount of \$118,150.48. All voting "Aye".

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| S Hays VFD Util   | \$ 44.52    | Central Strm      | \$ 84.00    |
| License&Permit    | \$ 460.00   | Auditor           | \$ 1,311.58 |
| Treasurer         | \$ 100.78   | Judicial          | \$ 1,736.71 |
| Juv. Prob         | \$ 6,405.15 | Election Admin    | \$ 7,203.21 |
| Indigency         | \$ 6,192.41 | Transfer Sta.     | \$ 4,363.00 |
| Bldg. Maint.      | \$ 4,607.34 | Health Dept.      | \$ 150.49   |
| Civic Center      | \$ 228.12   | Countywide Misc.  | \$ 2,306.05 |
| Tax A/C           | \$ 188.78   | District Clerk    | \$ 364.78   |
| County Clerk      | \$ 310.32   | Sheriff           | \$ 4,047.36 |
| Jail              | \$ 6,381.99 | County Judge      | \$ 41.00    |
| Co.Crt.@ Law 1    | \$ 42.00    | Dist. Atty.       | \$ 2,138.70 |
| J.P. 1-1          | \$ 189.00   | J.P. 1-2          | \$ 84.56    |
| J.P. 5            | \$ 21.04    | DPS               | \$ 635.45   |
| Constable 1       | \$ 33.74    | Constable 2       | \$ 577.00   |
| Constable 3       | \$ 654.28   | Constable 4       | \$ 636.00   |
| Data Proc Admin   | \$ 758.35   | Co.Crt. @ Law 2   | \$ 131.20   |
| TDH TB Grant      | \$ 107.00   | Foster Child Care | \$ 5,406.00 |
| In Home Spec.     | \$ 170.52   | TDH M&C Grant     | \$ 802.37   |
| District Court    | \$ 32.60    | County Court      | \$ 935.15   |
| Dist Court Rep    | \$ 38.16    | R&B General       | \$ 186.93   |
| Precinct 1        | \$ 5,782.19 | Precinct 2        | \$10,808.24 |
| Precinct 3        | \$14,535.09 | Precinct 4        | \$10,001.52 |
| Self Insurance    | \$ 1,000.00 | Law Library       | \$ 272.20   |
| Jail Construction | \$ 446.34   | Public Works      | \$ 3,360.83 |
| Sheriff's Drug    | \$ 9,746.68 | DA's Drug         | \$ 207.36   |
| Adult Prob Oper   | \$ 1,851.39 | Adult Prob Fac    | \$ 31.00    |

10108 PRECINCT #1 - LINE ITEM TRANSFERS

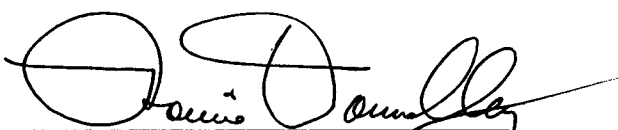
A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize transfer of \$7,000 from Line Item #5351 (R&B), \$1,000 from Line Item #5271 (fuel & Lubricants), \$1,000 from Line Item #5331 (Continuing Education) and \$500 from Line Item #5711 (Ofc. Equip) to Line Item #5352 (Road/Veh/Equip Exp) in Precinct #1. All voting "Aye".


10109 LIME KILN ROAD PROJECT - OPEN BIDS

County Auditor Bill Herzog gave tabulations for Lime Kiln Road Project - 11 bid specs were picked up - the following submitted bids:

|                                          |              |
|------------------------------------------|--------------|
| Coffee Equipment (Buda)                  | \$ 94,475.55 |
| Hayden Concrete Inc. (Austin)            | \$ 64,452.39 |
| Pool and Rogers Paving Co, Inc. (Buda)   | \$ 98,981.00 |
| Ray Faris, Inc. (San Antonio)            | \$ 92,809.80 |
| F. N. Ploch Construction (New Braunfels) | \$109,796.99 |
| Austin Paving Co. (Austin)               | \$ 89,171.50 |

Engineer will review bids and contract will be awarded at a later date. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to acknowledge receipt of bids on Lime Kiln Road project. All voting "Aye".

  
 RONNIE DANDELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 26TH DAY OF FEBRUARY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10110 LIME KILN ROAD PROJECT - AWARD CONTRACT

Commissioner Rippy passed out itemized low bid for the Lime Kiln Road Project submitted by Hayden Concrete Inc. (Austin) - total bid being \$64,452.39. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to award contract for Lime Kiln Road Project to Hayden Concrete Inc. in the amount of \$64,452.39. All voting "Aye".

10111 APPROVE USE OF COURTHOUSE LAWN FOR JAYCEE GUMBO COOKOFF (APRIL 28, 1990)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve use of courthouse lawn for Jaycee Gumbo Gookoff to be held Saturday April 28, 1990. All voting "Aye".

10112 APPROVE COUNTY TREASURER'S REPORT FOR JANUARY 1990

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve County Treasurer's Report for the month of January, 1990 . All voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 26th day of February, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of JANUARY, 1990 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains  
\_\_\_\_\_  
COUNTY JUDGE

s/ Rafael Gonzales  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 1

s/ Wayne Ford  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 2

s/ Craig Payne  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 3

s/ Oran Rippy  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 4

ATTEST:

s/ Ronnie Dannelley  
\_\_\_\_\_  
HAYS COUNTY CLERK

\*February 26, 1990\*

County of Hays  
Summary of Receipts and Disbursements  
For the Period January 1990

|                                                | General      | Jury      | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |
|------------------------------------------------|--------------|-----------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|
| Checking<br>Balance on 01-01-90                | 229,077.84   | 40,891.04 | 12,360.31        | 2,707.23          | 3,301.63          | 8,164.79          | 37,102.01         | 333,604.85     |
| Deposit Warrants<br>(Receipts)                 | 2,336,755.45 | 80,016.59 | 13,026.61        | 51,466.35         | 77,807.87         | 87,324.81         | 75,420.60         | 2,721,818.28   |
| Disbursements (Claims)                         | 2,375,570.91 | 43,905.01 | 15,446.72        | 23,905.94         | 42,069.74         | 47,918.38         | 47,756.82         | 2,596,573.52   |
| Total                                          | 190,262.38   | 77,002.62 | 9,940.20         | 30,267.64         | 39,039.76         | 47,571.22         | 64,765.79         | 458,849.61     |
| Money Market<br>Balance on 01-01-90            | 569,002.26   | 23,614.50 | 5,594.37         | 332.81            | 176.26            | 56,884.29         | 12.70             | 655,617.19     |
| Interest (Includes C.D.<br>Interest)           | 1,437.14     | 126.16    | 29.89            | 1.65              | .88               | 197.05            | .06               | 1,792.83       |
| Deposits                                       |              |           |                  |                   |                   |                   |                   |                |
| Transfers to checking<br>for disbursement      | 450,000.00   |           |                  |                   |                   | 30,000.00         |                   | 480,000.00     |
| Matured C.D.'s transferred<br>to Money Market  |              |           |                  |                   |                   |                   |                   |                |
| Total                                          | 120,439.40   | 23,740.66 | 5,624.26         | 334.46            | 177.14            | 27,081.34         | 12.76             | 177,410.02     |
| Certificates of Deposit<br>Balance on 01-01-90 | 900,000.00   | -0-       | -0-              | -0-               | -0-               | -0-               | -0-               | 900,000.00     |
| New C. D. 's                                   | 1,250,000.00 | 20,000.00 |                  |                   |                   | 20,000.00         | 20,000.00         | 1,310,000.00   |
| Matured C. D.'s transferred<br>to Money Market |              |           |                  |                   |                   |                   |                   |                |
| Total                                          | 2,150,000.00 | 20,000.00 | -0-              | -0-               | -0-               | 20,000.00         | 20,000.00         | 2,210,000.00   |
| Temporary Transfers:                           |              |           |                  |                   |                   |                   |                   |                |

*Dorothy P. Sims*  
Dorothy P. Sims, County Treasurer



\*February 26, 1990\*

County of Hays  
Summary of Receipts and Disbursements  
For the Period January 1990

|                                             | County Jail<br>I & S | Jail Addition<br>I & S | Hays County<br>I & S | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>I & S |
|---------------------------------------------|----------------------|------------------------|----------------------|-----------------------|---------------------|-------------------------|
| Checking Balance on 01-01-90                | 123,904.65           | 27,315.73              | 50,761.42            | 76,370.76             | 10,930.79           | 731.04                  |
| Deposit Warrants (Receipts)                 | 293,741.85           | 62,607.18              | 96,448.30            | 181,978.64            | 19,898.61           | 1,726.50                |
| Disbursements (Claims)                      | 365,000.00           | 75,000.00              | 130,044.90           | 225,000.00            | 26,376.38           |                         |
| Total                                       | 52,646.50            | 14,922.91              | 17,164.82            | 33,349.40             | 4,453.02            | 2,457.54                |
| Money Market Balance on 01-01-90            | 260.27               | 24,002.68              | 35,173.70            | 75.53                 | 39,608.17           | -0-                     |
| Interest (Includes C.D. Interest)           | 1.29                 | 128.23                 | 187.91               | .37                   | 211.60              |                         |
| Deposits                                    |                      |                        |                      |                       |                     |                         |
| Transfers to checking for disbursement      |                      |                        |                      |                       |                     |                         |
| Matured C.D.'s transferred to Money Market  |                      |                        |                      |                       |                     |                         |
| Total                                       | 261.56               | 24,130.91              | 35,361.61            | 75.90                 | 39,819.77           | -0-                     |
| Certificates of Deposit Balance on 01-01-90 | 173,500.00           | 27,000.00              | 20,000.00            | 151,700.00            | 29,000.00           | -0-                     |
| New C. D.'s                                 | 365,000.00           | 75,000.00              | 120,000.00           | 225,000.00            | 26,000.00           |                         |
| Matured C. D.'s transferred to Money Market |                      |                        |                      |                       |                     |                         |
| Total                                       | 538,500.00           | 102,000.00             | 140,000.00           | 376,700.00            | 55,000.00           | -0-                     |
| Temporary Transfers:                        |                      |                        |                      |                       |                     |                         |

\*February 26, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period January 1990

|                                                | Adult Probation<br>Operating | Adult Probation<br>Facilities | Medical and<br>Dental Fund | Medical and<br>Dental Claims | District Attorney<br>Drug Forfeiture | Sheriff's<br>Drug Forfeiture |
|------------------------------------------------|------------------------------|-------------------------------|----------------------------|------------------------------|--------------------------------------|------------------------------|
| Checking<br>Balance on 01-01-90                | 6,702.04                     | 153.01                        | 66,461.66                  | 1.00                         | 7,201.00                             | 62,824.88                    |
| Deposit Warrants<br>(Receipts)                 | 86,598.10                    | 24,077.00                     | 48,211.14                  | 33,219.05                    |                                      |                              |
| Disbursements (Claims)                         | 89,409.93                    | 2,118.69                      | 40,853.98                  | 18,121.33                    | 3,065.68                             | 5,422.98                     |
| Total                                          | 3,890.21                     | 22,911.32                     | 73,818.82                  | 15,098.72                    | 4,135.32                             | 57,401.90                    |
| Money Market<br>Balance on 01-01-90            | 143,021.18                   | 13,376.02                     | -0-                        | -0-                          | -0-                                  | -0-                          |
| Interest (Includes C.D.<br>Interest)           | 846.01                       | -94.79                        |                            |                              |                                      |                              |
| Deposits                                       |                              |                               |                            |                              |                                      |                              |
| Transfers to checking<br>for disbursement      | 44,500.00                    | 2,000.00                      |                            |                              |                                      |                              |
| Matured C.D.'s transferred<br>to Money Market  |                              |                               |                            |                              |                                      |                              |
| Total                                          | 99,367.19                    | 11,370.81                     | -0-                        | -0-                          | -0-                                  | -0-                          |
| Certificates of Deposit<br>Balance on 01-01-90 | -0-                          | -0-                           | -0-                        | -0-                          | -0-                                  | -0-                          |
| New C. D. 's                                   |                              |                               |                            |                              |                                      |                              |
| Matured C. D.'s transferred<br>to Money Market |                              |                               |                            |                              |                                      |                              |
| Total                                          | -0-                          | -0-                           | -0-                        | -0-                          | -0-                                  | -0-                          |
| Temporary Transfers:                           |                              |                               |                            |                              |                                      |                              |



\*February 26, 1990\*

## 10113 SELECTION OF 1990 HAYS COUNTY GRIEVANCE COMMITTEE

The following were selected by random drawing to serve on the 1990 Hays County Grievance Committee: Cynthia Chumley (San Marcos) Star Pompa (San Marcos) Samuel W. Leming (Buda)

## 10114 APPROVE COMMISSIONERS' COURT MINUTES OF JANUARY 1990

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve minutes of Commissioners' Court for January 1990 as presented by the County Clerk. All voting "Aye".

## 10115 COUNTY ROAD #266 - APPROVE QUITCLAIM FROM BILL LYON FOR R-O-W

Commissioner Gonzales spoke of proposed north right-of-way line on County Road #266 (Westfield Crossing) - approximately one mile. Bill Lyon, property owner, spoke of problems along CR#266 - property has been in his family since the 1930's - would like to put up a fence - will donate the right-of-way to the County. Plat of the proposed north R.O.W line of Hays County Road No. 266 was presented to the Court. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to have the District Attorney review field notes and prepare quitclaim deed for filing from Bill Lyon for north right-of-way line on County Road #266. All voting "Aye". (see plat in Commissioners' Court File "CR266")

## 10116 CR#266 - AUTHORIZE PAYMENT FOR SURVEY EXPENSES FOR RIGHT-OF-WAY

Commissioner Gonzales requested authorization for payment for survey expenses for CR#266 right-of-way (Bill Lyon's property) to Pro-Tech Engineering Group in the amount of \$2,434.95. Commissioner Payne spoke of need to get Court approval before survey is done. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize payment in the amount of \$2,434.95 to Pro-Tech Engineering Group for survey expenses for right-of-way on CR#266. All voting "Aye".

## DISCUSS POSSIBLE PURCHASE OF PROPERTY NEXT TO PCT. 1 COUNTY BARN FOR OFFICE &amp; STORAGE SPACE OF RECORDS

Commissioner Gonzales spoke of property adjacent to Pct. 1 barn owned by Hugh Snellings - would like to purchase this property if available for a reasonable amount - presently using 8' of this property as a drive - cost is unknown at this time. Judge Rains spoke of AutoTech building on WonderWorld Drive - South Hays Vol. Fire Dept. asked if they could lease part of this building if the County purchases it - there would also be space for document storage - suggested moving the Environmental Dept. of the Health Dept. (Terry Ewald's Dept.) to this building to make room for a County Doctor at the Health Dept on Broadway Street.

## 10117 REAPPOINT VETERANS SERVICE OFFICER TOM TVRDIK

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to reappoint Tom Tvrdik as Veterans Service Officer for Hays County. All voting "Aye".

## 10118 HAYS COUNTY HISTORICAL COMMISSION APPOINTMENTS

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve appointments of Bradley Davis, Nelson Davidson and Ismael Rosales to the Hays County Historical Commission. All voting "Aye".

## 10119 APPROVAL OF D.P.S. SOFTWARE MODIFICATION

Sgt. Ralph Meyer, DPS, spoke of Legislative changes allowing for a \$35 Arrest Fee on all cases with warrants issued - this change requires a software modification for their computer system - modification estimate is \$3,100. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve software modification for DPS to be paid out of DPS DataProcessing Repair & Maintenance line item. All voting "Aye".

\*February 26, 1990\*

10120 AUTHORIZE PATSY GREINER TO ASSIGN STREET NUMBERS IN CONJUNCTION WITH THE COUNTY ADDRESSING SYSTEM

Patsy Greiner spoke - Post Office has requested that numbers be assigned to residences in Hunters Ridge, Deerwood Estates and Oakridge Estates subdivision along Hunter Road - will not affect street names and county road numbers. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize Patsy Greiner to assign street numbers in conjunction with the County addressing system. All voting "Aye".

DISCUSS LEASE OF HARDWARE & SOFTWARE FROM THE SOFTWARE GROUP FOR THE COUNTY AUDITOR AND COUNTY TREASURER OFFICES

County Auditor Bill Herzog spoke - presented letter from The Software Group, Inc. regarding an interim rental agreement for the Auditor/Treasurer computer system - they are unable to supply a performance bond at this time - their insurance company is requiring an additional audit - proposal is for rental price of \$3,500 per month with rental credit applied to the eventual purchase at \$2,500 per month - if Court decides not to purchase their system then no rental funds would be returned. Mr. Herzog is not agreeable to this proposal - felt like rental should be free and County to pay only actual out-of-pocket costs since The Software Group had not been able to supply a performance bond - requested additional negotiations. No action taken.

10121 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$\$25,253.87. All voting "Aye".

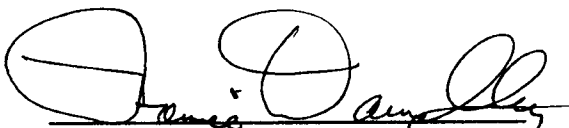
|                 |             |                |             |
|-----------------|-------------|----------------|-------------|
| Auditor         | \$ 400.68   | Treasurer      | \$ 100.00   |
| Extension Ofc   | \$ 352.36   | Judicial       | \$ 124.10   |
| Juvenile Prob   | \$ 105.31   | Transfer Sta.  | \$ 366.07   |
| Building Mtc    | \$ 192.72   | Health Dept.   | \$ 239.85   |
| Civic Center    | \$ 60.00    | Tax A/C        | \$ 2.45     |
| District Clerk  | \$ 5.49     | County Clerk   | \$ 3,208.70 |
| Sheriff         | \$ 1,036.50 | Jail           | \$ 2,662.86 |
| Dist. Atty.     | \$ 1,059.31 | JP 1-1         | \$ 228.10   |
| JP 3            | \$ 72.97    | Constable 1    | \$ 29.81    |
| Constable 5     | \$ 217.14   | Veterans Adm   | \$ 71.68    |
| TDH TB Grant    | \$ 3.50     | District Court | \$ 68.29    |
| County Court    | \$ 176.61   | Dist Crt Rep   | \$ 11.45    |
| R&B General     | \$ 32.28    | Precinct 1     | \$ 212.88   |
| Precinct 2      | \$ 4,987.14 | Precinct 3     | \$ 430.79   |
| Precinct 4      | \$ 1,872.16 | Self Insur     | \$ 2,131.93 |
| Hot Check Fee   | \$ 41.02    | Public Works   | \$ 1,785.19 |
| Adult Prob Oper | \$ 2,259.72 | Adult Prob Fac | \$ 704.81   |

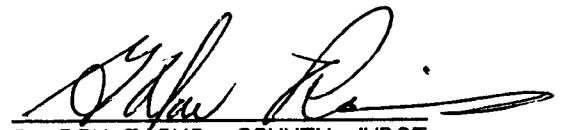
10122 OAK RUN WEST REPLAT LOT B (PCT. 4) - PUBLIC HEARING

Public Hearing was called - no input from the public. Patsy Greiner, AC, stated that subdivision is located in Austin's ETJ - publisher's affidavit was filed by Robert Peerman - Terry Ewald, Health Dept., was not present and Mrs. Greiner was not sure if the subdivision met with his approval. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Oak Run West Replat Lot B" on first, second and third hearings contingent on approval by the Hays County Health Department and by the City of Austin. All voting "Aye".

10123 SIMON ESTATES LOT 1 (PCT. 3)

William Kolodzie appeared - Estate is partitioning this property. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Simon Estates Lot 1" on first, second and third readings. All voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

\*March 5, 1990\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 5TH DAY OF MARCH , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10124 APPROVE MAINTENANCE AGREEMENT ON DAM PROJECT SITE #3

Marion Johnson, Soil Conservation Service, spoke of the fifth dam now getting underway - Site #3 = \$1.9 million - located on John Starts Ranch & Tex Hughson property downstream from Sink Springs - County to operate and maintain site upon completion of project. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve maintenance agreement on Dam Project Site #3. All voting "Aye".

CHILYMPIAD COMMITTEE REPORT

Larry Burruss spoke - Chilympiad had a successful year last year - \$1,195 will be paid to the County for lights - would like to have a verbal agreement allowing Chilympiad to pay a fixed rent of \$5,000 per year for the next three years - money would also be put into the Civic Center to build a meeting room - Chilympiad has previously spent \$200,000 for improvements to the Civic Center. Commissioner Gonzales spoke of his concerns about the Civic Center Board not having meetings - spoke of road into the Civic Center from IH35 access road being in the City limits of San Marcos and is not being maintained - spoke of loop around the Civic Center used by Marshal Gas employees. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve fixed rental rate of \$5,000 per year for the next three years for continuation of Chilympiad. Commissioner Ford spoke of all property at Civic Center not being owned by the County - Fair Association owns the parking area - need to research property ownership and conditions of lease. Commissioner Gonzales and Commissioner Rippy withdrew their motions since approval of a rental fee was not on the agenda.

HOT CHECK RAID REPORT BY SHERIFF HASTINGS

This item was not on the agenda - Judge Rains asked Sheriff Paul Hastings to give the Court a report of the Hot Check Raid conducted this past weekend. Sheriff Hastings spoke of arrests made (72), warrants cleared (320) and fine & restitutions collected = \$16,900. San Marcos Police Dept. donated 6 patrol officers to assist - spoke of work being done by the new Warrant Officer Dennis Gutierrez since this position was approved (\$122,838.52 collected on warrants) 50% of the warrants being served have been served by this Officer. Commissioner Gonzalez asked about media coverage of this raid. Sheriff Hastings stated that his Public Relations Person had notified the media of the Hot Check Raid to send a message to the people that Hays County will not tolerate issuance of hot checks. Majority of warrants served this weekend were out of J.P. Pct. 1 Place 2 office.

10125 CONSTABLE PCT. 5 - REQUEST FUNDS TO REPAIR COPIER

Constable Pct. #5 Billy Reeves spoke of copier that was transferred to his office from the Sheriff's Dept. - was in need of repairs (estimate from Texas Copy = \$430) - annual maintenance agreement = \$414 - this copier will be made available to Sheriff's Deputy, Constable Pct. #5 and Justice of the Peace Pct. #5. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve funds in the amount of \$844.00 for repairs to copier in Constable Pct. #5 office and maintenance agreement for one year. All voting "Aye".

\*March 5, 1990\*

Judge Rains left the meeting at this time - Commissioner Payne presided over the meeting.

10126 AUTHORIZE PURCHASE OF 2 HAND-HELD MOTOROLA RADIOS FOR PCT. #3 AND CONSTABLE PCT. #3

Commissioner Payne requested authority to purchase two hand-held Motorola radios through Sheriff's contract for Pct. 3 and Constable 3 and amend Pct. 3 budget accordingly. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize purchase of two hand-held Motorola radios through Sheriff's contract for Pct. 3 and Constable Pct. 3 and to amend budget of Pct. 3 by transferring \$650.00 from Road & Bridge Expense line item to Misc. Equipment line item. All present voting "Aye".

DISCUSS OFFICE SPACE AT COURTHOUSE

Commissioner Gonzales spoke of office space for Constable Pct. #1 - was considering the Juvenile Probation Office space, however, this area is too small. District Clerk W. H. Moore spoke of need for a holding area for prisoners adjacent to the District Courtroom and area needed for microfiche equipment. Commissioner Gonzales spoke of Indigent Health Care office space needed. Eva Cruz spoke of need for privacy for Indigent Health Care applicants. Sheriff Hastings stated that a prisoner holding area is needed if space is available. Commissioner Ford spoke - need to consider first floor renovation of the Courthouse Annex in area previously used by Auditor and Treasurer.

10127 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog spoke of invoice for toilet paper purchased for the Civic Center (Central supply cost is cheaper). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County invoices in the amount of \$44,708.34. All present voting "Aye".

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| Other Revenue     | \$ 26.95    | Auditor           | \$ 200.00   |
| Treasurer         | \$ 370.09   | Judicial          | \$ 916.50   |
| Juv. Probation    | \$ 19.97    | Indigency         | \$ 8,478.48 |
| Transfer Station  | \$ 157.65   | Bldg. Maint.      | \$ 382.29   |
| Health Dept.      | \$ 821.00   | Civic Center      | \$ 789.19   |
| Countywide Misc.  | \$ 3,076.81 | District Clerk    | \$ 540.65   |
| Sheriff's Dept.   | \$ 1,901.72 | Jail              | \$ 8,214.21 |
| County Judge      | \$ 109.08   | District Atty.    | \$ 15.81    |
| JP 2              | \$ 350.00   | JP 3              | \$ 300.00   |
| JP 4              | \$ 250.00   | JP 5              | \$ 167.10   |
| DPS               | \$ 256.56   | Constable 1       | \$ 34.15    |
| Constable 2       | \$ 20.00    | Constable 3       | \$ 20.00    |
| Constable 4       | \$ 77.67    | Constable 5       | \$ 20.00    |
| Data Proc Admin   | \$ 1,990.15 | TDH TB Grant      | \$ 54.00    |
| Foster Child Care | \$ 234.79   | District Court    | \$ 43.00    |
| County Court      | \$ 2,683.28 | Precinct 1        | \$ 2,335.85 |
| Precinct 2        | \$ 198.61   | Precinct 3        | \$ 2,209.81 |
| Law Library       | \$ 45.00    | Jail Construction | \$ 578.00   |
| Public Works      | \$ 5,346.55 | Probation Fees    | \$ 1,000.00 |
| Adult Prob Oper   | \$ 266.75   | Adult Prob Fac    | \$ 206.67   |

DISCUSS PURCHASE OF PROPERTY ADJACENT TO PCT. 1 COUNTY BARN

Commissioner Gonzales spoke of property adjacent to pct. 1 county barn owned by Hugh Snellings - lot size is 70'X170' (11,900 sq. ft.) - purchase price is \$29,000 - house on property is of no use and should be torn down - could use property to build a storage/office building on. No action taken

10128 BURNETT RANCH SECTION 4 BLK 1 REPLAT OF LOTS 9 & 10 (PUBLIC HEARING)

Public Hearing was called - subdivision located in Pct. 3 - property lines go to the centerline of the road. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Burnett Ranch Section 4 Block 1 Replat of Lots 9 & 10" subdivision on first, second and third readings. All present voting "Aye".

\*March 5, 1990\*

## 10129 HAYS HILLS BAPTIST CHURCH LOT 1 (PCT. 2)

David Lewis presented subdivision on first, second and third readings - a single lot subdivision. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve "Hays Hills Baptist Church Lot 1" on first, second and third readings. All present voting "Aye".

## 10130 DATA PROCESSING DEPARTMENT BUDGET AMENDMENT

Danny Dever, Data Processing Administrator, spoke of PC integration - requested transfer of \$1500 from DP Equipment to DP Software. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize budget amendment for Data Processing Dept. by transferring \$1500 from DP Equipment (#5712) to DP Software (#5791) line items. All present voting "Aye".

## 10131 APPROVE LEASE OF HARDWARE &amp; SOFTWARE FROM THE SOFTWARE GROUP FOR THE AUDITOR AND TREASURER'S OFFICES

Danny Dever, DP Adm., spoke of lease agreement available using IBM compatible hardware from The Software Group and lease payments will be credited to purchase price of the equipment.

Judge Rains returned to the meeting at this time.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve one year lease with The Software Group in the amount of \$9,995.00 with this amount to be credited to the final purchase price. All voting "Aye".

## 10132 APPROVE START UP DATE FOR THE FY91 BUDGET PROCESS

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to set May as the start up month for the FY91 budget process. All voting "Aye".

## 10133 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR ANNUAL BIDS FOR FUEL, OIL &amp; LUBRICANTS

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to advertise for annual bids for fuel, oil & lubricants. All voting "Aye".

## 10134 STATE HEALTH DEPARTMENT GRANT - APPROVE AND AMEND GRANT ATTACHMENT #2 FOR PURCHASE OF A COMPUTER (\$1600)

Terry Ewald, Health Dept. Admin., spoke of grant for environmental health program - State will reimburse funds. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve and amend State Health Department Grant Attachment #2 for \$1600 for the purchase of a computer. All voting "Aye".

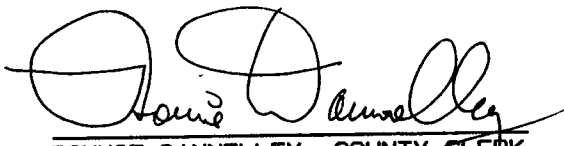
## DISCUSS ETHICS POLICY AND CONSIDER CHANGES TO BID SPECS FOR DEPOSITORY CONTRACT


County Auditor Bill Herzog spoke of bids for depository contract - State Bank & Trust Co. has a problem with the Ethics policy. Judge Rains stated that the Bank feels like there might be a conflict with State Banking Laws. Commissioner Payne spoke of possible waiver of the ethics policy. Discussion was had on how much information would need to be revealed. Judge Rains suggested that the District Attorney be asked to check into this matter to see if there is a conflict with State Banking Laws.

## 10135 AUTHORIZE COUNTY AUDITOR TO REBID THE DEPOSITORY CONTRACT

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to rebid the County Depository Contract. All voting "Aye".

\*March 12, 1990\*

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~oOo~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 12TH DAY OF MARCH , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10136 APPROVAL RENTAL AGREEMENT WITH CHILYMPIAD FOR USE OF CIVIC CENTER

Larry Burruss requested approval of a fixed rental fee of \$5,000 for Chilympiad to use the Civic Center this year. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve \$5,000 rental fee for Chilympiad to use the Civic Center this year. All voting "Aye".

10137 APPROVE USE OF COURTHOUSE LAWN FOR ART SHOW DURING TOURS OF DISTINCTION

Leslie Trish requested the use of the Courthouse Lawn for an Art Show during the Tours of Distinction that will be held May 5th & 6th. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve use of Courthouse lawn for Art Show during Tours of Distinction to be held May 5 & 6, 1990. All voting "Aye".

10138 APPROVE FENCE PAYMENT ON RR12 PROJECT (WORTH = \$3,600.00)

Estimate for fence replacement from Tatsch & Sons = \$3,684.00 - Fred Worth has requested \$3,600. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve fence payment to Fred Worth in the amount of \$3,600.00 on the RR12 Project. All voting "Aye".

10139 APPROVE RESOLUTION FOR CONDEMNATION PROCEEDINGS ON RR12 PROJECT (W&M BUILDER LTD)

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve resolution for condemnation proceedings on RR12 Project owned by W&M Builders, Ltd. All voting "Aye".

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE THE COMMISSIONERS COURT  
OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, a good faith effort has been made by Hays County to negotiate a settlement with W&M BUILDERS, LTD. of right-of-way required to extend and widen Ranch Road 12; and

\*March 12, 1990\*

WHEREAS, the offer has been refused by the owners;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that

Condemnation proceedings be initiated in order to acquire the property known as 0.122 of an acre of land out of Lots Three-A (3-A) and Three-B (3-B), Block "B" Deer Creek Ranch, Section One (1) in Hays County, Texas, in order to proceed with the extension and widening of Ranch Road 12.

RESOLUTION PASSED AND SECONDED ON THIS 12TH DAY OF MARCH, 1990.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippey  
Oran Rippey, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley,  
County Clerk

10140 APPROVE RESOLUTION OF SUPPORT FOR PURCHASE OF JUVENILE SERVICES GRANT FROM CAPCO

Ed Cooper, Chief Juvenile Probation Officer, spoke - Juvenile Services Grant is worth \$9,800 - will help defray the cost of detention. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve resolution authorizing submission of a Grant request for funding "Purchase of Juvenile Services". Discussion was had on detention of juveniles and need for a juvenile detention center. All voting "Aye".

R E S O L U T I O N

A RESOLUTION BY THE HAYS COUNTY COMMISSIONERS' COURT  
SAN MARCOS, TEXAS, AUTHORIZING THE SUBMISSION OF A  
GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE  
DIVISION FOR FUNDING TO THE HAYS COUNTY JUVENILE  
PROBATION DEPARTMENT, FOR A PROGRAM KNOWN AS  
"PURCHASE OF JUVENILE SERVICES"

WHEREAS, THE COMMISSIONERS OF HAYS COUNTY, TEXAS, has the moral obligation to the citizens and taxpayers of Hays County, Texas, to ensure that the juvenile justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners are aware there are limited special services available to or provided to juveniles in Hays County, Texas, and

WHEREAS, the Commissioners feel the addition of the program known as Purchase of Juvenile Services will materially enhance the administration of Juvenile Justice in Hays County, Texas, by making more resources available; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of Hays County, Texas, that the County submit a grant request to the office of the Governor of Texas Criminal Justice Division, to assist in the funding of the program of Purchase of Juvenile Services at the Juvenile Probation Department of Hays County, Texas; and

\*March 12, 1990\*

BE IT FURTHER RESOLVED, that the Chief Juvenile Probation Officer be appointed Project Director of this Program and Bill Herzog, County Auditor, be appointed Fiscal Office of this Program, and Honorable Judge G. Don Rains, County Judge of Hays County, Texas, be and is hereby authorized to sign on behalf of the Commissioners of Hays County any documents, requests, or other instruments in his opinion necessary to support the application and continuation of this program.

PASSED AND APPROVED, this the 12th day of March A.D., 1990.

H A Y S C O U N T Y , T E X A S

s/ G. Don Rains  
C O U N T Y J U D G E

ATTEST:

s/ Ronnie Dannelley  
H A Y S C O U N T Y C L E R K

10141 ACCEPT ROADS FOR COUNTY MAINTENANCE AS 2ND CLASS ROADS AS PETITIONED

Commissioner Rippe spoke of having received petitions requesting county maintenance of three roads in his precinct - spoke of trying to take care of roads that are not presently being maintained - he does not plan to pave these roads, just grate them twice a year - petitions presented:

PETITION TO HAYS COUNTY COMMISSIONERS COURT

WHEREAS, the undersigned have their residences in property commonly known as Western Woods off of RR12 near Dripping Springs in Hays County, there being no other residences in the subdivision, and

WHEREAS, the access road to the Western Woods Subdivision from Ranch Road 12 is a private easement, and

WHEREAS, the undersigned are desirous of dedicating said roadway easement to Hays county,

NOW THEREFORE, the undersigned petition the Hays County Commissioners Court to receive said private roadway easement by dedication and assume the maintenance and upkeep of said roadway in the same manner as any other Hays County Roadway.

DATED this 15th day of February, 1990.

| <u>NAME</u>         | <u>ADDRESS</u>                   | <u>PHONE NO.</u> |
|---------------------|----------------------------------|------------------|
| s/Frank Pennington  | P. O. Box 214, D.S.              | 858-7437         |
| s/Lanny Counts      | Star Route 1B Box 92AA           | 858-7651         |
| s/John Whittenbaugh | HCO-2 Box 92J Dripping Springs   | 858-5312         |
| s/Paul Kay          | HCO2 Box 92BF D.S. Tx 78620      | 858-4900         |
| s/Rod Whitley       | HCO2 Box 116AB                   | 858-7797         |
| s/Alan Tomblin      | P.O.Box 271, Dripping Springs Tx | 858-4623         |
| s/Charles Sellers   | Box 757 Dripping Springs, Tx     |                  |

PETITION FOR COUNTY ROAD

FEBRUARY 13, 1990

We the undersigned, request our private easements (see diagram) to be county maintained.

- |                      |                          |                     |
|----------------------|--------------------------|---------------------|
| s/ Edwin L. Brownson | s/ Theresa G. Brownson   | s/ Susan M. Manske  |
| s/ Louise Billing    | s/ Anne Dodson           | s/ Ralph Mock       |
| s/ Jack Wigham       | s/ Pam Wigham            | s/ Margaret M. Mock |
| s/ Aruthur J. Holden | s/ Ila M. Holden         | s/ Paula C. Renfro  |
| s/ T. Brownson       | s/ Patty Brownson        | s/ Bruce Renfro     |
| s/ Mark E?           | s/ Peggy Harp            |                     |
| s/ James A. Reichert | s/ Elizabeth C. Reichert |                     |
| s/ Charles C. Dodson | s/ Paul R. Manske        |                     |



\*March 12, 1990\*

PETITION

We, the following property owners in the Emmett Shelton Subdivision off R.R. 12 approximately 2 miles north of Dripping Springs, Texas, petition the County of Hays to maintain our 50' easement road.

| <u>Property Owners Name &amp; Address</u>                          | <u>Signature</u>   |
|--|--------------------|
| W. E. McNair 858-4409<br>HC03 Box 61 Dripping Springs, Texas 78620 | s/ W. E. McNair    |
| W. B. Haley 858-7195<br>P. O. Box 462, Dripping Springs, Tx 78620  | s/ W. B. Haley     |
| Willis E. Wells<br>HC 04 Bos 13A, Dripping Springs, Tex 78620      | s/ Willis E. Wells |
| John L. Hill<br>Double L Ranch RR12, Dripping Springs Tx 78620     | s/ John L. Hill    |
| Emmett Shelton<br>1107 Westlake Dr., Austin, Texas 78746           | s/ Emmett Shelton  |
| Joyce Shelton<br>1107 Westlake Dr., Austin, Texas 78746            | s/ Joyce Shelton   |
| Mary Goff<br>HC04 Box 138, Dripping Springs, Tx 78620              | s/ Mary B. Goff    |
| Eugene A. Forge<br>1704 Wild Horse Ln., Round Rock, Tx 79681       | s/ Eugene A. Forge |

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to upgrade Brownson Lane (1 2/10 mi), Butler Ranch Road (1 mi) and Shelton Road (1 mi) to 2nd Class county roads and accept them for County Maintenance. All voting "Aye".

10142 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of County Invoices as presented by the County Auditor in the amount of \$89,848.81. All voting "Aye".

|                  |             |                 |             |
|------------------|-------------|-----------------|-------------|
| Central Strm     | \$ 63.87    | Lic & Perm Rev  | \$ 120.00   |
| Auditor          | \$ 1,018.19 | Treasurer       | \$ 175.69   |
| Extension Ofc.   | \$ 392.24   | Judicial        | \$ 288.56   |
| Juvenile Prob.   | \$ 467.75   | Election Admin. | \$ 34.92    |
| Transfer Station | \$ 40.60    | Building Mtc.   | \$ 7,798.29 |
| Health Dept.     | \$ 487.81   | Civic Center    | \$ 2,535.12 |
| Countywide Misc. | \$ 1,259.19 | Tax A/C         | \$ 349.40   |
| District Clerk   | \$ 180.28   | County Clerk    | \$ 86.32    |
| Sheriff's Dept.  | \$ 8,013.09 | Jail            | \$33,677.73 |
| County Judge     | \$ 84.68    | Admin. Coord.   | \$ 70.67    |
| Co.Crt. @ Law    | \$ 79.41    | Dist. Atty.     | \$ 740.75   |
| J.P. 1-1         | \$ 62.04    | J.P. 1-2        | \$ 108.80   |
| J.P. 2           | \$ 67.73    | DPS             | \$ 846.01   |
| Constable 1      | \$ 87.20    | Constable 2     | \$ 81.96    |
| Constable 3      | \$ 62.70    | Constable 5     | \$ 227.08   |
| Veteran's Adm    | \$ 26.06    | Data Proc Admin | \$ 65.95    |
| Co.Crt.@ Law 2   | \$ 26.59    | TDH M&C Grant   | \$ 4.22     |
| Fire Marshal/EMC | \$ 80.45    | TABC            | \$ 87.95    |
| District Court   | \$ 157.90   | County Court    | \$ 746.57   |
| Dist Court Rep   | \$ 98.96    | R&B General     | \$ 351.39   |
| Precinct 1       | \$ 237.63   | Precinct 2      | \$ 1,441.45 |
| Precinct 3       | \$ 3,622.83 | Precinct 4      | \$ 5,933.67 |
| Hot Check Fee    | \$ 314.38   | Public Works    | \$ 6,261.12 |
| Sheriff's Drug   | \$ 566.22   | D.A.'s Drug     | \$ 2,417.13 |
| Adult Prob Oper  | \$ 6,765.51 | Adult Prob CSR  | \$ 264.71   |
| Adult Prob Fac   | \$ 870.04   |                 |             |

\*March 12, 1990\*

10143 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR METAL PIPE, LUBRICANTS AND SELF-PROPELLED HIGHWAY SWEEPER

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the County Auditor to advertise for bids for countywide metal pipe, lubricants and self-propelled highway sweeper. All voting "Aye".

10144 AMEND PREVIOUS RESOLUTION REGARDING REGULAR LICENSE EXEMPT PLATES USED BY THE SHERIFF'S DEPT.. & DISTRICT ATTORNEY'S OFFICE

County Auditor Bill Herzog spoke of resolution #10097 adopted February 12, 1990 - need to amend resolution to authorize Assistant County Auditor Paula Pond to execute all documents pertaining to said vehicles assigned regular license exempt plates. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt amended resolution regarding regular license exempt plates used by the Sheriff's Department and the District Attorney's Office. All voting "Aye".

AMENDED RESOLUTION

EXEMPT LICENSE PLATES

WHEREAS, House Bill 763 by the 70th Texas Legislature has changed the procedures in issuance of Exempt License Plates; and

WHEREAS, Regular License Exempt Plates (previously referred to as undercover) are still available to exempt agencies that qualify under V.C.S. 670/m-2; and

WHEREAS, the need to designate vehicles used by the Sheriff's Department and the District Attorney's Department of Hays County exists; now

THEREFORE, BE IT HEREBY RESOLVED, the Commissioners' Court of Hays County designates all vehicles used by the Sheriff's Department and the District Attorney's Department (but not pertaining to regular marked Sheriff's Department vehicles and the District Attorney's Department vehicles) shall carry Regular License Exempt Plates and shall so be designated and attached at this Resolution.

IT IS ALSO ORDERED that Paula Pond shall execute all documents pertaining to said vehicles assigned to this office.

PASSED AND APPROVED this the 12th day of March, 1990.

COMMISSIONERS' COURT OF HAYS COUNTY

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Rafael Gonzales  
Rafael Gonzales, Commissioner  
Precinct #1

s/ Wayne Ford  
Wayne Ford, Commissioner  
Precinct #2

s/ Craig Payne  
Craig Payne, Commissioner  
Precinct #3

s/ Oran Rippy  
Oran "Pug" Rippy, Commissioner  
Precinct #4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

\*March 12, 1990\*

## 10145 APPROVE AMENDED RENTAL AGREEMENT WITH THE SOFTWARE GROUP (AUDITOR/TREASURER COMPUTER SYSTEM)

County Auditor Bill Herzog spoke of amending the proposed rental agreement with The Software Group for the Auditor/Treasurer Computer System - proposes a larger machine with an increased in software and hardware rental. See Offer Letter in file. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend rental agreement with The Software Group for the Auditor/Treasurer Computer System. All voting "Aye".

## 10146 DEPOSITORY CONTRACT BID - GRANT VARIANCE OF HAYS COUNTY ETHICS POLICY

County Auditor Bill Herzog spoke of concerns voiced by Clovis Barker of State Bank & Trust Company - has agreed to give out personal information as required by the Hays County Ethics Policy if the Commissioners' Court authorizes disclosure. Commissioner Ford spoke of the County Ethics Policy - applies to all "Key People" in the County, not just the members of the Commissioners' Court - Elected Officials are required by Law to exempt themselves if there is a conflict of interest. Commissioner Payne suggested granting a variance of the Ethics Policy from the County Depository Bid process. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to grant variance of the Hays County Ethics Policy in the Depository Contract Bid process. Judge Rains stated that he would like to consult with an Attorney before voting on granting a variance. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford and Judge Rains voting "Nay".

## 10147 APPROVE PAYMENT OF INDIGENT BURIAL EXPENSE (SAUCEDO)

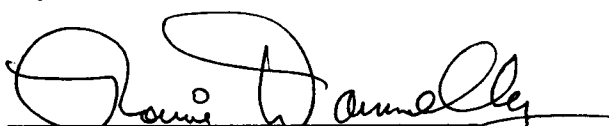
County Auditor Bill Herzog spoke of Indigent Burial Expense Re: Saucedo - \$350 previously authorized to be paid to Mrs. Saucedo - need to pay the funeral home or Mr. Saucedo's brother that loaned money to Mrs. Saucedo for burial expense. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to reimburse Mr. Saucedo's brother for burial expense in the amount of \$350. Discussion was had on what is an "indigent" burial expense. Commissioner Ford spoke of need for a policy that would apply to all cases without the entire Court having to make the decision. Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne and Judge Rains voting "Nay".

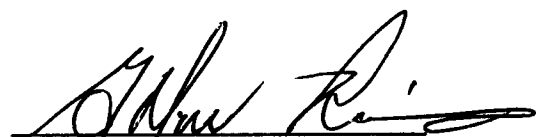
## 10148 ESTABLISH 40MPH SPEED LIMIT ON COUNTY ROAD #169 (BELL SPRINGS ROAD)

Public Hearing was called - Commissioner Rippy spoke of residents along CR169 straight stretches of the road complaining of speeding - would like to see enforcement of a safer speed limit. Mr. Alexander spoke of speed limits on County Roads not being enforceable according to information he has received from the Attorney General's Office - Commissioners' Court does not have Ordinance making powers - said he was not opposed to setting a lower speed limit, he just questions the authority of the Court to set the speed limit. Commissioner Ford read Art. 67.02 VCS which allows the Commissioners' Court to establish traffic regulations. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to establish 40MPH speed limit on County Road #169 (known as Bell Springs Road). All voting "Aye".

## 10149 KIRBY SPRINGS RANCH PHASE II REPLAT LOTS 41,43,44,45 (PCT. 4)

City of Dripping Springs has approved. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Kirby Springs Ranch Phase II Replat Lots 41,43,44,45" on third reading contingent on filing Letter of Credit. All voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 19TH DAY OF MARCH , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10150 GRIEVANCE COMMITTEE SELECTION

Deputy County Clerk Linda Fritsche stated that Cynthia Chumley has rejected service on the Grievance Committee and another selection is needed. Commissioner Payne made random drawing selecting Rebecca Faye Aultman of San Marcos.

10151 APPROVE MINUTES OF FEBRUARY 1990

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve minutes of February 1990 with change in Resolution #10084 - show Commissioner Gonzales making the motion instead of Commissioner Ford. All voting "Aye".

10152 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve payment of County invoices in the amount of \$195,759.78 as submitted by the County Auditor. All voting "Aye".

|                 |             |                   |              |
|-----------------|-------------|-------------------|--------------|
| Central strmn   | \$ 130.88   | Auditor           | \$ 901.65    |
| Treasurer       | \$ 352.20   | Extension Ofc     | \$ 118.66    |
| Judicial        | \$ 2,234.25 | Juvenile Prob     | \$ 3,611.84  |
| Election Admin  | \$ 42.55    | Transfer Station  | \$ 4,414.75  |
| Bldg. Maint.    | \$ 275.27   | Health Dept.      | \$ 41.73     |
| Civic Center    | \$ 93.50    | Countywide Misc   | \$133,068.56 |
| Tax A/C         | \$ 194.10   | District Clerk    | \$ 146.18    |
| County Clerk    | \$ 2,223.26 | Sheriff's Dept.   | \$ 812.86    |
| Jail            | \$ 4,939.96 | Co. Crt. @ Law 1  | \$ 13.98     |
| District Atty   | \$ 563.24   | J.P. 1-2          | \$ 1,065.25  |
| J. P. 5         | \$ 24.90    | DPS               | \$ 18.00     |
| Constable 1     | \$ 115.46   | Constable 2       | \$ 500.00    |
| Constable 3     | \$ 195.00   | Constable 5       | \$ 113.60    |
| Social Services | \$ 2,062.50 | Data Proc Admin   | \$ 2,602.55  |
| TDH TB Grant    | \$ 100.00   | Foster Child Care | \$ 11,928.00 |
| In Home Spec    | \$ 97.65    | TDH M&C Grant     | \$ 1,008.04  |
| District Court  | \$ 919.05   | County Court      | \$ 1,755.60  |
| Precinct 1      | \$ 3,165.83 | Precinct 2        | \$ 67.89     |
| Precinct 3      | \$ 2,023.44 | Precinct 4        | \$ 3,298.80  |
| Hot Check Fee   | \$ 28.00    | Springlake I&S    | \$ 275.54    |
| Public Works    | \$ 9,247.94 | D.A.'s Drug Forf  | \$ 455.00    |
| Adult Prob Oper | \$ 370.07   | Adult Prob Fac    | \$ 142.25    |

10153 AUTHORIZE RENOVATION OF COURTHOUSE ANNEX THIRD FLOOR OFFICE SPACE FOR THE JUVENILE PROBATION DEPARTMENT

Judge Rains spoke of Courthouse rotunda project being completed and need to proceed with office space for the Juvenile Probation Department at the Courthouse Annex. A motion was made by Judge Rains, seconded by Commissioner Payne to authorize renovation of Courthouse Annex third floor office space for the Juvenile Probation Department. Cost of project is estimated around \$10,000. Commissioner Ford suggested that a new line item be created for this renovation project. All voting "Aye".

\*March 19, 1990\*

10154 AUTHORIZE REMODELING OF RESTROOM ON THIRD FLOOR OF THE COURTHOUSE

District Clerk W. H. Moore spoke of restroom situation on the third floor of the Courthouse - need to have a public restroom as well as a restroom for Jurors - suggested creating two restrooms out of the present one. Bryan Hoot, Maint. Supv, spoke of project and money that has already been appropriated \$3500. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize Bryan Hoot to remodel the restroom on the third floor of the Courthouse. All voting "Aye".

COUNTY PURCHASING POLICY

County Auditor Bill Herzog submitted copies of the proposed purchasing policy for Hays County for approval. Commissioner Ford stated that he would like to have time to look over and clarify the policy. No action taken at this time.

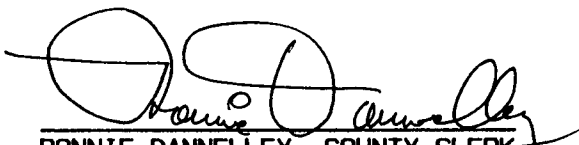
10155 BAIL BOND FORFEITURE CASES - APPROVE PAYMENT OF INVOICE FROM FITZGERALD, MAJORS & STEVEN


A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of invoice from Fitzgerald, Majors & Stevens in the amount of \$595.80 for legal services in the Bail Bond Forfeiture cases (Judgment Nisi - County Court at Law). All voting "Aye".

10156 BLUFFSIDE LOT 1 (PCT. 3)

Kelly Kilber presented "Bluffside Lot 1" subdivision on first, second and third readings - panhandle lot with 40' entrance private drive. Patsy Greiner stated that plat needs an aquifer note. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Bluffside Lot 1" subdivision on first, second and third readings. All voting "Aye".

A motion was made by Commissioner Ford to recess until 9:00 A.M. March 26, 1990.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~oOo~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 26TH DAY OF MARCH , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10157 PROCLAMATION OF ARCHEOLOGY WEEK (APRIL 8 - 14, 1990)

Judge Rains read Proclamation aloud. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt Proclamation designating the week of April 8 - 14, 1990 as "Texas Archeology Awareness Week". All voting "Aye".

\*March 26, 1990\*

PROCLAMATION

WHEREAS, Texas' heritage is rich in cultural diversity as represented by the numerous archeological and historic sites within our State; and

WHEREAS, preservation of Texas' prehistoric and historic archeological sites offer significant cultural, educational and economic benefits to all citizens; and

WHEREAS, each archeological and historic site is a unique and irreplaceable part of Texas history; and

WHEREAS, knowledge and understanding of our past is threatened by intentional and unintentional destruction; and

WHEREAS, many professional and avocational archeologists and other citizens and organizations strive to preserve and protect Texas' archeological and historic sites; and

WHEREAS, the Texas Historical Commission, Texas Archeological Society, Council of Texas Archeologists and the Texas Historical Foundation have joined with museums, local archeological societies, county historical commissions and other preservation groups to promote public awareness and involvement in protecting these significant cultural resources; and

WHEREAS, Archeology Awareness Week offers an opportunity for all citizens to reflect on Texas' unique legacy and the contributions archeological investigations offer in interpreting and understanding our past;

NOW, THEREFORE, WE the Commissioners' Court of Hays County, Texas, do hereby Proclaim

APRIL 8 - 14, 1990

as

\*TEXAS ARCHEOLOGY AWARENESS WEEK\*

PROCLAMATION ADOPTED ON THIS THE 26th DAY OF MARCH, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW.



*[Signature]*  
COUNTY JUDGE

*[Signature]*  
COMMISSIONER, PRECINCT #1

*[Signature]*  
COMMISSIONER, PRECINCT #2

*[Signature]*  
COMMISSIONER, PRECINCT #3

*[Signature]*  
COMMISSIONER, PRECINCT #4

ATTEST  
*[Signature]*  
HAYS COUNTY CLERK

\*March 26, 1990\*

10158 HAYS COUNTY HISTORICAL COMMISSION - SPACE TO BEGIN ARCHIVES

Frances Stovall, Chairman of Hays County Historical Commission, appeared - passed out HCHC Newsletter (1st issue) - gave recognition to Dorothy Kerbow and JoAnn Hearn (both were present) for their hard work and dedication - spoke of Second Book of Historical Markers - need space for archives as mandated - request office space on the third floor of the Courthouse Annex, preferably the Blair Room which could be used as is. Judge Rains spoke of this space having already been designated for the Juvenile Probation Department. Dorothy Kerbow spoke of their space needs and lighting is good in the Blair Room. A motion was made by Commissioner Gonzales, seconded by Judge Rains to provide the Blair Room at the Courthouse Annex to the Hays County Historical Commissioner for Archives. Commissioner Payne spoke of need to rescind previous order of the Court granting this space to the Juvenile Probation Department. Commissioner Ford felt like the Court needed to consult with the Juvenile Probation Department. Bryan Hoot, Maint. Superv., spoke of need for air conditioning and heating to offices for the Juvenile Probation Dept. A discussion was had on office space available on the 3rd floor of the Annex and work that will need to be done. Commissioner Ford spoke of the County's obligation to provide space for the Historical Commission - spoke of Court needing to establish a direction for renovation that would continue into the future, not just to solve temporary office space problems. Frances Stovall spoke of mandate requiring a location for the HCHC - they have been waiting 1 1/2 years for space and the County has an obligation to supply the space needed. All voting "Aye".

10159 JUVENILE PROBATION DEPARTMENT - DESIGNATE \$10,000.00 FOR RENOVATION OF COURTHOUSE ANNEX 3RD FLOOR AND AMEND BUDGET

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to amend budget out of Contingencies in the amount of \$10,000.00 for renovation of Courthouse Annex Third Floor for the Juvenile Probation Department office space. All voting "Aye".

10160 KIRBY SPRINGS RANCH PHASE II - ACCEPT CONSTRUCTION OF ROADS AND RELEASE LETTER OF CREDIT

Commissioner Rippy stated that the roads in the Kirby Springs Ranch Phase II subdivision are private paved roads. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept construction of roads in the Kirby Springs Ranch Phase II subdivision and release letter of credit. All voting "Aye".

10161 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of county invoices in the amount of \$54,919.93 as submitted by the County Auditor. All voting "Aye".

|                |             |                  |             |
|----------------|-------------|------------------|-------------|
| SHCVFD Util    | \$ 34.92    | Central Strm     | \$ 84.00    |
| Auditor        | \$ 89.13    | Judicial         | \$ 2,180.60 |
| Juvenile Prob  | \$ 755.00   | Election Admin   | \$ 2,693.25 |
| Indigency      | \$ 5,165.82 | Transfer Station | \$ 78.59    |
| Bldg. Maint    | \$ 3,954.30 | Health Dept.     | \$ 48.07    |
| Civic Center   | \$ 661.79   | Countywide Misc. | \$ 6,473.02 |
| County Clerk   | \$ 2,740.82 | Sheriff          | \$ 4,293.15 |
| District Atty. | \$ 152.95   | J.P. 1-1         | \$ 5.25     |
| J.P.3          | \$ 76.05    | J.P. 5           | \$ 182.03   |
| D.P.S.         | \$ 4,954.98 | Constable 4      | \$ 96.25    |
| Constable 5    | \$ 144.33   | Data Proc        | \$ 132.45   |
| Co. Crt @ Law  | \$ 196.80   | TDH TB Grant     | \$ 19.50    |
| TDH Sanitarian | \$ 1,604.13 | TABC             | \$ 27.93    |
| District Court | \$ 1,978.20 | County Court     | \$ 727.37   |
| R&B General    | \$ 27.65    | Precinct 1       | \$ 354.55   |
| Precinct 2     | \$ 6,249.69 | Precinct 3       | \$ 1,591.07 |
| Precinct 4     | \$ 79.91    | Law Library      | \$ 105.44   |
| Public Works   | \$ 3,135.70 | Adult Prob Oper  | \$ 3,105.24 |
| Adult Prob Fac | \$ 720.00   |                  |             |

\*March 26, 1990\*

10162 ADOPT RESOLUTION REQUESTING STATE ASSISTANCE WITH APPEAL LITIGATION ON THE FM1626 PROJECT (MEADOW PROPERTY)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution requestng State assistance with appeal litigation. All voting "Aye".

STATE OF TEXAS

BEFORE THE COMMISSIONERS COURT

COUNTY OF HAYS

OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a Regular Meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, the Texas Department of Highways and Public Transportation requested Hays County to acquire through negotiations or condemnation 11.337 acres of land out of the Morton M. McCarver Survey in Hays County, Texas, for purposes of extending Farm Road 1626, owned by Robert Joseph Meador, Orvis Ellis Meador, John Henry Meador, and Mildred Meador; and

WHEREAS, within the 11.337 acres of right-of-way is a parcel of land designated as a road from property owned by CenTex Materials on the west side of FM 1626 to property owned by CenTex Materials on the east side, the purpose of such "haul road" being the safety of the traveling public by routing slow-moving, oversized trucks under FM 1626; and

WHEREAS, the 11.337 acres was acquired through condemnation in Cause No. 4381 of the County Court at Law of Hays County, Texas, but the Meador family obtained a partial summary judgment holding that the "haul road" was a public taking for private use, and therefore void; therefore

BE IT RESOLVED that Hays County request the assistance of the Texas Department of Highways and Public Transportaiton in appealing the unfavorable ruling on the haul road be obtaining legal assistance to prosecute an appeal of the ruling of the County Court at Law.

RESOLUTION PASSED AND SECONDED ON THIS 26TH DAY OF MARCH, 1990.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Rafael Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk



\*March 26, 1990\*

10163 FLOODPLAIN VARIANCE REQUEST IN CEDAR OAKS MESA (DAN GAFFORD)

Commissioner Craig Payne spoke of homes in the Cedar Oaks Mesa area that are in the floodplain - this is an old subdivision (developed in the early 1970's) and many of the lots are lower than Mr. Gafford's. Terry Ewald, Health Dept., spoke of Mr. Gafford's trailer would have to set up 7 feet above the ground to be in compliance. Commissioner Payne and Terry Ewald agree that Dan Gafford should be granted a floodplain variance on this lot. A motion was made by Commissioner Payne, seconded by Commissioner Ford to grant floodplain variance to Dan Gafford for placement of a trailer on his lot in Cedar Oaks Mesa subdivision. All voting "Aye".

10164 RESOLUTION TO INITIATE CONDEMNATION PROCEEDINGS IN BLISS SPILLAR ROAD PROJECT (TOM SAPP PROPERTY)

Commissioner Ford spoke of Bliss Spillar Road project - need to take curve out of the road - other property owners have donated their property with fence replacement - they have been unable to come to an agreement with Tom Sapp, property owner of Tracts 3 & 4. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution to initiate condemnation proceedings in Bliss Spillar Road Project on Tom Sapp property. All voting "Aye".

STATE OF TEXAS

BEFORE THE COMMISSIONERS COURT

COUNTY OF HAYS

OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, a good faith effort has been made by Hays County to negotiate a settlement with TOM SAPP of right-of-way required to relocate and widen Bliss Spillar Road; and

WHEREAS, the offer has been refused by the owners;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas, that

Condemnation proceedings be initiated in order to acquire the property known as tract 3 - 1.03 acres and tract 4 - 0.270 acres in Hays County, Texas, in order to proceed with the relocation and widening of Bliss Spillar Road, as set out on Exhibit "A" attached hereto.

RESOLUTION PASSED AND SECONDED ON THIS 26TH DAY OF MARCH, 1990.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig D. Payne  
Craig Payne, Pct. 3

s/ Oran Hill Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

\*March 26, 1990\*

Bliss Spillar Road  
March 1, 1988  
Hays County

FN1144.1.03  
1.03 Acres

FIELD NOTES

DESCRIPTION OF A 1.03 ACRE TRACT OF LAND FOR DEDICATION AS R.O.W. FOR THE RE-ALIGNMENT OF BLISS SPILLAR ROAD BEING A PORTION OF THAT CERTAIN 7.29 ACRE TRACT OF LAND AS CONVEYED TO TOM E. SAPP AND RECORDED IN VOLUME 402, PAGE 315 OF THE DEED RECORDS OF HAYS COUNTY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the most northerly point of the herein referenced 7.29 acre tract and being also an angle point of a 50.01 acre tract conveyed to Roger Dale Linebarger and Wife, Elizabeth Ann Linebarger as recorded in Volume 383, paage 467 of Hays County Deed Records,

THENCE with the northwest line of said tract S 78° 42' W a distance of 13.33 feet to a point in the west R.O.W. of said 60' road.

THENCE with the west R.O.W. of said 60' road, S 01° 10' W a distance of 82.94 feet to an iron rod set at a point of curve,

THENCE with the west R.O.W. of said 60' road, along a curve to the right whose central angle is 3 degrees, centerline radius is 10,494.62 feet and whose chord bears S 02° 40' for a distance of 333.16 feet to a point in the west line of said 7.29 acre tract,

THENCE leaving the R.O.W. of said 60' road with the west line of said tract S 04° 50' E a distance of 112.46 feet to an iron rod found for an angle point,

THENCE S 88° 41' W a distance of 3.17 feet to an iron rod found for an angle point,

THENCE S 05° 44' E a distance of 322.03 feet to a fence post for the southwest corner of said 7.29 acre tract,

THENCE with the south line of said tract as found fenced N 89° 17' E a distance of 390.29 feet to a point in the west R.O.W. of old Bliss Spillar Road for the southeast corner of said tract,

THENCE with the east line of said tract, N 01° 32' W a distance of 25.00 feet to an iron rod set as the north R.O.W. of Bliss Spillar Road re-alignment,

THENCE following the R.O.W. of Bliss Spillar Road re-alignment the folling 6 courses:

1. S 89° 17' W a distance of 153.51 feet to an iron rod set;
2. N 85° 14' W a distance of 185.57 feet to an iron rod set;
3. N 40° 16' W a distance of 79.34 feet to an angle point;
4. N 04° 10' E a distance of 130.21 feet to an iron rod set;
5. Along a curve to the left whose central angle is 3 degrees, centerline radius is 10,494.62 feet and whose chord bears N 02° 40' E for a distance of 551.00 feet to an iron rod set at point of tangency;
6. N 01° 10' E a distance of 57.74 feet to an iron rod set;

THENCE with the northeast line of said tract N 57° 59' W at a distance of 34.95 feet a point on the centerline of said 60' road to the POINT OF BEGINNING and containing 1.24 cres, more or less.

I, LARRY G. HADA, REGISTERED PUBLIC SURVEYOR DO HEREBY CERTIFY THAT THIS IS TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS WAS SURVEYED ON THE GROUND DURING FEBRUARY, 1988, AND THAT THIS WAS CREATED FROM PLANS ON RECORD.

*Larry G. Hada*  
 LARRY G. HADA, R.P.S.  
 RPS 2153  
 STATE OF TEXAS




EXHIBIT "A"

10165 APPROVE TRANSFER OF LAND FOR ROADWAY PURPOSES/RR12 - DS12 INVESTMENT CORP.

Mike Ainsbaugh appeared before the Court - spoke of perpetual easement dedicated for public use (vol. 646 page 734) in 1987 as access to the Dripping Springs school property and others - this easement ends up at a concrete culvert under RR12, therefore, it needs to be moved 35' to the north requiring an exchange of property. A motion was made by Commissioner Rippey, seconded by Commissioner Ford to approve exchange of property for roadway purposes as requested by DS12 Investment Corp. contingent on approval of deed by the District Attorney. All voting "Aye".

Hays County deed to DS12 Investment Corp. - 0.0474 AC P.A. SMITH LGE

DS12 Investment Corp. deed to Hays County - 0.0688 AC P.A. SMITH LGE

\*March 26, 1990\*

10166 AUTHORIZE PURCHASE OF NEW BOOKS TO REPLACE BOOKS DAMAGED BY BURSTED WATER PIPE IN THE LAW LIBRARY

Judge Rains spoke of water pipes that had froze and burst causing damage to books in the Law Library. County Auditor Bill Herzog spoke of \$5,000 deductible on county insurance - the local bar association has not assisted in reviewing the books that are needed and he is of the opinion that not all the books are needed that have been purchased for the law library. Texas Law Book Co. sent letter indicating replacement cost for the damaged volumes at \$4,025 replacement cost for new books is \$5,425.75. Auditor submitted clean up cost being \$525.60 for Bryan Hoot - repairs and clean up were performed by Bryan when the staff was off, work on the holidays. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of new books to replace books damaged by bursted water pipe in the Law Library contingent on assistance from the Local Bar Association and evaluation of current damage to the books. All voting "Aye".

10167 AUTHORIZE CHANGE IN SPECIFICATIONS FOR DEPOSITORY CONTRACT BID TO WAIVE ETHICS POLICY REQUIREMENTS

County Auditor Bill Herzog spoke of Court having passed a resolution on March 12, 1990 granting a variance on the Hays County Ethics Policy in the Depository Bid process, however, he felt like it had not been placed on the Agenda for action that date, only for discussion - requested that the Court pass a resolution authorizing a change in the specification for depository contract bid. A motion was made by Commissioner Payne, seconded by Judge Rains to authorize change in specifications for depository contract bid to waive ethics policy requirements. Judge Rains, Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford voting "Nay".

10168 HAYS COUNTY APPRAISAL DISTRICT REQUEST THAT 1989 BUDGET EXCESS FOR HAYS COUNTY BE CONTRIBUTED TO THE CAD DESIGNATED FUND BALANCE

A letter from the Hays County Appraisal District has been received requesting that the County contribute 1989 budget excess to the CAD for upgrading of their computer system and for acquisition of their own office space. The Texas Legislature passed a bill requiring that the 1989 budget excess funds be returned as a credit:

Texas Property Tax Code Section 6.06 (j) states "If the total amount of the payments made or due to be made by the taxing units participating in an appraisal district exceeds the amount actually spent or obligated to be spent during the fiscal year for which the payments were made, the chief appraiser shall credit the excess amount against each taxing unit's allocated payments for the following year in proportion to the amount of each unit's budget allocation for the fiscal year for which the payments were made."

| Jurisdiction | 1989 Adj share | % per entity | Est Refund Credit |
|--------------|----------------|--------------|-------------------|
| Hays County  | \$115,329.96   | 13.4475%     | \$ 4,949.87       |
| Special Road | \$ 24,505.22   | 2.8575%      | \$ 1,051.83       |

County Auditor Bill Herzog spoke of some Entities denying request and if others contributed theirs it would not be fair - they need to include these items in their budget proposal so that every entity will pay their share of the cost.

Commissioner Payne stated that he thought the CAD's priority was to upgrade their computer system. Danny Dever, County DP Admin, spoke of high cost that was previously approved by the CAD Board for computer upgrade - Vendor charged what he considered an exorbitant amount. A motion was made by Judge Rains, seconded by Commissioner Gonzales to deny request for contribution of 1989 budget excess to the Hays County Central Appraisal District. All voting "Aye".

10169 APPROVE BID SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR HAULING SERVICE AND FOR ROAD MATERIALS

County Auditor Bill Herzog presented specifications for hauling services - bid request is for price per ton per mile (with exception of hot mix): bids to be awarded by precinct (#1, #3 & #4) - and for road building materials .

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve bid specifications and authorize County Auditor to advertise for bids for hauling service and road materials. All voting "Aye".

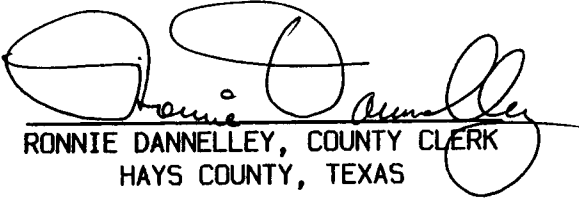
\*March 26 1990\*

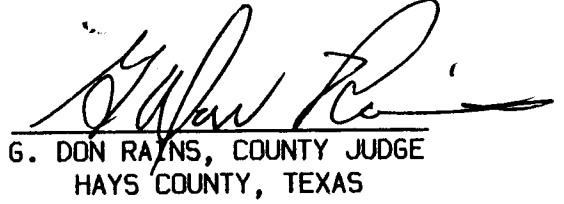
CONTRACT FOR HAULING OF SOLID WASTE FROM THE HAYS COUNTY TRANSFER STATION

Commissioner Payne stated that a letter had been received from Texas Disposal Systems for an extension of the transfer station hauling contract, however, he has since this letter received a telephone call and another letter from TDS requesting withdrawal of this request - availability of a landfill is questionable - Court needs to rebid for hauling of solid waste. Judge Rains spoke of problems with disposing of solid waste. Commissioner Ford spoke of other alternatives for solid waste disposal: trash burning system and recycling.

FACTORY SHOPS AMENDED PLAT

Commissioner Gonzales spoke of 25' r-o-w easement along Center Point Road - he thought the easement was to be used to widen Center Point Road, however, the development is using it for themselves - would like to pass on this item at this time.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 2ND DAY OF APRIL, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10170 APPROVE PROJECT AGREEMENT/DAM SITE #5 (INITIAL VEGETATION)

Marion Johnson, Soil Conservation District, appeared before the Court requesting approval of Project Agreement between the Upper San Marcos Reclamation and Flood Control District & Hays County Commissioners (Sponsoring Local Organizations) and the Soil Conservation Service, United States Department of Agriculture (the Service) - initial vegetation of Dam Site #5 is estimated to cost \$8,900.00 (no cost to the County) - County will be responsible for future operation and maintenance in accordance with the Operation and Maintenance Agreement. (See Project Agreement in Resolution File). A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve Project Agreement on Dam Site #5. All voting "Aye".

10171 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR HAULING OF SOLID WASTE FROM THE HAYS COUNTY RECYCLING & TRANSFER STATION

Commissioner Payne spoke of need to advertise for bids - current hauler does not wish to renew the present contract because of uncertainty about landfill site for disposal. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to advertise for bids for hauling of solid waste from the Hays County Recycling & Transfer Station. Discussion was had on transfer stations and landfills - Commissioner Rippy stated that he has a site for a transfer station in his precinct. All voting "Aye".

10172 APPROVE COUNTY TREASURER'S REPORT FOR FEBRUARY 1990

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve County Treasurer's report for February 1990. Under discussion Commissioner Gonzales asked about drug forfeiture monies - is all monies included in the report made by the County Treasurer. County Auditor Bill Herzog stated that there are funds in various departments that are not reported to the Court and that are not included in the County Treasurer's report. All voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
 COUNTY OF HAYS \*

On this the 2nd day of April, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of February, 1990 and have determined that the report is correct (see Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains  
 COUNTY JUDGE

s/ Rafael Gonzales  
 COMMISSIONER, PRECINCT 1

s/ Wayne Ford  
 COMMISSIONER, PRECINCT 2

s/ Craig Payne  
 COMMISSIONER, PRECINCT 3

/ Oran Hill Rippy  
 COMMISSIONER, PRECINCT 4

ATTEST: s/ Ronnie Dannelley  
 HAYS COUNTY CLERK

\*April 2, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period February 1990

|   | General      | Jury       | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |
|---|--------------|------------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|
| Checking Balance on 2-01-90                 | 190,262.38   | 77,002.62  | 9,940.20         | 30,267.64         | 39,039.76         | 47,571.22         | 64,765.79         | 458,849.61     |
| Deposit Warrants (Receipts)                 | 1,845,366.10 | 62,089.22  | 46,977.50        | 56,173.78         | 82,275.84         | 60,279.38         | 79,796.01         | 2,232,657.83   |
| Disbursements (Claims)                      | 1,990,222.64 | 127,087.08 | 32,355.72        | 69,836.23         | 102,606.88        | 89,657.90         | 126,098.57        | 2,537,865.02   |
| Total                                       | 45,305.84    | 12,004.76  | 24,561.98        | 16,605.19         | 18,708.72         | 18,192.70         | 18,263.23         | 153,642.42     |
| Money Market Balance on 2-01-90             | 120,439.40   | 23,740.66  | 5,624.26         | 334.46            | 177.14            | 27,081.34         | 12.76             | 177,410.02     |
| Interest (Includes C.D. Interest)           | 554.35       | 109.27     | 68.62            | 1.41              | .75               | 124.65            | .05               | 859.10         |
| Deposits                                    |              |            | 20,000.00        |                   |                   |                   |                   | 20,000.00      |
| Transfers to checking for disbursement      |              |            |                  |                   |                   |                   |                   |                |
| Matured C.D.'s transferred to Money Market  | 120,993.75   | 23,849.93  | 25,692.88        | 335.87            | 177.89            | 27,205.99         | 12.81             | 198,269.12     |
| Total                                       | 2,150,000.00 | 20,000.00  | -0-              | -0-               | -0-               | 20,000.00         | 20,000.00         | 2,210,000.00   |
| Certificates of Deposit Balance on 2-01-90  | 1,200,000.00 | 110,000.00 |                  |                   |                   |                   |                   | 1,455,000.00   |
| New C. D.'s                                 |              |            |                  |                   |                   |                   |                   |                |
| Matured C. D.'s transferred to Money Market | 100,000.00   |            |                  |                   |                   |                   |                   | 100,000.00     |
| Total                                       | 3,250,000.00 | 130,000.00 | -0-              | -0-               | -0-               | 75,000.00         | 110,000.00        | 3,565,000.00   |
| Temporary Transfers:                        |              |            |                  |                   |                   |                   |                   |                |

*Dorothy P. Sizs*  
 Dorothy P. Sizs, County Treasurer

\*April 2, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period February 1990

Page 2

|   | Unemployment<br>Self Insurance | Hot Check<br>Fee Fund | Law<br>Library | Cummings | County Jail<br>Construction | Jail Addition<br>Construction | Hays County<br>Public Works | Pioneer Trails<br>Road District |
|---|--------------------------------|-----------------------|----------------|----------|-----------------------------|-------------------------------|-----------------------------|---------------------------------|
| Checking Balance on 2-01-90                 | 1,237.23                       | 1.00                  | 5,988.93       | 1.00     | 56,897.83                   | 1,371.69                      | 20,331.49                   | 640.00                          |
| Deposit Warrants (Receipts)                 | 5,500.00                       | 3,570.12              | 965.00         |          |                             |                               | 140,000.00                  |                                 |
| Disbursements (Claims)                      | 5,132.33                       | 2,558.81              | 1,001.55       |          | 50,670.84                   |                               | 141,318.39                  |                                 |
| Total                                       | 1,604.90                       | 1,012.31              | 5,952.38       | 1.00     | 6,226.99                    | 1,371.69                      | 19,013.10                   | 640.00                          |
| Money Market Balance on 2-01-90             | 32,397.84                      | 1.01                  | -0-            | 104.17   | 1,700,705.18                | 123,044.99                    | 149,563.05                  | -0-                             |
| Interest (Includes C.D. Interest)           | 132.02                         |                       |                | .40      | 7,836.12                    | 566.34                        | 247.85                      |                                 |
| Deposits                                    |                                |                       |                |          | 50,000.00                   |                               |                             |                                 |
| Transfers to checking for disbursement      | 5,000.00                       |                       |                |          |                             |                               |                             | 140,000.00                      |
| Matured C.D.'s transferred to Money Market  | 27,539.86                      | 1.01                  | -0-            | 104.57   | 1,758,541.30                | 123,611.33                    | 9,810.90                    | -0-                             |
| Total                                       | -0-                            | -0-                   | -0-            | -0-      | -0-                         | -0-                           | -0-                         | -0-                             |
| New C. D. 's                                |                                |                       |                |          |                             |                               |                             |                                 |
| Matured C. D.'s transferred to Money Market | -0-                            | -0-                   | -0-            | -0-      | -0-                         | -0-                           | -0-                         | -0-                             |
| Total                                       | -0-                            | -0-                   | -0-            | -0-      | -0-                         | -0-                           | -0-                         | -0-                             |
| Temporary Transfers:                        |                                |                       |                |          |                             |                               |                             |                                 |

County Treasurer

*[Handwritten signature]*

\*April 2, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period February 1990

|   | County Jail<br>I & S | Jail Addition<br>I & S | Hays County<br>I & S | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>I & S |
|---|----------------------|------------------------|----------------------|-----------------------|---------------------|-------------------------|
| Checking Balance on 2-01-90                 | 52,646.50            | 14,922.91              | 17,164.82            | 33,349.40             | 4,453.02            | 2,457.54                |
| Deposit Warrants (Receipts)                 | 311,816.92           | 75,995.87              | 110,274.93           | 286,636.13            | 97,678.63           | 2,046.00                |
| Disbursements (Claims) Total                | 363,985.00           | 90,425.00              | 126,328.34           | 319,496.28            | 101,706.96          | 4,503.54                |
|   | 478.42               | 493.78                 | 1,111.41             | 489.25                | 424.69              |                         |
| Money Market Balance on 2-01-90             | 261.56               | 24,130.91              | 35,361.61            | 75.90                 | 39,819.77           | -0-                     |
| Interest (Includes C.D. Interest)           | 1.10                 | 56.82                  | 213.11               | 62.81                 | 134.37              |                         |
| Deposits                                    |                      |                        |                      |                       |                     |                         |
| Transfers to checking for disbursement      |                      | 22,000.00              | 35,000.00            | 68,000.00             | 52,500.00           |                         |
| Matured C.D.'s transferred to Money Market  |                      |                        | 20,000.00            | 70,000.00             | 14,000.00           |                         |
| Total                                       | 762.66               | 2,187.73               | 20,574.72            | 2,138.71              | 1,454.14            | -0-                     |
| Certificates of Deposit Balance on 2-01-90  | 538,500.00           | 102,000.00             | 140,000.00           | 376,700.00            | 53,000.00           | -0-                     |
| New C. D.'s                                 | 59,000.00            | 23,000.00              | 100,000.00           | 183,000.00            | 77,000.00           |                         |
| Matured C. D.'s transferred to Money Market | 80,000.00            | 5,000.00               | 20,000.00            | 143,000.00            | 51,500.00           |                         |
| Total                                       | 517,500.00           | 120,000.00             | 220,000.00           | 416,700.00            | 80,500.00           | -0-                     |
| Temporary Transfers:                        |                      |                        |                      |                       |                     |                         |

County Treasurer



\*April 2, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period February 1990

Page 4

|   | Adult Probation<br>Operating | Adult Probation<br>Facilities | Medical and<br>Dental Fund | Medical and<br>Dental Claims | * District Attorney<br>Drug Forfeiture | Sheriff's<br>Drug Forfeiture |
|---|------------------------------|-------------------------------|----------------------------|------------------------------|--|------------------------------|
| Checking Balance on 2-01-90                 | 3,890.21                     | 22,111.32                     | 73,818.82                  | 15,098.72                    | 4,135.32                               | 57,401.90                    |
| Deposit Warrants (Receipts)                 | 102,966.09                   |                               | 95,646.52                  | 28,656.87                    | 8,489.87                               |                              |
| Disbursements (Claims)                      | 91,749.50                    | 2,822.36                      | 111,098.52                 | 43,754.59                    | -2,125.84                              | 15,132.89                    |
| Total                                       | 15,106.80                    | 19,288.96                     | 58,366.82                  | 1,00                         | 10,499.35                              | 42,269.01                    |
| Money Market Balance on 2-01-90             | 99,367.19                    | 11,370.81                     | -0-                        | -0-                          | -0-                                    | -0-                          |
| Interest (Includes C.D. Interest)           | 395.72                       | 52.33                         |                            |                              |  |                              |
| Deposits                                    |                              |                               |                            |                              |  |                              |
| Transfers to checking for disbursement      | 50,000.00                    |                               |                            |                              |  |                              |
| Matured C.D.'s transferred to Money Market  |                              |                               |                            |                              |  |                              |
| Total                                       | 49,762.91                    | 11,423.14                     | -0-                        | -0-                          | -0-                                    | -0-                          |
| Certificates of Deposit Balance on 2-01-90  | -0-                          | -0-                           | -0-                        | -0-                          | -0-                                    | -0-                          |
| New C. D.'s                                 |                              |                               | **70,000.00                |                              |  |                              |
| Matured C. D.'s transferred to Money Market |                              |                               |                            |                              |  |                              |
| Total                                       | -0-                          | -0-                           | 70,000.00                  |                              | -0-                                    | -0-                          |
| Temporary Transfers:                        |                              |                               |                            |                              |  |                              |

\*\* Amended - CD placed under Medical and Dental Claims should have been under Medical and Dental Fund.

\* Amended - titles mismatched on District Attorney and Sheriff's Drug Forfeiture

\*April 2, 1990\*

10173 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$102,016.71 with change: Sheriff's Dept. copy machine = \$7,009.25 should be charged to Jail Construction. All voting "Aye".

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| Other fees        | \$ 25.00    | Auditor           | \$ 324.00   |
| Treasurer         | \$ 100.00   | Judicial          | \$ 1,850.39 |
| Juvenile Prob     | \$ 56.17    | Community Serv    | \$21,952.25 |
| Indigency         | \$ 490.25   | Transfer Sta      | \$ 1,428.15 |
| Building Maint    | \$ 129.53   | Health Dept.      | \$ 8.50     |
| Countywide Misc.  | \$ 9,691.45 | Sheriff's Dept.   | \$ 1,054.20 |
| Jail              | \$10,748.96 | Dist. Atty.       | \$ 28.40    |
| J.P. 1-2          | \$ 8.41     | J.P. 2            | \$ 350.00   |
| J.P. 3            | \$ 300.00   | J.P. 4            | \$ 511.08   |
| J.P. 5            | \$ 100.00   | Constable 1       | \$ 30.90    |
| Constable 5       | \$ 58.18    | Social Services   | \$26,400.00 |
| Veterans Admin    | \$ 51.45    | Data Proc         | \$ 1,021.00 |
| TDH TB Grant      | \$ 35.50    | County Court      | \$ 1,045.00 |
| Road & Bridge Gen | \$ 1,043.63 | Precinct #1       | \$ 1,708.90 |
| Precinct #2       | \$ 2,449.86 | Precinct #3       | \$ 2,151.64 |
| Precinct #4       | \$ 7,575.70 | Hot Check Fee     | \$ 19.50    |
| Law Library       | \$ 437.60   | Jail Construction | \$ 7,317.25 |
| Sheriff's Drug    | \$ 470.85   | D.A.'s Drug       | \$ 43.00    |
| Adult Prob Oper   | \$ 467.85   | Adult Prob Fac    | \$ 532.16   |

10174 CONTINUING EDUCATION FOR COUNTY & DISTRICT CLERKS - ENTER CERTIFICATES INTO THE MINUTES OF THE COURT

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to enter Certificates issued to District Clerk W. H. Moore and County Clerk Ronnie Dannelley into the Minutes of the Commissioners' Court showing that they have completed the requirements for continuing education as prescribed in Section 51.604 of the Texas Government Code. All voting "Aye".

10175 PROCLAMATION "YOUNG CHILD WEEK"

A spokesperson for "Young Child Week" spoke of celebrations being held this week by local child care centers - Tuesday there will be a parade around the Courthouse Square. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt proclamation recognizing April 1 - 7, 1990 as "Young Child Week". All voting "Aye".

P R O C L A M A T I O N

STATE OF TEXAS \*  
COUNTY OF HAYS \*

WHEREAS, the citizens of Hays County will be celebrating the young child during the week of April 1 - 7, 1990; and

WHEREAS, events will be taking place across Hays County in observance of this celebration; and

WHEREAS, we support this celebration;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that:

"YOUNG CHILD WEEK"

be recognized from APRIL 1 to APRIL 7, 1990.

s/ G. Don Rains  
G. DON RAINS  
County Judge

ATTEST:

s/Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk

\*April 2, 1990\*

## 10176 AMEND SUBDIVISION PLAT OF "VILLAGE WEST" TO CHANGE THE STREET NAME FROM A. M. MOELLERING DRIVE TO VILLAGE WEST DRIVE

Patsy Greiner, Admin. Coord., spoke of addressing process - Village West Developer allowed the Surveyor to name the subdivision street after himself (A. M. Moellering) property owners in the subdivision thought the street was named Village West Drive and have requested that the Court allow the street name change. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to amend the subdivision plat of "Village West" by changing the street name from A. M. Moellering Drive to Village West Drive. All voting "Aye".

## 10177 AUTHORIZE PURCHASE OF KITCHEN EQUIPMENT AT JAIL FACILITY

Rod Ellis, Jail Administrator, requested authority to purchase a gas tilt braising pan (\$5800) to replace the present steamer that does not operate properly - steamer has required repeated repairs. Judge Rains recommended that bids be sought for this equipment with trade-in of steamer as part of the bid specs. Commissioner Payne stated that it was not necessary to go out for bid for a purchase under \$10,000 - County Purchasing Agent could check around for the best deal. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Purchasing Agent to research and purchase a gas tilt braising pan for the jail kitchen to be paid for out of jail contingencies. All voting "Aye".

## 10178 AUTHORIZE NEW LINE ITEM IN JAIL BUDGET FOR BOP EXPENSES

Rod Ellis, Jail Administrator, spoke of slow payment by Board of Prisons for medical, dental, etc. expenses - need to create a new line item so that invoices can be paid promptly and County be reimbursed later by BOP. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize new line item in the Jail budget in the amount of \$3,500.00 to be titled "BOP Maintenance" - funds to come out of line item #5232 Food for Prisoners. Under discussion Commissioner Gonzales asked about meals served to Jail staff and uniforms for kitchen staff. Mr. Ellis stated that there are 310 prisoners in jail this date - Jail staff receives meals while they are on duty - will look into supplying kitchen staff uniforms - spoke of prisoners that need to go to TDC costing the County money. All voting "Aye".

## SHERIFF'S DEPARTMENT - METHOD OF FINANCING NEW AUTOS

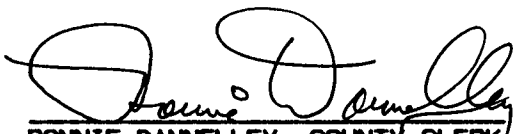
Judge Rains spoke - Sheriff's Dept. has received 9 of the 10 autos purchased - one was damaged in transit. It was suggested that Court wait for awarding of county depository contract. County Treasurer Dottie Sims recommended that Court wait until Sheriff receives the full order of ten cars and are satisfied with the product - feels like we will get a better financing interest rate once depository contract is awarded - present interest rate is 11%.


## 10179 AWARD CONTRACT FOR GASOLINE &amp; DIESEL

Bids were submitted by J. P. Jones, Johnson Oil, Lackey & Sons, Onyx Petroleum, Alexander Oil and Susser Petroleum (see bid tabulation in resolution file). County Auditor Bill Herzog stated that low bid was submitted by Alexander Oil. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract for gasoline & diesel to Alexander Oil Company. All voting "Aye".

## 10180 FACTORY SHOPS AMENDED (PCT. 1)

Commissioner Ralph Gonzales spoke of amendment to the Factory Shops subdivision plat being that they are moving the power line. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve "Factory Shops Amended" subdivision on first, second and third readings. All voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 9TH DAY OF APRIL , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Payne was not present at the beginning of the meeting.

10181 AUTHORIZATION TO PURCHASE MEDICAL EQUIPMENT FOR COUNTY JAIL (PORTABLE X-RAY MACHINE/DENTAL)

Rod Ellis, Jail Administrator, spoke of Federal prisoners needing dental work - dental x-rays are needed by the Dentist which requires the prisoner to be transported to the dentist office - felt like it would be more economical if the Jail purchased a portable x-ray machine/self contained unit - jail presently has a dental chair and light - BOP will reimburse county for all dental expenses. Judge Rains asked Mr. Ellis if he had checked with government surplus. Mr. Ellis stated that he had, however, their x-ray machines would require lead lining the walls because of radiation leakage and a new unit does not - cost is \$3,536.00 for a Phillips 3610 dental x-ray machine and processor. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize purchase of a Dental X-Ray Machine for the Jail to be paid out of Jail Contingencies. All present voting "Aye".

Commissioner Payne came to the meeting at this time. -

10182 EXTEND TERM OF CARTS REPRESENTATIVE

Notification has been received that the term of Hays County's representative to the CARTS Board of Directors will expire June 1, 1990 - request that the Court extend the current representative's term until the end of calendar year 1990 so that CARTS Boardmember's terms of office coincide with the terms of office for elected officials (Commissioner Rippy is Hays County's representative). A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to extend Commissioner Rippy's term of office on the CARTS Board of Directors until the end of 1990. All present voting "Aye".

10183 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve payment of county invoices as submitted by the County Auditor in the amount of \$64,883.37. All present voting "Aye".

|                  |             |               |             |
|------------------|-------------|---------------|-------------|
| Centrl Storeroom | \$ 336.52   | Auditor       | \$ 407.28   |
| Treasurer        | \$ 71.00    | Extension Ofc | \$ 200.30   |
| Judicial         | \$ 2,135.95 | Juv Prob Dept | \$ 117.91   |
| Election Admin   | \$ 125.54   | Indigency     | \$ 6,425.24 |
| Transfer Station | \$ 61.34    | Bldg Maint    | \$ 3,879.23 |
| Health Dept.     | \$ 485.59   | Civic Center  | \$ 2,065.20 |
| Countywide Misc  | \$ 4,423.99 | Tax A/C       | \$ 396.93   |
| District Clerk   | \$ 1,047.82 | County Clerk  | \$ 888.45   |
| Sheriff          | \$ 1,549.20 | Jail          | \$23,681.70 |
| County Judge     | \$ 182.02   | Admin Coord   | \$ 142.70   |
| Co Crt @ Law 1   | \$ 68.36    | Dist Attorney | \$ 637.58   |
| J.P. 1-1         | \$ 81.31    | J.P. 1-2      | \$ 257.16   |
| J.P. 2           | \$ 240.31   | DPS           | \$ 616.71   |
| Constable 1      | \$ 78.13    | Constable 2   | \$ 70.87    |
| Constable 5      | \$ 161.74   | Veterans Adm  | \$ 39.55    |

\*APRIL 9, 1990\*

|                  |             |                  |             |
|------------------|-------------|------------------|-------------|
| Data Proc Admin  | \$ 343.55   | Co Court @ Law 2 | \$ 26.29    |
| TDH Sanitarian   | \$ 292.00   | TDH M&C Grant    | \$ 734.21   |
| Fire Marshal/EMC | \$ 37.99    | TABC             | \$ 119.09   |
| District Court   | \$ 156.34   | County Court     | \$ 1,816.41 |
| Dist Crt Reportr | \$ 79.17    | R&B General      | \$ 23.67    |
| Precinct 1       | \$ 693.90   | Precinct 2       | \$ 515.65   |
| Precinct 3       | \$ 2,044.83 | Precinct 4       | \$ 68.12    |
| Hot Check Fee    | \$ 282.05   | Public Works     | \$ 24.51    |
| Adult Prob Oper  | \$ 5,890.97 | Adult Prob CSR   | \$ 129.70   |
| Adult Prob Fac   | \$ 729.29   |                  |             |

**10184 APPROVE MINUTE OF MARCH 1990**

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve minute of March 1990 as presented by the County Clerk. All present voting "Aye".

**10185 AWARD CONTRACTS FOR LUBRICANTS AND METAL PIPES**

County Auditor Bill Herzog submitted bid tabulation for metal pipes and lubricants:  
Lubricants - bids submitted by Arnold Oil Co., Dixie Oil Co., JP Jones Oil Co. and Alexander Oil Co.

Metal Pipes - bids submitted by Wilson Culverts, Texas Corrugators, Caldwell Culvert and Metal Culverts, Inc.

Mr. Herzog stated that the overall low bidder for lubricants is Alexander Oil Co. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award contract for lubricants to Alexander Oil Company. All present voting "Aye".

Mark Kudela of Metal Culverts Inc. was present and spoke of their bid - they currently supply Travis County - no minimum order - their price is 2 1/2% below Hays County's last year prices. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award contract for metal pipes to Metal Culverts, Inc. All present voting "Aye".

**REQUEST ADVERTISING FOR BIDS FOR COMPUTER SYSTEM**

County Auditor Bill Herzog spoke of computer equipment that has been requested: Sheriff's Dept. needs 2 PC's & 1 printer - Admin. Coord. needs a PC for the county mapping project - Sheriff Hastings has money in his budget for his equipment. County Judge Don Rains spoke of a system that is currently available to the County for \$45,000 that is a bigger system than the current system and comes with 42 PCs. No action taken.

**10186 APPROVE PAYMENT OF INVOICES FROM FITZGERALD, MAJORS & STEVENS REGARDING BAIL BOND FORFEITURES AND AMEND BUDGET TO CREATE NEW LINE ITEM FOR BAIL BOND EXPENSES**

County Auditor Bill Herzog spoke of Bail Bond Expenses - would like to create a new line item to pay legal expenses. Commissioner Gonzales asked about monies that have been received - we need to pay legal fees - spoke of technicalities causing cases to be questionable. Commissioner Payne spoke of need to receive a report from the District Attorney's office concerning these cases. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize payment of invoices in the amount of \$4,697.80 out of contingencies and to amend budget to create a new line item for Bail Bond Expenses. All present voting "Aye".

**10187 ADOPT RESOLUTION AND APPROVE TAX ABATEMENT AGREEMENT WITH ROHR INDUSTRIES, INC.**

San Marcos Chamber Of Commerce Representatives Vicki Fruit and Jim Gandy appeared before the Court. Vicki Fruit spoke - this is a separate tax abatement from the one previously approved for CTEC- Rohr was a Managing partner of the CTEC project and owns additional property adjacent to that project - new project is a similar business - they bought enough land for 5 or 6 projects - this agreement is similar to the CTEC abatement agreement. Commissioner Gonzales spoke of his concerns - who is making sure that agreement is being carried out completely - requested that members of the Court receive information on personnel and enterprise zone. Mrs.

\*APRIL 9, 1990\*

Fruit stated that she received monthly reports on personnel and the City of San Marcos Assistant City Manager could supply enterprise zone information. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to adopt resolution and approve tax abatement agreement with Rohr Industries, Inc. All present voting "Aye".

RESOLUTION

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE THE COMMISSIONERS COURT  
OF HAYS COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF HAYS, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A TAX ABATEMENT AGREEMENT BETWEEN THE COUNTY OF HAYS AND ROHR INDUSTRIES, INC., AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE AGREEMENT AND DECLARING AN EFFECTIVE DATE

WHEREAS, Rohr Industries, Inc. wishes to enter into a tax abatement agreement with the County of Hays pertaining to its development of certain property located within Hays County, Texas and more particularly included in San Marcos Reinvestment Zone No. 2; and

WHEREAS, the Commissioners Court has voted to authorize a tax abatement for Rohr Industries, Inc.; and

WHEREAS, the terms and conditions of the tax abatement are available in the Tax Abatement Agreement and the terms of such Agreement, by state law, must not differ from those accepted by the City of San Marcos, and they do not; and

WHEREAS, the County Judge is the agent for the Commissioners' Court; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

The County Judge is hereby authorized to sign on behalf of Hays County the Tax Abatement Agreement with Rohr Industries, Inc. as approved by the City of San Marcos and the San Marcos Independent School District.

RESOLUTION PASSED AND ADOPTED ON THIS 9th DAY OF APRIL, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

(absent)  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

(see Tax Abatement Agreement between the County of Hays and Rohr Industries, Inc. in the Resolution File #10187)

\*APRIL 9, 1990\*

10188 COUNTY DEPOSITORY CONTRACT - OPEN BIDS

Cheryl Pantermuehl, County Purchasing Agent, opened bids received for the County Depository - bids were submitted by Victoria Bank and Trust and by State Bank and Trust Company. A motion was made by Commissioner Rippey, seconded by Commissioner Gonzales to acknowledge receipt of bids for the County Depository Contract. All present voting "Aye".

10189 PROCLAMATION - WORLD HEALTH DAY

This item was not on the Agenda - Judge Rains read proclamation. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to adopt Proclamation recognizing April 7, 1990 as World Health Day. All present voting "Aye".

P R O C L A M A T I O N

STATE OF TEXAS  
COUNTY OF HAYS

WHEREAS, the health of all people is one true measure of a nation and county; and

WHEREAS, the health of Americans is inseparably linked with the health of peoples throughout the world; and

WHEREAS, all the nations of the world, acting through the World Health Organization, of which the United States is an active member, are pledged to the goal of Health for All by the year 2000; and

WHEREAS, April 7 of each year has been established by the World Health Organization as World Health Day - an occasion to educate and to inform, to encourage increased community involvement, to focus on the unity of our health concerns; and

WHEREAS, the 1990 World Health Day theme, "Our Planet, Our Health; Think Globally, Act Locally", stresses the importance of community participation in promoting a safe and clean environment - one of the many prerequisites for leading a healthy lifestyle;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that:

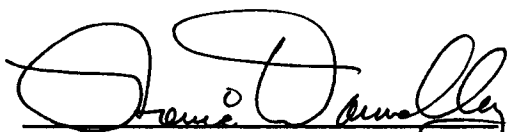
WORLD HEALTH DAY

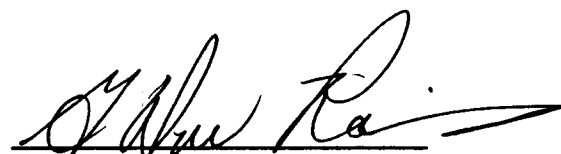
be recognized on APRIL 7, 1990, and all citizens are urged to take part in observance and activities designed to advance the cause of "Health for All" by promoting awareness and by encouraging participation in the worldwide efforts of attaining a healthy and safe environment.

s/ G. Don Rains  
G. DON RAINS  
County Judge

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANDELLEY  
County Clerk

  
RONNIE DANDELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 16th DAY OF APRIL , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Craig Payne presided over the meeting - a quorum was present.

10190 AWARD COUNTY DEPOSITORY CONTRACT

Cheryl Pantermuehl, Auditor's Office, spoke of bids submitted - recommended that the Court go with State Bank & Trust Company based on bid tabulations. Handler Smith spoke representing Victoria Bank & Trust and Clovis Barker spoke representing State Bank & Trust. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award County Depository Contract to State Bank and Trust Company of San Marcos. All present voting "Aye".

10191 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR ARCHITECTURAL DESIGN OF JUVENILE DETENTION CENTER

Chief Juvenile Probation Officer Ed Cooper spoke to the Court - need to advertise for bids for architectural design for Juvenile Detention Center - proposes a 12-16 bed facility - not utilize the old jail. Commissioner Ford suggested putting a dollar figure on the proposal and require that architect have a history of building juvenile facilities. Facility to be located at the LEC/Jail site. Court requested Ed Cooper to supply proposed operating costs and possible revenues. Commissioner Ford requested that advertising be placed in the San Marcos and Austin papers and proposals to be submitted to the Commissioners' Court rather than the County Judge. San Marcos Police Chief Tom Martin spoke of juvenile offenses that occur within the City of San Marcos - need a place to put juvenile criminals until the Courts and Juvenile Authorities can take care of them. Amanda Ruiz spoke of work being done with the schools. Commissioner Ford stated that the Juvenile Detention Center is not intended for truants but for those juveniles committing serious crimes. Hays County Sheriff's Dept. Juvenile Officer Larry Sowards spoke of 40% increase in juvenile cases this year - felony crimes are being committed - a deterrent is needed. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize County Auditor to advertise for proposals for Architectural Design of Juvenile Detention Center in the San Marcos and Austin newspapers, submission date to be May 14, 1990 and County prefers Architects that have a history of bidding a juvenile detention center. Harold Scogin spoke of purpose for a juvenile detention facility is to teach juveniles how their acts affect others. Judge Howard Warner, CCL, spoke of need for a place to screen these kids before they go to Court - currently averaging 20 cases per month for hearings - TYC facilities are full. All present voting "Aye".

ANIMAL CONTROL COMMITTEE - PROPOSED RABIES ACT SUBMITTED

Fern Howze passed out copies of the Proposed Hays County Animal Control Ordinance Rabies Act - introduced members of the Hays County Animal Control Committee that were present this date: Tommy Poer, Fred Sanderson, Carl Wheeler, Jean Bales and Gail Fields - proposed ordinance needs to be approved by the County's legal staff before adoption. Commissioner Rippy asked about funding. Gail Fields spoke of licensing fees, citation fees and impounding fees that could help offset costs. Mrs. Howze stated that the the committee adopted the ordinance by majority rule - Commissioners' Court could meet with the Committee at a later date with any questions they might have. Mr. Sanderson spoke of getting an enforceable animal control ordinance. Mr. Wheeler spoke of section on election dealing with animals affecting other animals.



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10192 APPROVE USE OF COURTHOUSE LAWN FOR CINCO DE MAYO MERCADO (MAY 3-5, 1990)

Ruben Ruiz, Jr. appeared before the court requesting permission to use the courthouse lawn for the Cinco De Mayo Mercado on May 3, 4 & 5 - spoke briefly of celebration events that will be going on. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve use of courthouse lawn for Cinco De Mayo Mercado celebration to be held May 3, 4 & 5, 1990. All present voting "Aye".

10193 AUTHORIZE MEDICAL ASSISTANCE FOR JULIAN ALCALA

Michael Sherrill, Social Worker with Homespun, spoke of infant Julian Alcala that had lived at Brackenridge Hospital for 9 months after his birth - Eva Cruz, Indigent Health Care Administrator, had previously asked for assistance from the Court for \$500 per month for homecare which costs \$1,000 per month - this money was never paid by the County because CDIC picked up the entire \$1,000 per month - these funds are no longer available - request is for \$250 per month for health care. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize \$250.00 per month for medical assistance for Julian Alcala for the remainder of FY1989. All present voting "Aye".

10194 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as submitted by the County Auditor in the amount of \$210,439.72. All present voting "Aye".

|                  |             |                   |             |
|------------------|-------------|-------------------|-------------|
| Central Strm     | \$ 2,423.80 | Misc Revenue      | \$16,833.00 |
| Auditor          | \$ 544.85   | Treasurer         | \$ 56.15    |
| Extension        | \$ 64.81    | Bldg. Maint.      | \$ 2,509.57 |
| Judicial         | \$ 3,843.00 | Juv Probation     | \$ 1,403.35 |
| Election Admin   | \$ 536.49   | Indigency         | \$ 350.00   |
| Health Dept.     | \$ 20.16    | Civic Center      | \$ 578.04   |
| Countywide misc  | \$87,327.11 | Tax A/C           | \$ 156.95   |
| District Clerk   | \$ 392.27   | County Clerk      | \$ 257.61   |
| Sheriff          | \$ 3,227.75 | Jail              | \$14,283.59 |
| County Judge     | \$ 27.70    | Admin. Coord.     | \$ 120.24   |
| District Atty.   | \$ 304.00   | J.P. 1-1          | \$ 110.00   |
| J.P. 1-2         | \$ 30.00    | J.P. 5            | \$ 31.75    |
| DPS              | \$ 328.45   | Constable 2       | \$ 105.00   |
| Constable 5      | \$ 141.40   | Foster Child Care | \$ 4,676.00 |
| Fire Marshal/EMC | \$ 33.61    | District Court    | \$ 9.60     |
| County Court     | \$ 1,178.65 | Revenue (CoClk)   | \$11,416.00 |
| Precinct 1       | \$ 1,367.88 | Precinct 2        | \$ 1,269.16 |
| Precinct 3       | \$ 6,086.89 | Precinct 4        | \$16,452.85 |
| Self Insurance   | \$ 570.08   | Jail Construction | \$ 1,140.53 |
| Public Works     | \$27,247.19 | Sheriffs Drug     | \$ 225.50   |
| D.A.'s Drug      | \$ 334.26   | Adult Prob Oper   | \$ 2,351.48 |
| Adult Prob Fac   | \$ 73.00    |                   |             |

10195 APPOINT REPRESENTATIVE TO THE CITY/COUNTY CONVENTION CENTER TASK FORCE

Patsy Greiner, Admin. Coord., stated that Commissioner Gonzales had resigned his membership on the City/County Convention Center Task Force and it is necessary to appoint a County representative in his place. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to appoint Commissioner Craig Payne as Hays County's representative to the City/County Convention Center Task Force. All present voting "Aye".

SEMINAR ON REDISTRICTING FOR LOCAL GOVERNMENTS

Patsy Greiner, Admin. Coord., stated that she had placed this item on the agenda to bring the seminar to the attention of the members of the Court - seminar is designed to assist local government officials in understanding the federal and state law applicable to the redistricting process. Commissioner Ford stated that he and Commissioner Rippy have signed up for the seminar and will represent Hays County.

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RR12 PROJECT - PEC RELOCATION OF UTILITIES

Patsy Greiner, Admin. Coord., spoke of costs for relocation of utilities for PEC on the RR12 Project - cost is usually below estimates given - utilities are on private right-of-ways and not on County r-o-w. Estimate is \$85,990.84. Commissioner Rippy stated that he would like to negotiate further before taking Court action.

BUDGET AMENDMENT NEEDED TO PROVIDE ADDITIONAL FUNDS FOR R-O-W PURCHASES AND CAPITAL IMPROVEMENTS

County Auditor Bill Herzog spoke of R-O-W expenses running over budgeted amount for that line item. Patsy Greiner, Adm. Coord., recommended budget amendment for R-O-W in the amount of \$300,000. Bill Herzog spoke also of need to address capital improvements funding. No action taken - Postponed.

SHERIFF'S DEPT - BUDGET AMENDMENT FOR COMPUTER EQUIPMENT

County Auditor Bill Herzog spoke of Sheriff's Dept. software line item in the amount of \$17,000 (\$10,000 f/CID \$7,000 f/Dispatch) - Sheriff would like to spend these funds to purchase 2 PC's, 1 printer and software for CID - they will assist in mapping project with this equipment. Patsy Greiner, Admin. Coord., stated that if her line item is not sufficient for her mapping equipment that the Data Processing Dept. will assist in additional funding. No action taken.

10196 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR COMPUTER EQUIPMENT FOR SHERIFF'S OFFICE AND COUNTY ADMINSTRATOR

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to authorize the County Auditor to advertise for bids for computer equipment for the Sheriff's Department and County Administrator. All present voting "Aye".

DISCUSS COUNTY AUCTION

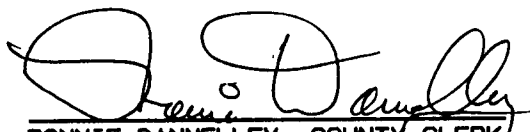
County Auditor Bill Herzog stated that the Sheriff would like to hold an auction for vehicles, etc. on May 15, 1990. Commissioner Ford suggested that auction be postponed - more time is needed for other Departments to determine what items they might have to place in the auction.


THE HIGHLANDS SECTION B REPLAT LOT 58 (PCT. 4)

Patsy Greiner, Admin. Coord., spoke - Lot 57 built their driveway on Lot 58, therefore, Lot 58 property owner sold 54' to owners of Lot 57. No action taken at this time - Postponed.

10197 KIRBY SPRINGS RANCH, PHASE II, REPLAT LOTS 34 & 35 (PCT. 4)

Replat is needed because pins were moved on the creek. Public notice of revision was published in the Austin American-Statesman, North Hays County Springer and the Dripping Springs Dispatch. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Kirby Springs Ranch Phase II Replat Lots 34 & 35" on first, second and third readings. All present voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 23RD DAY OF APRIL , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10198 PERRY SHEFFIELD - REQUEST FOR AN AUTOMOTIVE WRECKING & SALVAGE YARD EXEMPTION

Terry Ewald, Health Dept. Director, has received an application for an Automotive Wrecking & Salvage Yard Exemption as follows:

REQUEST FOR EXEMPTION FROM THE HAYS COUNTY ORDINANCE ESTABLISHING RULES FOR JUNKYARDS AND AUTOMOTIVE WRECKING AND SALVAGE YARDS

I, Perry Sheffield, operate an automotive wrecking and salvage yard on my property located on Lot 9 of Doble Lane Acres off of Hays County Road 183, near Wimberley, in Hays County, Texas. I have operated the automotive wrecking and salvage yard continuously since December 5, 1985; I have operated this business as a sole proprietorship. According to:

An Ordinance Establishing Rules for Junkyards and Automotive Wrecking and Salvage Yards

. . .  
 Article 3 - ADMINISTRATIVE PROVISIONS

3.01 Exemptions from Compliance with these Rules

3.01.01 These rules do not apply to the following:

. . .  
 3.01.01.03 A junkyard or an automotive wrecking and salvage yard that legally began operation before the date upon which these rules are adopted by the Commissioners Court.

I believe that this ordinance was enacted in June 1988, therefore, in accordance with the above provisions, I hereby request an exemption from compliance with this ordinance for my automotive wrecking and salvage yard.

I also operate a recycling business on this property; I likewise operate this business as a sole proprietorship. According to:

An Ordinance Establishing Rules for Junkyards and Automotive Wrecking and Salvage Yards

. . .  
 Article 3 - ADMINISTRATIVE PROVISIONS

3.01 Exemptions from Compliance with these Rules

3.01.01 These rules do not apply to the following:

. . .  
 3.01.01.01 A recycling business;

In accordance therewith I hereby request an exemption from compliance with this ordinance for my recycling business.

s/ Perry Sheffield  
 PERRY SHEFFIELD

Commissioner Payne spoke of Mr. Sheffield's previous request - this is a different location from that request - Mr. Sheffield works on cars and recycles junk cars. Commissioner Ford requested proof that Mr. Sheffield has been doing business since 1985 (i.e. receipts, tax number, d/b/a). Doble Lane Acres Subdivision is for Agricultural or residential use only. Public input to this request was as follows: Ann Barbian, resident of Doble Lane Acres, showed photographs of the property in

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question - she has lived there for 9 years - stated that Mr. Sheffield's business became more active when the previous request fell through - Mr. Sheffield burns old cars, etc. which she feels violates the clean air laws.

Meg Guerra - objects to operation of this business in a residential neighborhood.

Jim Davis - Rainbow Ranch Homeowners Assn - spoke of investment that people in the area have in their homes being affected by this business.

Bill Holt - spoke of the Edwards Aquifer - drainage from this property flows into Lone Man Creek - pollution from motor oil, grease, brakefluid, etc. - subdivision restrictions are being violated.

Roy Wheeler - spoke of environmental impact on the area - Mr. Sheffield's property is next to the water system for the subdivision. Several other property owners in the area spoke of environmental concerns and the fact that they did not feel like Mr. Sheffield had been in business since 1985.

Lynn Morris, Attorney for Perry Sheffield, spoke of deed restrictions needing to be addressed in Civil Court - Air Quality Board has found no violations - Heath Dept. has found no violations - this business is an Automotive Wrecking & Salvage Yard and Recycling Business - Ordinance is not to prevent an "eye sore" - environmental impact is not being violated. Commissioner Payne stated that what the Court needs is documentation that proves business was in operation prior to adoption of Ordinance. District Attorney Charles Chapman spoke of need for supporting documents to show that Mr. Sheffield was in business prior to 1988 - recycling business must be proved by documentation - Court has 45 days to make decision from date of filing request. Terry Ewald, Heath Dept. Director, stated that decision has to be made today (40th day).

A motion was made by Commissioner Payne, seconded by Commissioner Ford to deny request of Perry Sheffield for an Automotive Wrecking & Salvage Yard Exemption. All voting "Aye".

10199 APPROVE INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY & CITY OF SAN MARCOS TO FORM A HAYS COUNTY DRUG TASK FORCE

Sheriff Paul Hastings spoke - presently working with the Greater Austin Area Drug Task Force and also with the City of San Marcos Drug Task Force (informally) - funding of the "Hays County Drug Task Force" from the County will come out of drug forfeiture monies. District Attorney Charles Chapman stated that he has looked over the Interlocal Agreement and sees no problems. San Marcos Chief of Police Tom Martin spoke in support - combining two small operations for a more effective system - City of San Marcos will provide funds to start since the SMPD presently has very little forfeiture funds - may eventually bring in other agencies - spoke of grant programs that are eaten up with administrative restrictions. Sheriff Hastings stated that he will continue to work with the other counties - HCDTF will be going after the "big time crooks" which takes more time to investigate - this new task force will benefit Dripping Springs and other areas of the County with the help of the San Marcos Police Department. Judge Rains commended the Sheriff and Chief Martin for their efforts and encouraged them to continue. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve interlocal agreement between Hays County and City of San Marcos forming the Hays County Drug Task Force. All voting "Aye".

HAYS COUNTY DRUG TASK FORCE  
INTERLOCAL AGREEMENT

STATE OF TEXAS

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HAYS

1. PARTIES: Hays County, Texas ("Hays County") acting through its duly authorized County Judge and Sheriff and the City of San Marcos, Texas, ("San Marcos") acting through its duly authorized City Manager.
2. PARTICIPATING LAW ENFORCEMENT AGENCIES: The Hays County Sheriff's Department ("Sheriff Department"); and the San Marcos Police Department ("Police Department").
3. EFFECTIVE DATE OF AGREEMENT: May 1, 1990.
4. STATUTORY AUTHORIZATION: The Texas Interlocal Cooperation Act, Art. 4413 (32) et seq., as amended.
5. GRANTS OF AUTHORITY:
  - (a) For law enforcement purposes associated with this Agreement, officers

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of the Police Department are granted full peace officer authority throughout Hays County.

(b) For law enforcement purposes associated with this Agreement, officers of the Sheriff's Department are granted full peace officer authority within such portions of the City of San Marcos and upon all property owned by San Marcos which is situated outside of Hays County.

6. DESIGNATION OF TASK FORCE: The Hays County Drug Task Force (the "Task Force") is initially designated to consist of the following personnel:

(a) From the Sheriff's Department: One Supervisory Deputy Sheriff, who will act as Task Force Commander, and two investigators.

(b) From the Police Department: Two investigators, one of which will act as Assistant Task Force Commander, and one administrative assistant.

The Task Force personnel shall report to and be supervised by the Task Force Commander, who shall report jointly to the Hays County Sheriff and the San Marcos Chief of Police.

7. TASK FORCE SUPERVISION: Supervision and guidance of Task Force operations and decisions on assignment of personnel, expenditure of funds and all other administrative matters shall be made jointly by the Hays County Sheriff and the San Marcos Chief of Police.

8. TASK FORCE RESPONSIBILITIES:

(a) The Task Force shall conduct investigations and enforcement activities pertaining to violations of local, state and federal controlled substances laws and regulations, and other activity associated with the violations.

(b) The Task Force shall cooperate with other law enforcement agencies in the investigation of criminal cases, and in the seizure and disposition of assets under state and federal asset forfeiture laws and regulations, in accordance with agreements approved by the Hays County Sheriff, the San Marcos Chief of Police and the heads of the other agencies.

(c) The Task Force shall cooperate with the Hays County Criminal District Attorney, other District Attorneys, and United States Attorneys in the prosecution of criminal cases and in the disposition of forfeited assets, in accordance with agreements approved by the Hays County Sheriff, the San Marcos Chief of Police, and respective prosecutors.

(d) The Task Force may provide office space and operational support for state and federal law enforcement agencies through Memoranda of Understanding between the Hays County Sheriff, the San Marcos Chief of Police and appropriate officials of the state and federal agencies.

9. FUNDING AND EXPENDITURES:

(a) Funds for those expenditures for equipment, supplies and operation of the Task Force listed on the attached Exhibit A shall be provided by the respective agencies.

(b) Funds for those expenditures for equipment, supplies and operations of the Task Force listed on the attached Exhibit B shall be made from a Joint Task Force Operating Fund comprised of equal cash contributions made by the respective agencies.

(c) Additional funding for Task Force equipment, supplies and operations shall be provided from a Forfeiture Fund comprised of the proceeds of asset forfeitures awarded to the respective agencies in connection with the investigation of criminal and civil cases by the Task Force. Expenditures from this fund shall be approved by both the Hays County Sheriff and the San Marcos Chief of Police. Should this fund reach a level exceeding the requirements of Task Force operation, the surplus amount shall be divided equally between the Sheriff's Department and the Police Department.

(d) All funds created under this Agreement shall be kept and administered by the Task Force. All financial records of these funds shall be subject to audit and review by the County Auditor or the San Marcos Finance Director upon demand. At the end of each fiscal year, the external auditor of either Hays County or San Marcos shall prepare a written audit of all of these funds and prepare a report for the governing bodies of Hays County and San Marcos. The parties shall alternate these annual audits, but each retains the right to conduct its own audit.

10. TERM AND TERMINATION:

(a) Subject to the availability of funding for this Agreement through the annual budget processes of Hays County and San Marcos, this agreement shall remain in force and effect for annual periods effective each May 1st unless either party gives the other party written notice of its intention to

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terminate this agreement at least 90 days in advance of an anniversary of that date.

(b) Upon any termination of this Agreement, all outstanding Task Force expenses shall be paid in accordance with Section 9 of this Agreement and any remaining balances of the Task Force Operating Fund and Forfeiture Fund shall be divided equally between the Sheriff's Department and the Police Department, and remaining Task Force equipment and supplies shall be divided equitably between the agencies by agreement between the Hays County Sheriff and the San Marcos Chief of Police.

11. SEVERABILITY: If any portion of this Agreement is determined by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall remain in full force and effect.

EXECUTED this 23rd day of April, 1990.

THE CITY OF SAN MARCOS  
BY: s/ Larry D. Gilley  
Larry D. Gilley, City Manager

ATTEST:  
s/ Janis K. Womack  
Janis Womack, City Secretary

COUNTY OF HAYS  
BY: s/ G. Don Rains  
G. Don Rains, County Judge

s/ Paul Hastings  
Paul Hastings, Sheriff

ATTEST:  
s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk  
Hays County, Texas

10200 AUTHORIZE TRANSFER OF VEHICLES FROM THE SHERIFF'S DEPARTMENT TO CONSTABLE PCT. #1 & JUVENILE PROBATION DEPT.

Sheriff Paul Hastings spoke of new vehicles coming in for his department - Constable Pct. 1 Lupe Cruz and the Juvenile Probation Department have requested old vehicles - they will need some maintenance but they are suitable for light duty. Constable Cruz would like to use the vehicle (1984 Dodge) for his Reserve Deputy Constable to help him keep up with Civil paperwork. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize transfer of vehicles from the Sheriff's Department to Constable Pct. 1 and the Juvenile Probation Department. All voting "Aye".

10201 APPROVE TAX ABATEMENT AGREEMENT BETWEEN HAYS COUNTY AND VF FACTORY OUTLET INC.

Judge Rains spoke of this property being a separate owner than previously authorized a tax abatement. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to adopt resolution approving a Tax Abatement Agreement for VF Factory Outlet Inc. and authorizing the County Judge to execute the agreement. Commissioner Gonzales, Commissioner Payne, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Ford voting "No" - Court has failed to establish a policy and no job guarantees.

RESOLUTION

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF HAYS, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A TAX ABATEMENT AGREEMENT BETWEEN THE COUNTY OF HAYS AND VF FACTORY OUTLET INC. AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE AGREEMENT AND DECLARING AN EFFECTIVE DATE.

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WHEREAS, VF Factory Outlet, Inc. wishes to enter into a tax abatement with the County of Hays pertaining to its development of certain property located within Hays County, Texas and more particularly included in San Marcos Reinvestment Zone No. 5; and

WHEREAS, the Commissioners Court has voted to authorize a tax abatement for VF Factory Outlet, Inc.; and

WHEREAS, the terms and conditions of the tax abatement are available in the Tax Abatement Agreement and the terms of such Agreement, by state law, must not differ from those accepted by the City of San Marcos, and they do not; and

WHEREAS, the County Judge is the agent for the Commissioners' Court; and

NOW, THEREFORE, BE IT RESOLVED by the Commssioners Court of Hays County, Texas that:

The County Judge is hereby authorized to sign on behalf of Hays County the Tax Abatement Agreement with VF Factory Outlet, Inc. as approved by the City of San Marcos and the San Marcos Independent School District.

RESOLUTION PASSED AND ADOPTED ON THIS 23RD DAY OF APRIL, 1990 TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:  
s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

**10202 REJECT ALL BIDS FOR COMPUTER EQUIPMENT AND AUTHORIZE COUNTY AUDITOR TO GO OUT FOR PROPOSALS FOR COMPUTER EQUIPMENT**

Cheryl Pantermuehl, Auditor's Office, presented tabulation of bids received from Data Strategies, Micro Synergy, Pentar Enterprises and Advanced Business Systems - recommended the printer bids be rejected and Court consider only the Sheriff's PC's - recommended that Court award bid to Micro Synergy as they met all bid specifications. Nick P. (Pentar Enterprises) spoke - felt like his bid had met the specs and was the lowest bid - even with math code processor figured in his is still the lowest bid - specs were interpreted differently. Commissioner Payne stated that Pentar did not include math code processor in his original bid and it could not be added at this time. Commissioner Ford spoke of bid specs stating that system must support the math code processor not include the mcp. Danny Dever, Data Processing Administrator, spoke of specs. County Auditor Bill Herzog stated that since the printer is not a part of the bid anymore the Court should consider rebidding. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to reject all bids for computer equipment. All voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to go out for proposals for computer equipment. Commissioner Gonzales, Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

**10203 AUTHORIZE COUNTY AUDITOR TO BID FOR COPIERS**

County Auditor Bill Herzog spoke of Tax Assessor-Collector's copy machine has been requiring numerour repairs - \$5,000 + is available in her budget - suggested purchasing a new copier - could be used by 3rd floor annex offices. District Attorney Charles Chapman spoke of his IBM copier that is in storage needing repairs could possibly be utilized. Judge Rains suggested that the D.A.'s old copier be checked for repair costs. A motion was made by Commissioner Payne, seconded by Commisisoner Gonzales to authorize the County Auditor to take informal bids for a copier for the Tax Assessor Collector. All voting "Aye".

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10204 APPROVE TRANSFER OF FUNDS FROM DISTRICT ATTORNEY'S OFFICE TO R&B PCT. #1 FOR PERSONNEL POSITION

District Attorney Charles Chapman read a prepared statement to the Court about Phillip Hernandez - case against Mr. Hernandez has been dismissed - Mr. Hernandez has indicated on several occasions that he is with the District Attorney's office while working for Pct. 1 - Mr. Chapman requested that the Court transfer funds so that Phillip Hernandez can be identified with Precinct #1. Commissioner Gonzales spoke of Mr. Hernandez's actions - Pct. 1 tries to assist people who he feels are being mistreated - spoke of problems with the local hospital treating patients with no insurance - has repeatedly had problems looking into citizens complaints - spoke of problems obtaining information from SWTSU concerning river pollution - felt like work done by Mr. Hernandez has benefited the citizens of Hays County and that he is being wrongfully accused. Commissioner Rippy spoke - Mr. Hernandez needs to be paid out of Pct. 1 funds - opposed to increasing Pct. 1 budget not opposed to Phillip Hernandez. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve transfer of funds from the District Attorney's budget to R&B Precinct #1 to pay salary of Phillip Hernandez for the remainder of FY90. District Attorney and Commissioner Gonzales will file appropriate payroll change notices as needed for transfer of personnel position. Commissioner Gonzales stated that he needs this position to assist him in paperwork and administrative duties. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Rains and Commissioner Ford voting "Nay".

10205 AMEND BUDGET TO INCREASE FUNDING FOR R-O-W EXPENSES

County Auditor Bill Herzog spoke of funding shortfalls for R-O-W expenses and Capital Improvements. Commissioner Ford suggested not amending budget until funds are definitely needed. Commissioner Payne spoke of capital improvements. A motion was made by Judge Rains, seconded by Commissioner Gonzales to declare an emergency and amend R-O-W expenses line item in the amount of \$400,000 out of reserves. All voting "Aye".

10206 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve county invoices as presented by the County Auditor in the amount of \$79,521.01. All voting "Aye".

|                   |             |                 |             |
|-------------------|-------------|-----------------|-------------|
| S Hays VFD Util   | \$ 20.75    | Central Strm    | \$ 612.43   |
| License & Permit  | \$ 170.00   | Other Revenue   | \$ 31.76    |
| Auditor's Ofc     | \$ 335.04   | Judicial        | \$ 280.00   |
| Juvenile Prob     | \$ 2,345.44 | Election Admin  | \$ 1,055.75 |
| Community Serv    | \$20,938.00 | Indegency       | \$ 1,982.48 |
| Transfer Station  | \$ 3,949.00 | Bldg. Maint.    | \$ 84.09    |
| Health Dept.      | \$ 45.08    | Countywide Misc | \$ 4,601.92 |
| Tax A/C           | \$ 700.00   | District Clerk  | \$ 162.87   |
| County Clerk      | \$ 2,715.82 | Sheriff's Dept. | \$ 2,201.97 |
| Jail              | \$ 4,257.06 | Co Crt @ Law 1  | \$ 117.50   |
| Dist. Attorney    | \$ 135.55   | J.P. 3          | \$ 1.26     |
| DPS               | \$ 910.00   | Constable 1     | \$ 28.34    |
| Constable 2       | \$ 500.00   | Constable 3     | \$ 25.00    |
| Constable 5       | \$ 107.15   | Veterans Admin  | \$ 35.58    |
| Data Proc Admin   | \$ 797.85   | TDH TB Grant    | \$ 100.00   |
| Foster Child Care | \$ 2,604.00 | TDH M&C Grant   | \$ 18.40    |
| District Court    | \$ 4,865.10 | County Court    | \$ 443.73   |
| District Crt Rep  | \$ 77.07    | R&B General     | \$12,180.82 |
| Pct. 1            | \$ 501.61   | Pct. 2          | \$ 5.40     |
| Pct. 3            | \$ 1,507.38 | Pct. 4          | \$ 97.48    |
| Self Insurance    | \$ 7,577.84 | Hot Check Fee   | \$ 117.22   |
| Sheriff's Drug    | \$ 20.00    | Adult Prob Oper | \$ 81.61    |
| Adult Prob Fac    | \$ 175.66   |                 |             |



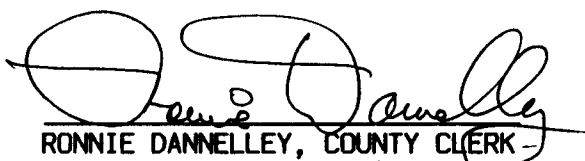
\*APRIL 23, 1990\*

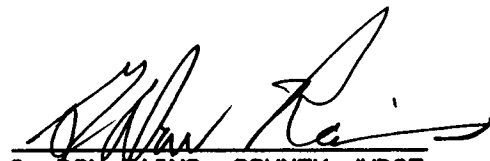
10207 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR PROPOSALS FOR A USED/NEW COMPUTER SYSTEM

San Marcos Chief of Police Tom Martin spoke of need to be able to tie in with the County computer system to help with serving warrants. Danny Dever, Data Processing Administrator, spoke of previous purchase from Williamson County of the current computer system and proposal from Granberry Supply Corp. for a larger system at a cost of \$45,000 (Alpha Micro AM3000-21 w/42 terminals) - he has looked at equipment being offered as it is in good working order - presented petitions from various county departments in support of the purchase - current system is full and additional terminals are needed - computer response time is slowed down dramatically when there are numerous users on the current system. Tim Neuman with a records search business spoke - his business is interested in accessing to the computer system for a fee to perform criminal record searches - the Hays County system is "user friendly" - better than other county systems. Danny Dever spoke of the system's capabilities: expandable, faster response time and backup system. The District Attorney and County Purchasing Agent felt like we would need to go out for bids. Could possibly consider as a "sole source" if Mr. Dever would sign a statement to this fact. Judge Rains spoke in support of the proposed system and strongly recommended purchase - retail value is \$163,000 - will save the taxpayers. A motion was made by Judge Rains, seconded by Commissioner Payne to authorize the County Auditor to advertise for proposals for a used or new computer system. All voting "Aye".

10208 THE HIGHLANDS SECTION B REPLAT LOT 58 (PCT. 4)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "The Highlands Section B Replat of Lot 58" subdivision on first, second and third readings. All voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK -  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~000~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 30TH DAY OF APRIL , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10209 JAIL/LEC - RESTRUCTURE PICKET CONTROL IN DISPATCH/PICKET AREA

Sheriff Paul Hastings requested restructuring the picket control in dispatch/picket area by eliminating three corrections officer positions and adding four dispatch control positions - the entrance to the secure area of the jail from the administration office is staffed by a correction officer whose only assignment is to push a button to open or close the outer door and entrance to the jail proper - felt like was more economical to assign a non-certified person to this post (no direct prisoner contact) - monthly savings of \$480.53. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve restructure of picket control in dispatch/picket area of the Jail as requested by Sheriff Paul Hastings. All voting "Aye".

\*APRIL 30, 1990\*

**PRESENTATION ON ARBITRAGE FROM TERENCE P. BURKE, DIRECTOR OF ARBITRAGE INVESTMENT REBATE SERVICES OF FIRST SOUTHWEST COMPANY**

Terence Burke, First Southwest Company, spoke of investing bond funds and profits rebate to the Federal Government - payment to be made every 5 years if due to the Feds - contract for their services was submitted to the County Treasurer - fee is \$1,000 per computation year - fee is a valid project cost. Arbitrage rebate says that when an entity issues tax-exempt bonds, they are required to give back to the federal government any interest earnings that are in excess of whatever the bond yield is for that issue - the federal government decided there were too many abuses in the marketplace and that people were taking advantage of the tax laws - they introduced new arbitrage rebate rules into the system to limit the number of tax-exempt bond issues. (See file "Arbitrage")

**10210 CONSTABLE PCT. 4 - RESERVE DEPUTY CONSTABLE POSITION**

Commissioner Rippy stated that Constable Ed Bankston requested a Reserve Deputy Constable position for his Precinct. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to allow a Reserve Deputy Constable position for Precinct #4. All voting "Aye".

**10211 JUSTICE OF THE PEACE PCT. 4 - AUTHORIZE SEPARATE TELEPHONE LINE**

Commissioner Rippy spoke of request from J.P. John Burke for a separate telephone line from his law office - installation cost is \$150 and monthly telephone service charge is \$31.50. County Auditor Bill Herzog stated that expense could come out of J.P. 4 office supply line item. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize a new telephone line for Justice of the Peace Pct. 4 with expenses to be paid out of his office supplies line item. All voting "Aye".

**DISCUSSION ON MAINTENANCE FACILITY AND UTILIZATION OF OLD JAIL**

Commissioner Ford spoke of space available on county property at the Jail/LEC site rather than the County purchasing additional land - could attach a maintenance facility to the old jail - old jail could be used for document storage and office space. Commissioner Payne spoke of need to utilize the old jail for more than just storage. Sheriff Hastings spoke of old jail - does not meet jail standards - would cost approximately \$300,000 to renovate the old jail for 25-30 prisoners - it could be used for storage of records, supplies and confiscated drugs, etc. - Federal housing of prisoners may not always be a market available to Hays County because other counties are building new jails. Commissioner Ford spoke of need for the maintenance operation to be close to the jail - the land is available and he felt like C.O. monies can be used at this site. Sheriff Hastings spoke of need for a fence around the Jail/LEC facility. Commissioner Payne stated that he would like to see proposals utilizing the old jail for a juvenile detention center. Judge Rains suggested adapting previously planned maintenance facility and get cost estimates.

**10212 APPOINT REPLACEMENT FOR DARWIN WINFIELD TO THE SAN MARCOS-HAYS COUNTY EMS BOARD**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to appoint J. L. Howze to the San Marcos-Hays County EMS Board to replace Darwin Winfield. All voting "Aye".

**10213 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR HOT MIX-HOT LAY**

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to advertise for bids for Hot Mix-Hot Lay road materials. All voting "Aye".

**10214 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$70,776.50. All voting "Aye".

\*APRIL 30, 1990\*

|                  |              |                 |              |
|------------------|--------------|-----------------|--------------|
| Auditor          | \$ 1,990.00  | Treasurer       | \$ 23.00     |
| Judicial         | \$ 5,024.00  | Juv Prob        | \$ 189.43    |
| Election Admin   | \$ 22.76     | Indigency       | \$ 5,173.98  |
| Transfer Station | \$ 74.21     | Bldg. Maint.    | \$ 311.57    |
| Health Dept.     | \$ 110.38    | Civic Center    | \$ 162.12    |
| Countywide Misc  | \$ 12,637.52 | Tax A/C         | \$ 123.01    |
| County Clerk     | \$ 503.13    | Sheriff's Dept. | \$ 704.12    |
| Jail             | \$ 5,130.98  | County Judge    | \$ 197.42    |
| Admin Coord.     | \$ 12.00     | J.P. 1-1        | \$ 135.65    |
| J.P. 1-2         | \$ 66.84     | J.P. 2          | \$ 416.84    |
| J.P. 3           | \$ 450.12    | J.P. 4          | \$ 316.84    |
| J.P. 5           | \$ 296.34    | DPS             | \$ 455.11    |
| Constable 1      | \$ 38.88     | Constable 5     | \$ 89.67     |
| Co Crt @ Law 2   | \$ 300.00    | TDH Sanitarian  | \$ 342.50    |
| In Home Spec     | \$ 177.45    | TDH M&C Grant   | \$ 500.00    |
| TABC             | \$ 1.24      | TJPC-ISP Grant  | \$ 177.77    |
| District court   | \$ 9.30      | R&B General     | \$ 12.17     |
| Precinct 1       | \$ 50.91     | Precinct 2      | \$ 11,940.24 |
| Precinct 3       | \$ 2,042.35  | Precinct 4      | \$ 4,454.27  |
| Hot Check Fee    | \$ 147.34    | Public Works    | \$ 11,250.84 |
| Sheriff's Drug   | \$ 366.94    | Adult Prob Oper | \$ 3,352.77  |
| Adult Prob Fac   | \$ 994.49    |                 |              |

#### 10215 AMEND BUDGET TO TRANSFER FUNDS FROM DISTRICT ATTORNEY'S OFFICE TO ROAD & BRIDGE PCT. #1

County Auditor Bill Herzog spoke of previous action by the Court transferring personnel from the District Attorney's office to R&B Pct. #1 - Court needs to transfer the funds (Salary \$9,600 FICA \$735 Retirement \$672 Medical \$510 Dental \$40). District Attorney Charles Chapman spoke of travel expenses that need to be addressed could come out of investigators travel. Commissioner Payne stated that he was opposed to authorizing travel expense. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to amend the budget in the amount of \$11,557 for salary and fringe benefits for Phillip Hernandez by transferring this amount from the District Attorney's Office to Road & Bridge Pct. #1. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Rains and Commissioner Ford voting "Nay".

#### AMEND BUDGET OF JUVENILE PROBATION OFFICE

County Auditor Bill Herzog spoke of Juvenile Probation Dept. budget - \$21,331 was spent for detention last year - \$9,500 was budgeted for this year and \$13,720 has been spent. Chief Juvenile Probation Officer Ed Cooper spoke of detention and residential expenses - his department's budget has been reduced every year - requested that his detention line item be increased to \$14,000 - spoke of various line items that need adjustments. No action was taken - need to determine where money will come from for adjustments.

#### 10216 AWARD CONTRACTS: HAULING SERVICES, ROAD MATERIALS, HAULING OF SOLID WASTE AND REPAIR OF SUMMIT ROAD

HAULING OF ROAD BUILDING MATERIALS - Bids were received from C. D. Glossen, Mike's Trucking, Carruthers Materials and H & M Construction for the San Marcos, Wimberley and Dripping Springs areas. Cheryl Pantermuehl, Auditors Ofc., stated that the best overall low bid was submitted by H & M Construction. Commissioner Rippy stated that the low bidder for his area was C. D. Glossen. Commissioner Gonzales and Commissioner Ford stated that they do their own hauling they do not hire it out. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to award hauling services for Pct. 4 to C. D. Glossen. All voting "Aye". A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award contract for hauling of road building materials - hot mix only - to H & M Construction from all pits. All voting "Aye".

ROAD MATERIALS - Bids for flexible base crushed stone Type A Grade 1 were received from 4-6 Materials, Centex Materials and Colorado Materials - bids for aggregate for surface treatment Type A Grade 3,4,& 5 were received from Rogers, Centex and Colorado - bids for asphalt, oils & emulsions were received from Koch Materials and Elf Asphalt - bids for hot mix-cold lay were received from Colorado Materials and Rogers - Concrete bids were received from Ingram Ready Mix and Hays County Gravel Co.

\*APRIL 30, 1990\*

PCT. #1 - A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to award contract for flexible base crushed stone Type A Grade 1 and hot mix-cold lay and aggregate for surface treatment for Precinct #1 to Colorado Materials and concrete for structures to Ingram ReadyMix. All voting "Aye".

PCT. #2 - A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract for flexible base crushed stone to Colorado Materials, aggregate for surface treatment to Centex Materials, hot mix-cold lay to Rogers and concrete for structures to Hays County Gravel for Precinct #2. All voting "Aye".


PCT. #3 - A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award contract for flexible base crushed stone, aggregate for surface treatment and hot mix-cold lay to Colorado Materials and concrete for structures to Ingram ReadyMix for Precinct #3. All voting "Aye".


PCT. #4 - A motion was made by Commissioner Rippy, seconded by Commissioner Payne to award contract for flexible base crushed stone to 4-G Materials, aggregate for surface treatment to Centex Materials, hot mix-cold lay to Rogers and concrete for structures to Hays County Gravel Co. All voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract for asphalt, oils & emulsions countywide to Elf Asphalt. All voting "Aye".

HAULING OF SOLID WASTE - bids were received from Texas Disposal Systems (Austin) and BFI Waste Systems (Del Valle). A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award contract for hauling of solid waste to low bidder BFI Waste Systems. All voting "Aye".

REPAIR OF SUMMIT DRIVE - Bids were submitted by Brannon Paving (Victoria), H & M Construction Co (Wimberley), H & C Construction Co. (Shiner), Carruthers Materials (Wimberley), Metro Paving Co. (Austin), Pool & Rogers (Buda) and Asphalt Paving Co. (Austin). Commissioner Payne requested that action be postponed. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to acknowledge receipt of bids for repair of Summit Drive. All voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 14TH DAY OF MAY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**ROBERT MARTINEZ - HUD SECTION 202 DIRECT LOAN PROGRAM FOR HOUSING FOR THE ELDERLY AND/OR HANDICAPPED**

Robert Martinez, Casas Del Sol Housing Corporation, appeared before the Court - spoke of HUD accepting applications from nonprofit organizations for rental or cooperative housing under Section 202 Direct Loan Program for Housing for the Elderly - applications must be submitted by June 13th - Casas Del Sol will be seeking a 100 unit housing project - no matching funds will be required - requested support by the Commisisoners' Court for this project, however, this is not a requirement by HUD - proposed site is behind the bowling alley on Highway 123. The Court advised that is would like more information about individuals involved in the project. Tom Ash, Board of Directors member, spoke in support of the project. The Board of Directors of Casas Del Sol Housing Corporation are: William A. Fuller, Jeffery Stefanoff, Carmen Casas, Mary E. Gonzales and Thomas F. Ash. No action taken this date.

**10217 AMEND BUDGETS OF JUVENILE PROBATION DEPARTMENT AND INDIGENT HEALTH CARE**

Eva Cruz, Indigent Health Care Administrator, gave an update of budget expenditures for indigent health care - spoke of number of cases screened per month - spoke of need for additional funds for medical sevices and medical supplies - will be going out for bids for pharmacy services in the San Marcos area - spoke of SLIAG funds - requested \$50,000 for medical services and \$15,000 for medical supplies. Judge Rains commended Eva for her work - spoke of need for a County Doctor for the jail and indigents to reduce costs for medical services - local Doctors are not willing to see Medicaid patients because of income losses.

Ed Cooper, Juvenile Probation Dept., spoke - 95% of the budget is already spent - line items that need adjustments are: Postage \$50 Misc. \$200 Travel \$600 Medical/Dental \$1300 Psychological Exams \$1700 Telephone \$500 Detention \$14,000 Office Furniture \$1000 - spoke of vehicle obtained from the Sheriff's office - would like to install a cellular telephone in this vehicle - State grant will pay for the monthly telephone charges but not for the purchase of the equipment - communication is needed between the Probation Officers.

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to declare an emergency and amend the budgets of Indigent Health Care - Medical Services by \$50,000 and Medical Supplies by \$15,000 - and Juvenile Probation Department - Postage \$50 Misc. \$200 Travel \$600 Medical/Dental \$1300 Psychological Exams \$1700 Telephone \$500 Detention \$14,000 Office Furniture \$1000 Telephone Equip \$1190 from the County Reserves (\$85,540). All present voting "Aye".

**10218 FISCHER STORE ROAD BRIDGE PROJECT - AUTHORIZE HIRING GRAHAM AND ASSOCIATES TO APPRAISE PARCEL #5**

Patsy Greiner, Admin. Coord., stated that Parcel #5 (Dwain Blaschke - owner) needs to be appraised - Mr. Blaschke has requested that Graham and Associates be the Appraisers - estimated appraisal cost is under \$200. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize hiring Graham and Associates to appraise Parcel #5 of the Fischer Store Road Bridge Project. All present voting "Aye".

\*MAY 14, 1990\*

HAYS COUNTY HISTORICAL COMMISSION - QUARTERLY REPORT & PROCLAMATION

Judge Rains read proclamation Re: National Historic Presevation Week.

P R O C L A M A T I O N

STATE OF TEXAS  
COUNTY OF HAYS

WHEREAS, the Hays County Historical Commission has brought distinction to the County with the Distinguished Service Award presented at the Preservation Conference in Abilene, Texas April 26-27, 1990; and

WHEREAS, the Millard C. Cope Memorial Award for Best Program of Work presented to the Hays County Historical Commission by The Texas Historical Commission at this annual Preservation Conference in Abilene; and

WHEREAS, the Award for Outstanding Committee Chairman of a County Historical Commission presented to Jo Ann Hearn for her leadership with the Save Carroll Hall Committee; and

WHEREAS, the Chairman of the Hays County Historical Commission, Frances Stovall, honored with the Texas Award for Historical Preservation for outstanding preservation activities in Hays County including the Multiple Resources Nomination of San Marcos to the National Register of Historic Places; collaboration on the book "Clear Springs and Limestone Ledges, a History of San Marcos and Hays County"; and for leadership in the restoration of the Courthouse Annex; and

WHEREAS, residents of Hays County are invited to join in celebrating "Keeping America's Heritage Alive" with the National Trust for Historical Preservation during National Historic Preservation Week by the Hays County Historical Commission;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that:

NATIONAL HISTORIC PRESERVATION WEEK

be recognized MAY 13-20, 1990, and all citizens are urged to take part in the observance and activities designed to advance the course of Historic Preservation by promoting awareness and by encouraging participation in the nationwide efforts of preservation.

s/ G. Don Rains  
G. DON RAINS  
County Judge

ATTEST:  
s/ Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk

Frances Stovall, HCHC Chairman, gave quarterly report - spoke of awards received at the Preservation Conference - presented certificates from the Texas Historical Commission to Mrs. Shand who was chairman of the awards committee, Mrs. Kerbow and Col. James D. Rogers who contributed to archeology and to Mrs. Armstead and Mrs. Younts who participated in cemeteries. Louise Simon was presented with a certificate as the Outstanding Member of the Commission for her role in promoting fund raising activities, opening it for tours and gathering furnishings for the Claiborne Kyle Log House. Mrs. Stovall requested that the Hays County Historical Commission be designated as a County Department in the County budget process rather than a social service agency. Margie Moore, representing Senator Gonzales Barrientos, read Senate Concurrent Resolution No. 11 commending the Hays County Historical Commission for its accomplishments on behalf of historical preservation and winning the distinguished service award. Judge Rains spoke of the HCHC accomplishments in the last four years and commended all those involved and encouraged them to continue with their endeavors.

10219 CLAIBORNE KYLE LOG HOUSE COMMISSION - APPOINTMENT

A motion was made by Judge Rains, seconded by Commissioner Ford to appoint Ann Strom to replace Louise Simon on the Claiborne Kyle Log House Commisison. All present voting "Aye".

\*MAY 14, 1990\*

## 10220 AUTHORIZE TRANSFER OF PERRY SHEFFIELD'S COURT TRIAL FROM J.P. #3 COURT TO DISTRICT COURT

Terry Ewald, Health Dept. Administrator, spoke of need to get Court approval to transfer case to District Court - cannot get an injunction to stop Mr. Sheffield's business on a J.P. level. Commissioner Payne spoke of his reluctance to authorize transfer - felt like it should stay at the J.P. level. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize transfer of Perry Sheffield's court trial from J.P. #3 Court to District Court. All present voting "Aye".

## 10221 APPROVE RELEASE OF EASEMENTS ON LOT 14A BLANCO RIVER CROSSING SECTION 1 AND 3.53 ACRES Z. HINTON SURVEY

Commissioner Ford spoke of property at Blanco River Crossing subdivision area (lot 14A and 3.53 acres) which was intended for waste water and public utility easements. There is no need for either of these easements now or in the future and Pedernales Electric Cooperative, Inc. and the property owner are requesting that the Court approve the release of the easements. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve release of blanket utility easements covering Utility Lot 14A of Blanco River Crossing Section 1 subdivision and 16 foot utility easement on 3.53 acres of land out of the Z. Hinton Survey owned by Gary Avignon. All present voting "Aye".

## 10222 PEACE OFFICERS MEMORIAL WEEK - PROCLAMATION ADOPTED

A motion was made by Commissioner Payne, seconded by Commissioner Ford to adopt "Peace Officer Memorial Week" proclamation. All present voting "Aye".

## P R O C L A M A T I O N .

STATE OF TEXAS  
COUNTY OF HAYS

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

WHEREAS, in 1963 President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day; and

WHEREAS, since times subordinate, state auxiliaries have been marking the occasion with memorial services in their own jurisdiction; and

WHEREAS, through the efforts of the Grand Lodge Ladies Auxiliary, the first national peace officers memorial service was performed on May 15, 1982 on Capital Hill in Washington, D.C.; and

WHEREAS, the Hill Country Fraternal Order of Police Lodge #23 has made a commitment to share, support, and serve the law enforcement community; and

WHEREAS, the Hill Country Fraternal Order of Police Lodge #23 actively contributes to and supports this worthwhile endeavor;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that:

## PEACE OFFICERS MEMORIAL WEEK

be recognized MAY 14-18, 1990, and all citizens are urged to take part in observance of this very special occasion.

s/ G. Don Rains  
G. DON RAINS  
County Judge

ATTEST:  
s/ Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk

(SEAL)

\*MAY 14, 1990\*

10223 PEACE OFFICERS' MEMORIAL DAY - APPROVE USE OF COURTHOUSE LAWN MAY 18, 1990

Larry Sowards, Hays County Deputy Sheriff/Juvenile Officer, spoke of memorial to be held May 18, 1990 at noon and invited members of the Court to attend. A motion was made by Judge Rains, seconded by Commissioner Rippy to approve use of Courthouse lawn on May 18, 1990 for "Peace Officers' Memorial". All present voting "Aye".

10224 BOND FORFEITURE CASES - APPROVE PAYMENT TO FITZGERALD, MAJORS & STEVENS

April invoices for services received from Gene Majors = \$256.40. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment to Fitzgerald, Majors & Stevens in the amount of \$256.40 for services rendered in bond forfeiture cases. All present voting "Aye".

10225 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$153,034.02 as presented by the County Auditor. All present voting "Aye".

|                  |             |                  |             |
|------------------|-------------|------------------|-------------|
| Inventory        | \$ 752.14   | Auditor          | \$ 840.37   |
| Treasurer        | \$ 87.26    | Extension Ofc    | \$ 466.01   |
| Judicial & Law   | \$ 1,950.80 | Juv Prob         | \$ 595.93   |
| Election Admin   | \$15,820.98 | Indigent Care    | \$ 1,033.16 |
| Transfer Station | \$ 84.49    | Bldg. Maint.     | \$ 5,203.76 |
| Health Dept.     | \$ 469.08   | Civic Center     | \$ 4,746.34 |
| Countywide Misc  | \$30,531.71 | Tax A/C          | \$ 573.25   |
| District Clerk   | \$ 816.77   | County Clerk     | \$ 864.20   |
| Sheriff          | \$ 5,192.75 | Law Enf. Center  | \$40,300.30 |
| County Judge     | \$ 160.10   | Admin. Coord.    | \$ 6,218.13 |
| Co Crt @ Law 1   | \$ 66.63    | District Atty    | \$ 1,267.39 |
| J.P. 1-1         | \$ 62.33    | J.P. 1-2 -       | \$ 310.77   |
| J.P. 2           | \$ -81.50   | J.P. 3           | \$ 202.50   |
| Dept Pub Safety  | \$ 3,632.06 | Constable 1      | \$ 168.59   |
| Constable 2      | \$ 69.83    | Constable 5      | \$ 192.53   |
| Veteran's Adm    | \$ 91.23    | Data Proc Adm    | \$ 812.21   |
| Co Crt @ Law 2   | \$ 24.81    | TDH TB Grant     | \$ 81.62    |
| TDH M&C Care     | \$ 54.94    | Fire Marshal/EMC | \$ 46.35    |
| TABC             | \$ 90.49    | GEN FUND CREDITS | \$ - 918.32 |
| District Court   | \$ 299.96   | County Court     | \$ 2,512.33 |
| Dist Crt Reprtr  | \$ 52.99    | R&B General      | \$ 42.82    |
| Precinct 1       | \$ 917.54   | Precinct 2       | \$ 1,354.44 |
| Precinct 3       | \$ 5,694.08 | Precinct 4       | \$ 886.39   |
| Hot Check Dept.  | \$ 515.75   | Jail Constrctn   | \$ 4,000.63 |
| Public Works     | \$ 2,366.38 | Perm Transfer    | \$ 5,017.00 |
| D.A. Drug Forf   | \$ 496.31   | Adult Prob Oper  | \$ 5,042.08 |
| Adult Prob CSR   | \$ 228.10   | Adult Prob Fac   | \$ 562.23   |

10226 CONSTABLE PCT. #2 - AMEND BUDGET

Commissioner Ford spoke of Constable Pct. #2's budget - need to transfer funds to repair radar unit. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of Constable Pct. #2 \$270.45 in his radio equip repair line item from contingency funds. All present voting "Aye".

ANIMAL CONTROL ORDINANCE RABIES ACT

Commissioner Rippy stated that he would like for the Court to postpone adoption of the Hays County Animal Control Ordinance - would like more input from citizens. Nancy Cowart, Oakwood Hills resident, spoke of wild dogs in her area killing her chickens and being vicious towards her - County needs an enforceable ordinance to have these animals picked up. District Attorney Charles Chapman spoke of State Laws allowing property owners to deal with animals destroying their livestock - the problem is with discharging firearms in residential areas. Commissioner Rippy spoke of ordinance requiring the County to hire an Animal Control Officer. Commissioner Ford spoke of contracting with a certified animal shelter. Workshop to be held on June 11, 1990 at 1:30 p.m.



\*MAY 14, 1990\*

10227 RESCIND ACTION BY COMMISSIONERS' COURT APPROVING LITTLE POOL ROAD & AXIS ROAD FOR COUNTY MAINTENANCE (GRAPE CREEK SUBD - RESOL # 10034 DATED DEC. 18, 1989)

Commissioner Ford spoke of Grape Creek Subdivision Roads (Little Pool Road & Axis Road) being accepted for county maintenance - at the time of acceptance he was under the impression that these roads were dedicated to the public - in fact these roads are private roads owned by the property owners of the subdivision - need to acquire quitclaim deeds to the roads before accepting for maintenance. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to rescind action by Commissioners' Court approving Little Pool Road & Axis Road in the Grape Creek Subdivision for county maintenance (Resolution #10034 dated December 18, 1989). All present voting "Aye".

10228 JACK SCHROEDER - THREE ACRE TRACT - REQUEST FOR VARIANCE OF SUBDIVISION REQUIREMENTS

Patsy Greiner, Admn. Coord., spoke of A.G.'s opinion concerning subdividing a piece of property:

A.G.'S SUMMARY

Under Local Government Code section 232.001(a) a division of a tract of land outside the limits of a municipality into two or more parts-- whether the division be to lay out a subdivision, addition, or suburban or building lots -- is subject to the platting requirements of the subsection only if the division is also to lay out street, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting or adjacent thereto, as provided in the subsection.

Court adopted a resolution requiring all property divided be subdivided by platting. District Attorney Charles Chapman spoke of the law and the A.G.'s opinion - felt like the Court should require a property owner of a tract of land located in the county and outside of the limits of a municipality to file a plat only if

- (1) there is a division of the tract, and
- (2) that the division also involves the laying out of streets, alleys, squares, parks, or other parts

Commissioner Ford spoke of the Local Government Code giving the Commissioners' court authority to specify their own requirements for subdividing. Kelly Kilber, Surveyor for Jack Schroeder, appeared before the court - spoke of the 3 acres being cut from a 27.25 acre tract in the Henry Lollar Survey and the fact that the property is located outside the Kyle City limits, not in the ETJ, and not to be dedicated to the public - felt like platting is not required according to the AG's opinion. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to deny variance to subdivision requirements as requested by Jack Schroeder for his three acre tract in the Henry Lollar Survey. All present voting "Aye".

10229 WOODS OF BEAR CREEK - VACATE PLAT (VOL. 3 PGS 347-353)

Dave Christ appeared before the Court - part of this subdivision lies in Travis County - City of Austin has approved partial vacation of the subdivision - property owners were present - easement dedication (vol. 540 pg. 851) will be released. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve partial vacation of "Woods of Bear Creek" subdivision as recorded in Volume 3 Pages 347-353 of the Plat Records of Hays County. All present voting "Aye".

10230 PAYNE INDUSTRIAL PARK - LOTS 1-6 (PCT. 2)

Donny Payne and Harry Bishop appeared before the Court requesting first, second and third reading approval for "Payne Industrial Park" subdivision. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve "Payne Industrial Park" subdivision on first, second and third readings. All present voting "Aye".

10231 VALERO TRANSMISSION L.P. - APPROVE INSTALLATION OF RECTIFIER IN COUNTY ROAD #151 R-0-W

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve installation of rectifier in County Road #151 right-of-way with usual stipulations. All present voting "Aye".

\*MAY 14, 1990\*

**10232 SAN MARCOS TELEPHONE COMPANY - APPROVE PROPOSAL TO INSTALL CABLE IN THE OLD MARTINDALE ROAD RIGHT-OF-WAY (COUNTY ROAD #295)**

Commissioner Ford spoke of proposal - an 8' assignment is requested due to the number of trees in the r-o-w. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve proposal of San Marcos Telephone Company to install cable in the County's right-of-way on County Road #295 (Old Martindale Road) with an 8' assignment around the trees in the r-o-w. All present voting "Aye".

**10233 CALL FOR PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS - STOP SIGNS AT INTERSECTION OF ELLIOT RANCH ROAD AND SCENIC OAK DRIVE**

Commissioner Ford spoke of this particular intersection currently having 2 Stop Signs, however, because of visibility problems he would like to establish Stop Signs at all four corners of the intersection (northern & western points). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to call for public hearing to establish traffic regulations - STOP signs at the intersection of Elliot Ranch Road and Scenic Oak Drive in Precinct #2 - to be held May 29, 1990 at 10:00 a.m. All present voting "Aye".

**10234 AUTHORIZE COUNTY AUDITOR TO BID FOR ONE NEW OR USED VEHICLE FOR DISTRICT ATTORNEY'S OFFICE AND AUTHORIZE TRANSFER OF ONE USED SHERIFF'S VEHICLE TO D.A.'S OFFICE**

District Attorney Charles Chapman spoke of vehicles currently being used by the District Attorney's office needing numerous repairs - would like to sell these two vehicles at the county auction and buy another vehicle as a replacement and also obtain an old vehicle from the Sheriff's Department. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize transfer of a vehicle from the Sheriff's Department to the District Attorney's Office and to further authorize the County Auditor's Office to check on State auctioned vehicles for a replacement vehicle for the District Attorney's office. All present voting "Aye".

**10235 DISTRICT ATTORNEY'S OFFICE - BUDGET AMENDMENT TO PAY FOR COSTS OF EXPERT WITNESSES**

District Attorney Charles Chapman spoke of an Aggravated Sexual Assault case in District Court that will be going to trial shortly - victim is an 85 year old woman who was unable to make a positive I.D. - evidence was sent for DNA evaluation to New York - three expert witnesses are required to testify in the case - expert witness fee is \$750 per day for each witness - estimated cost for a 4 day trial = \$8500-9000. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize budget amendment by transferring \$7,700 out of Court Appointed Attorneys line item and creating a new line item titled "Expert Witness". All present voting "Aye".

**10236 NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT - APPOINTMENTS**

Commissioner Ford spoke of need to make appointments to the Northeast Hays County RFPD to replace Ed Shick and Jerry Lynch. A motion was made by Commissioner Ford to appoint Tommy Harper for a one year term and Lee Seal-Kubena for a two year term to the Northeast Hays County Rural Fire Prevention District. All present voting "Aye".

**10237 SET PRICE TO BE CHARGED FOR AMDRO**

County Auditor Bill Herzog spoke of different prices that are being charged for Amdro - costs to the County is \$3.75 per pound (\$3.75 plus tax = \$4.05 per lb.) Patsy Greiner, Admin. Coord., stated that they are selling Amdro for \$4.50 per pound. Commissioner Ford stated that he felt like County should be selling Amdro for \$4.00 per pound with County absorbing the 5 cents difference. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to charge \$4.50 per pound for Amdro (\$4.17 + .33 tax). Judge Rains, Commissioner Payne and Commissioner Rippy voting "Aye", Commissioner Ford voting "Nay".

\*MAY 14, 1990\*

10238 SET DATE FOR COUNTY AUCTION

Deputy Sheriff Garland Harwell spoke of need to set a date for a county auction - Sheriff's Department has over 60 items for auction (ie TV's, stereos, etc.) - Civic Center is available June 5th. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to set date for the County auction at the Hays County Civic Center on June 5, 1990. All present voting "Aye".

DISCUSS - COST/OF/LIVING, MERIT & LONGEVITY

County Auditor Bill Herzog spoke of shortages in the budget for cost/of/living, merit and longevity line items - budget amendments are needed to transfer funds to various departments.

10239 TAX ASSESSOR-COLLECTOR - AUTHORIZE TRANSFER OF COPIER TO 3RD FLOOR ANNEX

A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize transfer of Tax Assessor Collector's copier to third floor of the Courthouse Annex. All present voting "Aye".

10240 AUTHORIZE CONTRACTING WITH STATE PURCHASING FOR PURCHASE OF COPIERS AND AUTHORIZE COUNTY JUDGE TO SIGN CONTRACT

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve contracting with State Purchasing for the purchase of copiers and authorize the County Judge to sign a contract. All present voting "Aye".

RESOLUTION

STATE OF TEXAS  
COUNTY OF HAYS

TO THE STATE PURCHASING AND  
GENERAL SERVICES COMMISSION

WHEREAS, the Commissioners' Court of Hays County, Texas, pursuant to the authority granted by Sections 271.081-271.083 Local Government Code, V.T.C.A., as amended, desires to participate in described purchasing programs of the State Purchasing and General Services Commission, and

WHEREAS, the Commissioners' Court is in the opinion that participation in these programs will be highly beneficial to the taxpayers of this County, through the anticipated savings to be realized, now, therefore, be it

RESOLVED, that the Commissioners' Court of Hays County does request that the State Purchasing and General Services Commission to include its stated need for 600-A8 - Photo Copiers - Purchase on the Commission's annual contracts for those items, whereby G. Don Rains, County Judge and/or Bill Herzog, County Auditor, are authorized and directed to sign and deliver all necessary requests and other documents in connection therewith for and on behalf of Hays County.

I certify that the foregoing is a true and correct copy of the resolution duly adopted by the Commissioners' Court of Hays County on the 14th day of May, 1990, and that the same now appears of record in my office.

In witness thereof, I have hereunto set my hand and affixed by official seal this 14th day of May, 1990.

By: s/ G. Don Rains  
G. Don Rains, County Judge  
Name & Title of Official Signing

Hays County  
Ronnie Dannelley, County Clerk  
Name of Custodian of Record

(Seal)

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, Hays County Clerk

10241 AWARD CONTRACT FOR SUMMIT ROAD REPAIRS

A motion was made by Commissioner Payne, seconded by Commissioner Ford to award contract for Summit Road Repairs to H & M Construction at \$6.00 per ton. All present voting "Aye".

\*MAY 14, 1990\*

10242 DEPARTMENT OF PUBLIC SAFETY - AMEND BUDGET

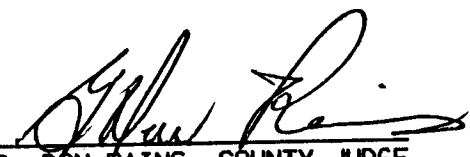
A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of DPS office by transferring \$2,675.00 from Data Processing Maint. & Service line item to Contract Programming line item. All present voting "Aye".

10243 AUTHORIZE COUNTY AUDITOR TO APPLY FOR CREDIT CARDS FROM COUNTY DEPOSITORY

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to apply for credit cards from State Bank & Trust Company, the County Depository. All present voting "Aye".

Court was recessed until May 21, 1990 at 9:00 A.M.

RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~oOo~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 21ST DAY OF MAY, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10244 ARTS EDUCATION PROGRAM FUNDING FOR PUBLIC SCHOOL TEACHERS

Ron Yager, San Marcos Performing Arts Organization, spoke of creative arts program for the summer - workshops for teachers are available. Peter Fox spoke of workshop providing training for teachers in the "Arts" (i.e. music, visual arts & theatre) - has met with school districts in the county - teachers fee is \$35 for materials - additional \$4500 is needed - request from the county is \$1000. Judge Rains spoke of benefits of the training to stimulate teachers to help keep kids in school and perhaps out of the jail system. A motion was made by Judge Rains, seconded by Commissioner Gonzales to approve funding of \$1,000 for Arts Education Program for Public School Teachers. All present voting "Aye".

BUDGET AMENDMENT NEEDED FOR MAPPING PROJECT (\$5,000)

Judge Rains spoke of progress in mapping for 9-1-1 program - CAPCO can now begin reimbursing the County in the amount of \$5,000 (at the rate of \$250 per month) - SWTSU needs to be reimbursed for their work in the mapping. Patsy Greiner, Admin. Coord., spoke of problems that have been encountered. Commissioner Payne spoke of concerns by the Fire Departments and EMS about the 9-1-1 program. Action postponed until next meeting.

\*MAY 21, 1990\*

## 10245 RESOLUTION AUTHORIZING PARTICIPATION IN THE REGIONAL SOLID WASTE MANAGEMENT PLAN FOR THE CAPITAL STATE PLANNING REGION - ADOPTED

Judge Rains read resolution - 10 County region - Senate has mandated a plan be established and Hays County's pro-rata share is \$7,000 - to be funded in the upcoming FY91 budget. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to adopt resolution authorizing participation in the Regional Solid Waste Management Plan for the Capital State Planning Region. All present voting "Aye".

## RESOLUTION AUTHORIZING PARTICIPATION IN THE REGIONAL SOLID WASTE MANAGEMENT PLAN FOR THE CAPITAL STATE PLANNING REGION

WHEREAS, S.B. 1519 - passed by the 71st Texas Legislature, mandates regional and local solid waste management plans and established a new solid waste disposal fee system to provide 50/50 matching grants for plan development; and

WHEREAS, the Texas Department of Health has now announced the availability of 50/50 funds for the Capital State Planning Region and has invited the Capital Area Planning Council to submit a proposal for the development of a regional solid waste management plan; and

WHEREAS, the Capital Area Planning Council is the Council of Governments designated by the Texas Department of Health for Regional Solid Waste Management Planning for the HAYS COUNTY area; and

WHEREAS, the Commissioners' Court of Hays County recognizes the requirements and benefits of participation in the coordinated development of joint, long-term solutions to local and regional solid waste management problems; and

NOW, THEREFORE, BE IT RESOLVED THAT: HAYS COUNTY desires to participate in the development of the Regional Solid Waste Management Plan for the Capital State Planning Region and commits \$7,000.00 to satisfy the local match requirements of the Texas Department of Health Grant; and

BE IT FURTHER RESOLVED THAT the Hays County Commissioners' Court will assist the Capital Area Planning Council in nominating member(s) to the proposed Regional Solid Waste Management Planning Task Force, provide access to and assistance in the gathering of local information relevant to the Regional Plan, and soliciting and providing local review and response to critical stages of Plan development and adoption.

APPROVED AND ADOPTED on the 21st day of May, 1990.

C O U N T Y O F H A Y S

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK

## CONSIDER REDUCTION OF CERTIFICATES OF OBLIGATION INDEBTEDNESS FOR JAIL AND JUVENILE DETENTION CENTER BY UP TO \$500,000.00

Judge Rains spoke of reducing bond indebtedness to cut down interest payment - Juvenile Detention Center estimated cost is \$600,000 - spoke of arbitrage. Commissioner Rippe stated that he would like more time to consider this matter - unsure as to what the Juvenile Detention Center will cost. Commissioner Payne stated that he supports a reduction in indebtedness. Commissioner Rippe felt like the Court needs to compare interest being earned versus payment. No action taken.

## 10246 AWARD CONTRACT ON HOT MIX-HOT LAY

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to award contract for Hot Mix-Hot Lay to Colorado Materials. All present voting "Aye".

\*MAY 21, 1990\*

COMPUTER EQUIPMENT FOR CRIMINAL JUSTICE SYSTEM - DISCUSSION

Danny Dever, Data Processing Administrator, spoke of bids received:

|                                   |        |                     |
|-----------------------------------|--------|---------------------|
| Granberry Supply Corp.            |        | \$ 70,200.00 (used) |
| Alpha Exchange, Inc.              |        | \$113,665.00 (new)  |
|                                   | AM3000 | \$ 80,733.10 (used) |
|                                   | AM2000 | \$ 56,980.00 (used) |
| Thomas Computer                   |        | \$127,960.00 (new)  |
| Satellite Business Computers Inc. |        | \$147,856.50 (new)  |

Granberry Supply Corp. has increased their proposal from \$45,000 to \$70,200. Alpha Exchange proposal has a 38% discount - AM2000 could be considered and could be upgraded at a later date for apprx. \$8900 - current system cannot be added to and the County must consider a larger system - spoke of moving the current equipment to another department to be utilized or perhaps sold to some other County - the AM2000 would service the County for a couple of years before it would need to be expanded.

10247 SELF-PROPELLED HIGHWAY SWEEPER - BID CONSIDERATION

Cheryl Pantermeuhl, Auditor's Office, spoke of bids received - the used sweeper is no longer available - one of the sweepers was a diesel which did not meet bid specs A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to award bid to Case Power & Equipment for the gasoline sweeper (\$25,841). Commissioner Gonzales and Commissioner Rippy voting "Aye" and Commissioner Payne and Judge Rains voting "Nay". MOTION FAILED.

HUD SECTION 202 DIRECT LOAN PROGRAM FOR HOUSING FOR THE ELDERLY AND/OR HANDICAPPED

Commissioner Ford had placed this item on the agenda and he was not present at this meeting nor was Robert Martinez, spokesman for Casas Del Sol Housing Corp. Albert Sierra, San Marcos Housing Authority, spoke to the Court of the 202 program - requires seed money - Cities and Counties cannot be sponsors - would like to know who the sponsor is for this proposed housing project. Judge Rains spoke of information received from Robert Martinez at the last meeting - requirements are tough. Mr. Sierra spoke of the need for housing - the San Marcos Housing Authority makes application about every six months.

DISTRICT CLERK - AIR CONDITIONER

Judge Rains advised District Clerk W. H. Moore that an air conditioner had been installed in his office over the weekend.

10248 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$90,944.32. All present voting "Aye".


|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| Inventory         | \$ 282.20   | Extension Ofc     | \$ 169.00   |
| Judicial & Law    | \$ 2,113.36 | Juv. Probation    | \$ 1,175.34 |
| Election Admin.   | \$ 1,063.00 | Transfer Station  | \$ 4,114.00 |
| Building Maint.   | \$ 1,642.41 | Health Dept.      | \$ 72.73    |
| Civic Center      | \$ 1,598.92 | Countywide Misc.  | \$10,119.54 |
| District Clerk    | \$ 151.06   | County Clerk      | \$ 502.30   |
| Sheriff's Dept.   | \$ 906.58   | Law Enforc. Cntr  | \$ 2,692.45 |
| District Attorney | \$ 505.77   | J.P. 1-1          | \$ 79.22    |
| J.P. 1-2          | \$ 548.90   | J.P. 3            | \$ 73.81    |
| Dept. Public Saf  | \$ 840.50   | Constable 1       | \$ 114.30   |
| Constable 2       | \$ 500.00   | Constable 5       | \$ 98.10    |
| Veterans Adm      | \$ 38.20    | Data Proc Admin   | \$ 213.00   |
| TDH TB Grant      | \$ 123.00   | Foster Child Care | \$ 8,746.00 |
| District Court    | \$ 542.80   | County Court      | \$ 2,171.84 |
| R&B General       | \$21,641.55 | Precinct 1        | \$ 2,668.86 |
| Precinct 2        | \$ 3,260.29 | Precinct 3        | \$ 5,929.94 |
| Precinct 4        | \$11,274.53 | Hot Check Fee     | \$ 31.05    |
| Public Works      | \$ 2,948.55 | Adult Prob Oper   | \$ 2,013.70 |

\*MAY 21, 1990\*

10249 APPROVE MINUTES OF APRIL 1990

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve minute of April 1990 as presented by the County Clerk. All present voting "Aye".

RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 29th DAY OF MAY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Payne was not present at the beginning of the meeting.

10250 HAYS COUNTY CHILD WELFARE BOARD - APPOINTMENT

Anna Farr requested the appointment of Julia Ramsay New to replace Robin Estep - both are from Wimberley. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve appointment of Julia Ramsay New to the Hays County Child Welfare Board. All present voting "Aye".

Commissioner Payne came to the meeting at this time.

10251 SHERIFF'S DEPARTMENT - AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A REPLACEMENT VEHICLE

Chief Deputy Sheriff Sherman Brodbeck spoke of insurance settlement in the amount of \$9,900 from wrecked auto - he has checked with used vehicle dealerships and has found a replacement vehicle in the amount of \$7,000 - equipment (i.e. lights, radio, etc) will also have to be replaced. Commissioner Gonzales asked about the number of wrecked cars in the Sheriff's Department at this time. Chief Brodbeck stated that they have four - drivers have been cited if they are negligent. Commissioner Payne stated that he is opposed to purchasing new cars and recommended that used vehicles be purchased through the State. Commissioner Ford spoke of advantages to purchasing a new car rather than a used one. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to advertise for bids for a new automobile for the Sheriff's Department. District Attorney Charles Chapman spoke of liability problem with used vehicles involved in hot-pursuit type situations. Commissioner Payne stated that ten new cars were purchased this Fiscal year and he is opposed to additional purchases. Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Gonzales and Commissioner Payne voting "Nay".

\*May 29, 1990\*

**JUSTICE OF THE PEACE PCT. 1 PLACE 2 - REQUEST APPROVAL TO PURCHASE SECRETARIAL CHAIRS (4)**

Justice of the Peace Becky Sierra appeared before the Court - spoke of need for four secretarial chairs in her office - she has received an estimate of \$140 each - she has \$380 in her Office Equip. Repair & Maint. line item that could be used towards the purchase. Cheryl Pantermeuhl, Auditor's Ofc., spoke of possibly getting a better price for the chairs. No action taken this date.

**10252 AUTHORIZATION TO ALLOW DISTRICT ATTORNEY'S OFFICE TO FILE SUIT FOR INJUNCTION AGAINST PERRY SHEFFIELD FOR VIOLATION OF JUNKYARD ORDINANCE**

District Attorney Charles Chapman spoke of Junkyard Ordinance requiring the Commissioners' Court approval before a suit for injunction can be filed. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the District Attorney's office to file suit for injunction against Perry Sheffield for violation of the Hays County Junkyard Ordinance. All voting "Aye".

**10253 APPROVE BUDGET AMENDMENT TO TRANSFER \$5,000 INTO MAPPING PROJECT TO BE REIMBURSED BY CAPCO 9-1-1 FUNDS**

Judge Rains spoke of CAPCO reimbursement at \$250 per month beginning April 1, 1990 - County needs to reimburse Southwest Texas State University for their mapping services in the amount of \$5,000.00. Commissioner Ford stated that he is opposed to using County funds to pay SWTSU - should use those funds reimbursed by CAPCO. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to pay \$5,000 to Southwest Texas State University for mapping services - \$1,500 from CAPCO revenues and \$3,500 from contingencies. Commissioner Gonzales, Commissioner Payne, Commissioner Rippy and Judge Rains voting "Aye", Commissioner Ford voting "Nay".

**OLD HOSPITAL SITE - DISCUSS REMOVING DEBRIS**

Judge Rains spoke - price to dispose of debris in a landfill is \$12,000 - has not been able to get a price for having the debris hauled off. Commissioner Gonzales spoke of need for cooperation by all Precincts to haul the debris - the equipment is available. Commissioner Ford spoke of his Precinct providing men and equipment for various project at the courthouse. Commissioner Payne felt like the County's equipment would be damaged in this project and prefers to pay someone to remove the debris. No action taken.

**10254 AWARD CONTRACT FOR SELF-PROPELLED HIGHWAY SWEEPER**

Cheryl Pantermeuhl, Auditor's office, spoke of bids received: Closser Equipment Co. = \$26,080 (diesel) Case Power & Equipment = \$25,841 (gasoline). Commissioner Payne stated that he was opposed to purchase of another highway sweeper - felt like there was a need to better utilize the one sweeper that the County has. Commissioner Rippy spoke of equipment needed by his Precinct - felt like this sweeper is needed by Pct. 2 & 4. Commissioner Ford spoke of costs involved in hauling one sweeper around the county. Judge Rains spoke of road mileage throughout the County - seems like one sweeper is not sufficient. Commissioner Payne spoke of creating a unitary road system to better utilize equipment - opposed to purchase of new equipment. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to award contract for self-propelled highway sweeper to Case Power & Equipment in the amount of \$25,841.00. Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Gonzales and Commissioner Payne voting "Nay".

**10255 AUTHORIZE PURCHASE OF COMPUTER EQUIPMENT FOR CRIMINAL JUSTICE SYSTEM**

Data Processing Administrator Danny Dever spoke of bids submitted at the last meeting - felt like the best proposal was from Alpha Exchange, Inc. for the AM3000-21 computer in the amount of \$62,778.10 plus shipping and installation charges - his department could apply approximately \$5-7,000 towards the purchase price. Commissioner Ford spoke of optional equipment that may not be necessary. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of criminal justice system computer equipment with \$7,000 from the Data processing budget to be applied to purchase price and the remainder to be financed over three years. All voting "Aye".



\*MAY 29, 1990\*

10256 PUBLIC HEARING - ESTABLISH TRAFFIC REGULATIONS: "STOP" SIGNS AT INTERSECTION OF ELLIOTT RANCH ROAD & SCENIC OAK DRIVE

Judge Rains called public hearing open - Commissioner Ford spoke of need for creation of a four-way stop at this intersection with establishment of Stop signs at the northern & western points - public hearing was closed. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to establish traffic regulations "Stop signs" at the northern and western points of intersection of Elliott Ranch Road & Scenic oak Drive. All voting "Aye".

10257 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to approve payment of county invoices with the exception of Civic Center invoice from Jim's Sharp All Shop (\$40.50) as presented by the County Auditor in the total amount of \$69,961.71. All voting "Aye".

|                   |              |                              |              |
|-------------------|--------------|------------------------------|--------------|
| Accounts Recvble  | \$ 7.68      | Inventory                    | \$ 509.75    |
| Auditor           | \$ 123.34    | Treasurer                    | \$ 108.00    |
| Extension Ofc.    | \$ 2.95      | Judicial & Law               | \$ 1,224.50  |
| Juvenile Prob.    | \$ 5,063.21  | Indigent Care                | \$ 5,486.55  |
| Transfer Station  | \$ 87.16     | Bldg. Maintenance            | \$ 37.61     |
| Health Dept.      | \$ 939.33    | Civic Center                 | \$ 176.68    |
| Countywide Misc   | \$ 1,262.06  | Tax A/C                      | \$ 50.00     |
| District Clerk    | \$ 63.50     | County Clerk                 | \$ 2,884.49  |
| Sheriff's Dept.   | \$ 1,349.59  | Law Enfor Center             | \$ 2,366.57  |
| County Judge      | \$ 46.70     | Admin. Coord.                | \$ 17.89     |
| District Atty.    | \$ 117.00    | J.P. 1-1                     | \$ 53.00     |
| J.P. 1-2          | \$ 52.78     | J.P. 3                       | \$ 98.52     |
| J.P. 4            | \$ 95.73     | J.P. 5                       | \$ 108.58    |
| D.P.S.            | \$ 429.46    | Constable 1                  | \$ 33.46     |
| Constable 2       | \$ 270.45    | Constable 5                  | \$ 92.52     |
| Veterans Admin    | \$ 85.00     | Data Proc Admin              | \$ 49.00     |
| Co Crt @ Law 2    | \$ 100.00    | TDH TB Grant                 | \$ 7.00      |
| Foster Child Care | \$ 80.00     | District Court               | \$ 320.09    |
| County Court      | \$ 3,146.14  | R&B General                  | \$ 1,216.95  |
| Precinct 1        | \$ 3,296.24  | Precinct 2                   | \$ 9,723.95  |
| Precinct 3        | \$ 11,829.31 | Precinct 4                   | \$ 13,609.71 |
| Hot Check Fee     | \$ 103.30    | Public Works                 | \$ 363.17    |
| Pioneer Rd. Dist  | \$ 142.48    | Sheriff's Drug               | \$ 234.00    |
| D.A. Drug Forf    | \$ 72.29     | Adult Prob Oper              | \$ 2,316.42  |
| Adult Prob Fac    | \$ 533.59    | (Gen Fund Credit - \$425.99) |              |

10258 JUSTICE OF THE PEACE PCT. 4 - AMEND BUDGET FOR SEPARATE TELEPHONE LINE


A motion was made by Commissioner Rippy, seconded by Commissioner Ford to amend budget of Justice of the Peace Pct. 4 by transferring \$310.00 from the Office Supply line item to the Telephone line item. All voting "Aye".

10259 DISTRICT ATTORNEY'S OFFICE - AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR AUTOMOBILES

District Attorney Charles Chapman spoke of putting two D.A. confiscated vehicles in the county auction - requests authority to bid for new/used vehicles to replace these. A motion was made by Judge Rains, seconded by Commissioner Ford to authorize the County Auditor to advertise for bids for District Attorney's automobiles not to exceed \$9,000 and to apply monies received from auctioned vehicles towards replacement vehicles. Commissioner Gonzales, Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "Nay".

Court was recessed until May 31, 1990 at 1:00 P.M. for a Workshop Meeting.

RONNIE DANIELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*MAY 31, 1990\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 31ST DAY OF MAY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

WORKSHOP - INTERVIEW ARCHITECTS RE: JUVENILE DETENTION CENTER

EN/JL ARCHITECT ENGINEERING PROJECT TEAM (AUSTIN)

Jack Lackey spoke of experience in Engineering at local San Marcos schools (Goodnight and De Zavala) - use a geothermal cooling/heating system ground source heat pump system - presented drawings for a 16 bed facility (2 day rooms w/8 bed each and 1 control area in between) - they have not yet done a juvenile detention center - estimate that construction costs will run from \$80 to \$95 per sq. ft. - 6-7% architect fee - they did work at the Kyle TDC facility - ACA standards for juvenile detention centers will be followed. Dan Hale, Partner, spoke of his experience in computer engineering.

CHRISTOPHER DI STEFANO & ASSOCIATES (HOUSTON)

Joe Santropetro spoke - they have done a Juvenile Detention Center in Fort Bend Co. (old jail renovated - 32 beds) - they primarily do county jails - they did Comal County Jail and are currently doing a 16 bed JDC in New Mexico - constructions costs estimated at \$85 to \$90 psf with 7 1/2 - 8% architect fee - ongoing projects: document phase - a county jail and administrative building. under construction - 2 county jails and a church.

CALLINS/WILLIAMS, ARCHITECTS JOINT VENTURE (SAN ANTONIO)

Peter Callins, Robert Watts, Gene Williams and Kimberley Marks appeared. Gene Williams spoke of involvement of Principals - will set up an office in San Marcos to work with project - will retain a criminologist for consultation (Dr. Mel Brown) - will follow ACA Standards for Juvenile Detention Centers - has worked with JDC - Robert Watts will supervise the project and Kimberley Marks will develop interior design. Peter Callins spoke of projects on middle schools in regards to manipulation of scale and materials to reduce vandalism. Kimberley Marks spoke of having previously worked mostly on hospitals - experienced in adolescent psychiatric hospitals - create an environment conducive to rehabilitation. Robert Watts presented site plans and spoke of meeting with Ed Cooper, Judge Warner and Sheriff Hastings - spoke of concerns of the Sheriff regarding emergency evacuation of county jail inmates, jail expansion and records storage - discussed three possible sites (1) west side of jail - close to the kitchen (2) behind the jail - close to kitchen (3) east side of jail - prime site, tree coverage environmentally good. The down side to each site (1) utility easements in this area (2) cuts expansion of jail (3) remote from kitchen. Construction costs estimated at \$80 to \$100 psf with 6-8% architect fee depending on extent of services.

COX/CROSLIN AND ASSOCIATES (AUSTIN)

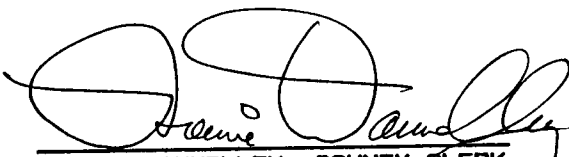
Robert Cox and Larry Miller appeared - spoke of projects: Travis County Expo Center, hotel, psychiatric hospital, Travis County Juvenile Detention Center and Brazoria County JDC (24 bed - cost = \$100 psf) - a work schedule is developed to assist in decision making - ACA Standards are followed - they are experienced in codes and will stay within the budget - construction costs range from \$70 to \$130 (\$130 for a multi-story bldg. w/elevators) - prefer a fixed architect fee that is negotiable or fee can be based on a percentage f/6-9 3/4% - they will be on site at request - Larry Miller would be the Project Manager - ongoing projects: 60 at different phases.


\*MAY 31, 1990\*

PSA/PHILLIPS SWAGER ASSOCIATES (DALLAS) & ESPEY, HUSTON/SME, INC. (AUSTIN)

Norris Fletcher, PSA, and Ken Santos (Espey, Huston) appeared. Norris Fletcher spoke - 70% of their work is in criminal justice facilities - other projects are health and education facilities - they are an employee owned business and have teamed up with Espey, Huston - Norris Fletcher would be the project manager - will meet the budget - desires input from the Texas Juvenile Probation Commission - they have done 3 Texas Juvenile Detention Facilities and 8 out-of-state - they work on a fixed fee for services that is negotiable. Ken Santos spoke of Espey, Huston/SME Inc. experience: structural, mechanical, electric, civil and environmental capabilities - have worked on several county jail facilities. Estimated construction costs = \$65 per square foot with time period to completion of 12-14 months.

Members of the Court that were present thanked everyone for their presentations and a decision will be made at a later date.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 4TH DAY OF JUNE, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10260 HAYS COUNTY HISTORICAL COMMISSION REQUEST FOR FUNDS FOR PRINTING CEMETERY RECORDS (\$800) AND COST OF SUBMITTAL OF APPLICATION TO NATIONAL REGISTER FOR COUNTY COURTHOUSE SQUARE (\$500) - AUTHORIZE BUDGET AMENDMENT

JoAnn Hearne and Dorothy Kerbow appeared before the Court - spoke of two cemetery books that are ready to publish - cost to publish 50 books of each is \$1350 + \$950 - spoke of money spent by individuals working on the books - funding is needed - tombstones were read to compile the data - 81 cemeteries were researched. Francis Stoval spoke of application to National Register - photography costs are \$500 - preservation renovation gives property owners a 20% break in taxes. Discussion was had on restrictions on property that receives National Registry status. Commissioner Gonzales asked about research on Memory Lawn Cemetery and Reedville Cemetery. Mrs. Hearne stated that information would be made available at the Library. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorized budget amendment in the amount of \$1,300 for the Hays County Historical Commission out of contingencies. All present voting "Aye".

10261 HAYS COUNTY HISTORICAL COMMISSION - APPOINTMENTS

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve appointment of Mrs. Joe (Robbie) Robinson [Kyle], Lila Stilson [Kyle], Mrs. Robert A. (Julie) Harrison [Wimberley], and Mrs. Thomas P. (Terry) Jacobs [Wimberley] to the Hays County Historical Commission. All present voting "Aye".

\*June 4, 1990\*

10262 SHERIFF'S DEPT. - AUTHORIZE PAYMENT FOR REPAIRS TO REPEATER TOWER

Sheriff Paul Hastings spoke of difficulties in radio transmissions because repeater tower had been struck by lightening - cable needs to be replaced before it goes completely out - cost for repairs = \$4,300.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize payment to Motorola in the amount of \$4,300.00 to repair repeater tower to be paid out of the County Self Insurance Fund. All present voting "Aye".

10263 JUSTICE OF THE PEACE PCT. 1 PLACE 2 - APPROVE LINE ITEM TRANSFER FOR PURCHASE OF TWO SECRETARIAL CHAIRS

County Auditor Bill Herzog spoke of JP 1-2 request to purchase four secretarial chairs for her office - she has \$280 in her Ofc. Equipment Repair & Mtc. line item that could be used towards purchase - request a budget amendment to purchase additional two chairs - they were unable to find chairs on their trip to San Antonio - they are continuing to look for a better deal than \$140 per chair as proposed. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve purchase of two secretarial chairs and approve line item transfer in J.P. Pct. 1 Place 2 budget by transferring \$280 from Office Equipment Repair & Maintenance line item into Office Furniture line item. All present voting "Aye".

10264 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of County invoices as presented by the County Auditor in the amount of \$55,739.73. All present voting "Aye".

|                                 |             |                |             |
|---------------------------------|-------------|----------------|-------------|
| Inventory                       | \$ 3,411.37 | Wastewater Fee | \$ 190.00   |
| Other Revenue                   | \$ 10.00    | Auditor        | \$ 93.30    |
| Judicial & Law                  | \$ 4,552.00 | Indigent -     | \$ 448.56   |
| Bldg. Maint.                    | \$ 53.35    | Health Dept.   | \$ 8.50     |
| Countywide Misc.                | \$ 1,810.81 | Tax A/C        | \$ 60.45    |
| District Clerk                  | \$ 125.61   | County Clerk   | \$ 161.30   |
| Sheriff                         | \$ 2,866.16 | Jail           | \$ 8,938.26 |
| Admin. Coord.                   | \$ 75.00    | Dist. Atty.    | \$11,746.29 |
| J.P. 1-2                        | \$ 59.14    | J.P. 2         | \$ 432.28   |
| J.P. 3                          | \$ 300.00   | J.P. 4         | \$ 250.00   |
| J.P. 5                          | \$ 100.00   | DPS            | \$ 131.00   |
| Constable 2                     | \$ 79.21    | Constable 5    | \$ 41.86    |
| Data Proc Admin                 | \$ 82.45    | TDH TB Grant   | \$ 19.50    |
| TDH Sanitarian                  | \$ 365.00   | TDH M&C Grant  | \$ 800.00   |
| Dist. Court                     | \$ 62.00    | County Court   | \$ 957.75   |
| Dist. Crt Rep                   | \$ 63.89    | Precinct 1     | \$ 794.50   |
| Precinct 2                      | \$ 2,700.18 | Precinct 3     | \$ 7,121.98 |
| Precinct 4                      | \$ 1,635.50 | Hot Check Fee  | \$ 103.08   |
| Law Library                     | \$ 1,851.45 | D.A. Drug Fund | \$ 666.92   |
| Adult Prob Oper                 | \$ 439.73   | Adult Prob Fac | \$ 2,144.00 |
| (General Fund credit = \$12.65) |             |                |             |

10265 COUNTY AUDITOR - AUTHORIZE PURCHASE OF BURSTING MACHINE AND AMEND BUDGET BETWEEN LINE ITEMS

County Auditor Bill Herzog request authorization to purchase a bursting machine for his office (\$1795 \_ \$150 yearly service maint.) - would also like to amend his budget between line items to cover expenses for the bursting machine, check signing machine, desk and temporary help out of his Staff Salary line item in the amount of \$7,897.00. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of bursting machine for the County Auditor office and to amend budget between line items in the amount of \$7,897.00 out of Auditor's Staff Salary line item. All present voting "Aye".

10266 AMEND BUDGET TO PAY FOR CHECKS PURCHASED FOR NEW COUNTY DEPOSITORY

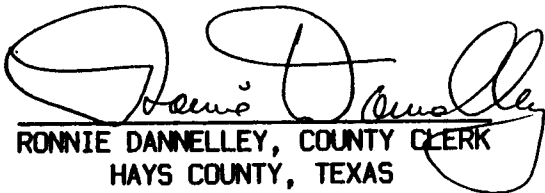
A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend the budget in the amount of \$5,873.38 to pay for checks purchased for the new County Depository out of the General Misc. line item. All present voting "Aye".

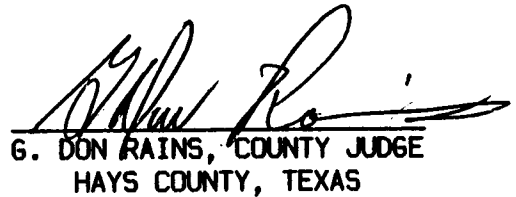
\*June 4, 1990\*

10267 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR PRESCRIPTION DRUGS AND APPROVE BID SPECIFICATIONS

Specifications for Indigent Health Care prescription drugs for San Marcos area were presented to the Court - it was decided that the Jail would be included in the specs to be sent out. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve bid specifications with addition of Jail to the specs and to authorize the County Auditor to advertise for bids for prescription drugs. All present voting "Aye".

Court was recessed until June 11, 1990 at 9:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 11TH DAY OF JUNE , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10268 AUTHORIZE CONTRACT WITH ALPHA EXCHANGE FOR COMPUTER SYSTEM/CRIMINAL JUSTICE SYSTEM

Danny Dever, Data Processing Administrator, stated that the District Attorney has looked over the proposed contract with Alpha Exchange for a computer system and everything is in order and ready to proceed - county will be receiving more equipment than originally proposed at no extra charge - delivery is 30 to 40 days. Commissioner Payne spoke of need to take \$7,000 out of the Data Processing Dept. budget and finance as little as possible. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize contract with Alpha Exchange for purchase of computer system (\$62,778.10 plus shipping & installation charges = \$180 + \$1200) with \$7,000.00 from the Data Processing Dept. budget to be put towards purchase and remaining balance to be financed. All voting "Aye".

SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT CORP. BOARD OF DIRECTORS - REAPPOINTMENTS

Judge Rains spoke of members on the Board of Directors for the South Central Texas Industrial Development Corporation: Wm. M. Johnson (Kyle), Clarence C. Cobb (Dripping Springs), Donald Sisson (Wimberley), Pedro Rodriguez (San Marcos), Jack E. Byrom (San Marcos) and Mrs. J. C. Sullivan (San Marcos). Donald Sisson no longer lives in Hays County and needs to be replaced. Advised the Commissioners to consider appointments/reappointments. No action taken.

\*June 11, 1990\*

10269 JUVENILE DETENTION CENTER - RECEIVE RECOMMENDATION FROM ARCHITECTURAL SELECTION COMMITTEE AND HIRE ARCHITECTURAL FIRM

CCL#1 Judge Howard Warner spoke of 14 architectural firms that were interested in this project - the committee narrowed the prospects down to five - these five were interviewed on May 31, 1990 and the field was then narrowed down to two (PSA & Cox/Crosslin). Ed Cooper, Chief Juvenile Probation Officer, recommended that the Court hire the architectural firm of PSA (Phillips Swager Associates). Chuck Crosslin spoke of his firms experience - they are located in Austin. Norris Fletcher (PSA) spoke of their experience and fees - they are located in Dallas. Citizen/taxpayer Bill Coddington spoke of operation cost for a juvenile detention facility - his estimation of costs for operation: debt service \$80,000 per year, personnel (15 @ \$20,000) \$300,000 per year, maintenance-food-etc \$151,000 per year with a total estimated budget of \$531,000 per year - spoke of currently spending only \$15,000 per year for juvenile detention in other facilities - felt like the additional burden to the taxpayers is not acceptable. Ed Cooper stated that he did not concur with Mr. Coddington's figures - the Seguin facility (10 beds) operates on a budget of \$175,000 w/8-10 officers. Commissioner Ford stated that you cannot get an accurate figure on operation until the Court decides what size facility to build. Commissioner Gonzales spoke of taxes - operational costs need to be considered - spoke of 80% of the juvenile clients are Mexican-Americans but there is no Mexican-American Juvenile Probation Officer - the Court does not know how we stand at the Jail on costs. Judge Warner spoke of juveniles that are not being detained that should have been - his Court has been trying to keep costs down. Deputy Sheriff Larry Sowards (JPD) spoke - juveniles being detained now are the serious offenders and others need to be detained - spoke of the jail being used to detain juveniles for only a maximum of six hours allowed by law and this sometimes creates problems. Commissioner Rippy stated that he felt committed to building the Juvenile Detention Facility. Commissioner Payne spoke of wanting an 8-bed facility and he would not vote for any tax increase that is not absolutely necessary. Judge Rains stated that proposals allowed for quadrants to be added on later. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to hire PSA (Phillips Swager Associates) to be Architects for Hays County Juvenile Detention Facility and to call for a workshop to work out specifics. Judge Rains, Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye", Commissioner Ford voting "Nay".

BALCONES HABITAT CONSERVATION PROGRAM - DISCUSSION

Patrick Cox, President of Barton Springs-Edwards Aquifer Conservation District, spoke of endangered species and critical habitat areas. Travis County Commissioner Todd spoke of road project that was halted because of endangered species - numerous projects have been stopped or slowed down - the Federal & State government will assist in funding programs - he urged biological studies for Hays County and re-emphasized the fact that projects can be stopped even if they have already been started and monies have been spent. Kent Butler spoke of biological surveys that are needed and plans to allow protection of endangered species - to survey the northwest area of Hays would cost approximately \$30,000-40,000 along the Colorado River. Patrick Cox stated that the Barton Springs-Edwards Aquifer Conservation District has a desire to participate - concerned about starting a project and not being able to complete it after spending numerous tax monies - request that the Court consider participation in this plan. Commissioner Todd stated that the County needs to have biological studies done before attempting to join the Travis County Program.

10270 HAYS COUNTY HISTORICAL COMMISSION - AUTHORIZE SUBMISSION OF DEPARTMENTAL BUDGET REQUEST RATHER THAN A SOCIAL SERVICE AGENCY BUDGET REQUEST

Frances Stovall, Chairman of the Hays County Historical Commission, requested authorization to make the HCHC a County Department in the Hays County budget process - their budget is approximately \$30,000 (primarily through donations) - the county has been funding only \$300 of this budget. Commissioner Ford stated that all HCHC funds would be treated as County funds if they are made a County Department and would have to go through the Auditor and Treasurer for payment - was concerned about falling under government requirements (i.e. central supplies, bidding process, etc.) Commissioner Gonzales commended the Historical Commission for a fine job - concerned about legal problems if any. District Attorney Charles Chapman stated that the HCHC funds would be county funds and would fall under all laws governing County Government. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to authorize the Hays County Historical Commission to submit a departmental budget request rather than a social service agency budget request and to instruct the County Auditor to furnish departmental budget forms. All voting "Aye".

\*June 11, 1990\*

10271 ACCEPT ROADS FOR COUNTY MAINTENANCE: TED BURGER ROAD (1.1 MI), WREN HAVEN DRIVE (1,000 FT) AND NORWOOD LOOP (.4 MI) - AS REQUESTED BY PETITIONS FROM RESIDENTS

Commissioner Rippy spoke of petitions received by property owners requesting county maintenance of their roads - residents of Ted Burger Road have donated \$2,800 to assist in the initial work on that road (base is needed). A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept "Ted Burger Road, Wren Haven Drive and Norwood Loop" for county maintenance as requested by petitions. All voting "Aye".

ROAD MAINTENANCE PETITION

To: Mr. O.H. Rippy, Hays County Commissioner, Precinct 4

We, the undersigned, being the owners of the properties serviced by the road known locally as Ted Burger road and more full described by the attached "Exhibit A", do hereby formally petition the Hays County Commissioners to accept the maintenance of this road provided that owners will not be required to move fences or other improvement at their expense. We offer a collective contribution of \$2,800.00 to assist in the initial work.

Thank you for your consideration in this matter.

s/ William C. Wheat  
s/ Thomas M. Davis  
s/ Stanley P. Cole  
s/ David J?

s/ Larry D. Johnston  
s/ Kenneth W. & Virginia Bassford  
s/ Vera Burger  
s/ Michael B. McShane

\*\*\*\*\*

March 23, 1990

Hays County Commissioners  
San Marcos, Texas 78666

Gentlemen:

We, the following named landowners and residents do hereby sign this Petition requesting that Wren Haven Drive (off Gordon Street), be accepted by the Commissioners Court of Hays County, Texas. We, further state, the purpose of this instrument is to deed said road to the County of Hays in another document upon approval of said Commissioners Court.

s/ Mary A. (Kneese) Nichols  
s/ Tom & Erin Weltner  
s/ Kay Primer

s/ Lorne & Gene Kowert  
s/ Lisa & Randy Teague  
s/ Donald Kneese

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Oct. 26, 1987

To: The Hays County Road Commissioner  
Mr. Oran Rippy  
Dear Sir,

The goal of this letter is to communicate the wishes of the families whose land is entered from a dirt road located in the Huribut East section of north Hays county. We would like to have this dirt road made into a county road. The dirt road in question runs north and south up a sloping hill side located by the map (page two). This unimproved dirt road is located just north of the Huribut East sign on Hill View Trail, it borders then entrance to the undersigned land owners in North Hays County.

In the past the neighbors in this area have tried to maintain this dirt road, but the constant use requires more specialized equipment, We the undersigned freely give easement to the county for a right of way in order to make improvements to this artery of traffic. This dirt road joins the county black top just north of the Huribut East Ranch sign on the south side of the hill and runs over the top to the black top called Hill View Trail, on the north side of this hill. The residence in this area have read and agree with this request for county road status. Please take time to investigate our problem and help us find a solution.

\*June 11, 1990\*

Sincerely the neighbors involved,

- s/ Mr. W. C. Hamilton - HC03 Box 442 DS
- s/ Mr. & Mrs. Philip W. Bullock - HC03 Box 449 D.S.
- s/ Mr. & Mrs. Thomas A. Pihlgren - P.O.Box 514 D.S.
- s/ Webb Denniston - HC03 Box 453 D.S.

**10272 AUTHORIZE TRANSFER OF DUTY OF REGISTERING BIRTHS AND DEATHS FROM JUSTICES OF THE PEACE TO THE COUNTY CLERK**

County Clerk Ronnie Dannelley spoke of letter received from the Texas Department of Health Bureau of Vital Statistics concerning problems in processing of birth and death records in Hays County by the Local Registrars. Letters have been received from every J.P. in Hays County agreeing to the transfer of duties to the County Clerk's office. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize the transfer of the duty of registering births and deaths from the Justices of the Peace to the County Clerk to be effective July 1, 1990. All voting "Aye".

**10273 CONSTABLE PCT. 1 - AUTHORIZE PURCHASE OF MOBILE RADIO AND AMEND BUDGET ACCORDINGLY**

Constable Pct. 1 Lupe Cruz spoke of vehicle transferred to his Department - the radio was in bad shape and needs to be replaced. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to authorize purchase of mobile radio and amend budget of Constable Pct. 1 by transferring \$503.00 from line item #5417 (Law Enforcement Equip Repair & Mtc.) to line item #5715. All voting "Aye".

**10274 TAX ASSESSOR-COLLECTOR - AMEND BUDGET FOR COPIER**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend budget of Tax Assessor-Collector for purchase of a copy machine by transferring \$2,915.00 from Salaries (#5020) to Office Equip. Mtc. #5411 (\$520.00) and Office Equipment #5711 (\$2,395.00). All voting "Aye".

**10275 PRECINCT #4 - BUDGET AMENDMENT/CORRECT TYPOGRAPHICAL ERROR**

Assistant County Auditor Paula Pond spoke of Precinct #4 budget - figures were switched on Unemployment Insurance and Medical Insurance line items - need to be corrected. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve budget amendment for Precinct #4 by transferring \$6,884 from Unemployment Insurance (#5130) to Medical Insurance (#5160). All voting "Aye".

**10276 C.O.L.A., MERIT & LONGEVITY FOR ALL DEPARTMENTS - BUDGET AMENDMENT**

Assistant County Auditor Paula Pond requested budget amendment needed - Longevity shortage of \$6,918.00 could be taken out of C.O.L.A. & Merit increases allocated for the Jail (\$37,788) because they had enough in there budget to cover increases without an amendment. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend budget for C.O.L.A., Merit and Longevity for all Departments as presented by the County Auditor. All voting "Aye". (See breakdown in resolution file)

**10277 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$71,830.10. All voting "Aye".

|                 |             |                 |             |
|-----------------|-------------|-----------------|-------------|
| Inventory       | \$ 84.00    | Auditor         | \$ 335.13   |
| Treasurer       | \$ 222.99   | Extension Ofc   | \$ 197.73   |
| Juvenile Prob   | \$ 455.04   | Election Admin  | \$ 25.26    |
| Indigent Care   | \$14,546.95 | Transfer Sta.   | \$ 2,194.74 |
| Building Maint. | \$ 4,202.43 | Health Dept.    | \$ 463.30   |
| Civic Center    | \$ 2,497.33 | Countywide Misc | \$16,043.20 |
| Tax A/C         | \$ 352.86   | District Clerk  | \$ 168.16   |



\*June 11, 1990\*

|                   |             |                 |             |
|-------------------|-------------|-----------------|-------------|
| County Clerk      | \$ 99.43    | Sheriff         | \$ 1,220.74 |
| Jail Operations   | \$13,609.26 | County Judge    | \$ 296.51   |
| Admin. Coord.     | \$ 82.32    | Co Crt @ Law #1 | \$ 90.53    |
| District Atty     | \$ 722.46   | J.P Pct. 1-1    | \$ 216.18   |
| J.P. Pct. 1-2     | \$ 118.97   | DPS             | \$ 666.58   |
| Constable #1      | \$ 397.62   | Constable #4    | \$ 38.38    |
| Constable #5      | \$ 117.11   | Veterans Adm    | \$ 32.13    |
| Data Proc Admin   | \$ 802.79   | Co Crt @ Law #2 | \$ 29.41    |
| Fire Marshal/EMC  | \$ 37.04    | TABC            | \$ 108.75   |
| TJPC ISP Grant    | \$ 37.10    | Dist Court Oper | \$ 185.91   |
| County Court Oper | \$ 2,392.51 | Dist Court Rep  | \$ 72.66    |
| R&B General       | \$ 25.21    | Precinct 1      | \$ 408.12   |
| Precinct 2        | \$ 1,260.15 | Precinct 3      | \$ 2,950.06 |
| Precinct 4        | \$ 113.30   | Hot Check Fee   | \$ 129.42   |
| DA's Drug Forf    | \$ 503.91   | Adult Prob Oper | \$ 3,033.98 |
| Adult Prob CSR    | \$ 42.21    | Adult Prob Fac  | \$ 200.23   |

**10278 RECYCLING COUNTY'S WASTE PAPER - PROPOSAL BY MAINTENANCE DEPARTMENT**

Maintenance Supervisor Bryan Hoot spoke of a company (ACCO) that has agreed to pick up waste paper from the courthouse, annex and probation department - they will pay a small fee for the paper and will pick it up when called - maintenance department will need cooperation from the employees in sorting their trash - would like to eventually sort all the trash for recycling. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize the County Judge to send out letters to all departments concerning recycling the county's waste paper. All voting "Aye".

**COURTHOUSE ANNEX 3RD FLOOR RENOVATION PROJECT**

Chief Juvenile Probation Office Ed Cooper spoke of project at courthouse annex on office space for his staff - \$10,000 was budgeted in March and the money has just about been spent and the offices are not nearly completed - some workers on this project are also working on project at the courthouse (3rd floor restrooms) - would like for project to be finished so that the Juvenile Probation Department can move into adequate office space - their office furniture has been purchased and is being stored at this time.

**10279 CONGREGATION OF JEHOVAH'S WITNESSES, LOT 1 (PCT. 2)**

Kelly Kilber, Pro-Tech Engineering, presented "Congregation of Jehovah's Witnesses, Lot 1" subdivision on first, second and third readings - 3 acre tract on FM2770 - aquifer note is needed on the plat. Commissioner Ford stated that he felt like the road on the property is a county road (connects FM2770 to FM150) - requested that Surveyor take out the paragraph on the plat Re: private roadway. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve "Congregation of Jehovah's Witnesses Lot 1" subdivision on first, second and third readings subject to adding aquifer note and to the plat and removing private roadway paragraph. All voting "Aye".

**WORKSHOP - ANIMAL CONTROL ORDINANCE RABIES ACT**

Judge Rains was not present for the workshop - Commissioner Craig Payne presided over the workshop meeting. People who wished to speak to the Court were asked to sign in and they would be heard in that order. Commissioner Payne opened the workshop.

Colleen Moreau (10 yr. kennel owner/Driftwood) - spoke of HB1315 dealing with kennels - proposed ordinance includes kennels and requires fees of them - spoke of training required to be an animal control officer - has a problem with an ACO telling her how to operate her business - spoke of Section 8 Restraint: fenced area of 150 sq. ft. or more should not be for kennels and Section 1.21 Public Nuisance - asked about grandfathering her business - she was in operations before many of the residents lived in the area - concerned about 1.21 f & h - spoke of permit fee - other businesses in the county do not pay a fee to have a license/operate a business - felt like the Board should consist of a Vet, Pet Business Owner, Shelter Owner, etc. - spoke of State laws that are already in existence.

David Buckholz (resident of Dripping Springs) - spoke of guard dog definition - he

\*June 11, 1990\*

has a ranch raising goats and uses dogs to guard the goats - has a problems with dogs wearing collars - could be dangerous for the dog out in the field unattended.

Joe DeLaRosa (resident of Birmendorf Farms off Hwy123) - spoke of neighbor shooting dogs in the area and there has been rabid dogs loose in the area endangering children - has been unable to get assistance from either Hays or Guadalupe Counties - would like to be able to control stray animals and discharging of firearms.

Commissioner Gonzales stated that Birmendorf Farms is located in Guadalupe County.

Mark Jarman (resident of McGeehee Point Subd./San Marcos Police Officer) - spoke of loose dogs - he counted 50 prior to attending this meeting - residents cannot put trash out without it being strewn about - residents are attempting to get together a neighborhood watch group. Commissioner Gonzales stated that he would like to see them include the residents on Picasso Drive in their group organization.

Gail Fields (P.A.W.S. Director) spoke of stray dogs - she received many complaints - spoke of the Committees efforts to create this ordinance - spoke of permits for breeders who put more animals out there - they should contribute money to the cause - purebred animals are put to sleep daily because they have no homes.

Lynn Jarman (resident of McGeehee Point Subd/San Marcos Animal Control Officer) - spoke of stray dogs encountered daily - not all are friendly - animals brought to the San Marcos shelter in May from out in the County were: 37 dogs 69 cats - felt like the proposed ordinance is an excellant ordinance--not as strict as others - San Marcos has no ordinance on cats.

Nancy Cowart (lives between San Marcos & Wimberley) - spoke of fighting dogs for 10 years - has lost 145 chickens from dogs - carries a gun to protect herself, family and livestock.

Jackie Hagerman (Manager of Country Hills Trailer Park/Post Rd) - spoke of stray dogs, even pits running loose in the trailer park - some stray dogs have mange - she is for the ordinance.

Dave Tedford (Texas Animal Control Board) - spoke of ordinance: Pg. 11 quarantine period should be changed to 6 months Pg. 19 VACS Article is incorrect reference Pg. 23 9.7 rodeos are already regulated Pg. 3 1.13 definition of guard dog needs to be changed - need to work on a complaint basis and work on wild animals - do not put fee amounts in the ordinance (easier to amend if they are not in the ordinance).

Sue King (Niederwald) spoke of Health Dept. complaints about trash caused by stray dogs - spoke of a child bitten in the face by a stray dog and individuals shooting animals.

Nancy Louvier (Bell Springs Rd.) spoke - 72 hours holding time needs to be extended - collars in rural areas is dangerous for the animal - opposed to license fee that is different for neutered and non-neutered animals - assistance is needed from Veterinarians to help in neutering/make it where pet owners can afford to neuter their animals.

Marcus West (owner of Pet Emporium/San Marcos) - asked about license fee - is it for each individual animal or per business. Fern Howze stated that fee is per business. Mr. West spoke of Sec. 8.1d concerning leash not to exceed four feet - obedience classes require a 6' leash - Sec. 10.2 concerning poisonous or otherwise dangerous reptile - he sells boa/pythons which some may consider dangerous, however, more people are injured by pit bull dogs in a month than by a reptile.

Beth Barnes (FM2001) - spoke of livestock attacked by packs of dogs, especially cows having just given birth - the problem is escalating - Rolling Hills residents do not care about their dogs and the trash created.

Paul Hebert - spoke of Sec. 1.19 questioned ownership: an animal shall be deemed to be owned if it is fed or sheltered on three separate days and spoke of Sec. 1.21 Public Nuisance.

Elbert Bonham spoke of dogs nature to hunt - we do need protection.

Andy Scales (Hillside Terrace) - spoke of dogs killing his cats - if the county does not regulate this problem he will be forced to take matters into his own hands.

Pat Schiber (dog breeder/trains hunting dogs) spoke of Sec. 1.29 Wild Animal - will this ordinance affect field trials on quail hunting dogs - felt like Sec. 9.3 would affect the field trials - this business is their livelihood.

Benny Wranitzky (Uhland) spoke of countywide or unincorporated areas - felt like incorporated areas must take care of their own problems - irresponsible people are not going to abide by the ordinance and you are putting the burden on the law abiding citizen - there is a problems and a law it needed to give officers/landowners authority to handle the problems.

Commissioner Ford stated that his estimation of funding needed is \$140,000 for a fully enforced ordinance or \$70,000 on a complaint basis.

Sam Knutson (Kyle area) stated that he is an avid bike rider and has never been attacked by a dog - he is opposed to the ordinance.

Walt Schmeltkopf (east of Kyle) raises sheep and uses dogs to protect his sheep from coyotes - is opposed to ordinance (guard dog).

Sallye Knutson (East of Kyle) - spoke of her father shooting dogs killing his sheep and finally having to give up raising sheep - opposed to ordinance.

Nick Icossipentarios (The Settlement Subd/RR12) - would like for the citizens to

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vote on this issue countywide - spoke of funding by taxpayers.

Commissioner Ford stated that Statute does not require voter approval - prohibited from referendum vote.

Beth Sullivan (San Marcos) stated that she moved into the City of San Marcos primarily because of strict animal ordinance - use to live in Buda where there are numerous stray animals and she was concerned about her childrens safety - her family had to convert to being responsible dog owners - felt like it would be a worthwhile effort.

Jan Allison (owns a boarding business in Wimberley) - spoke of stray problem and irresponsible pet owners - we need to address the people who create the problem.

Landon Spillman (NE Hays County Rancher) - stated that he has never seen a pack of dogs attack a cow - stated that Constable Billy Reeves advised him that he could shoot dogs that create a problem on his property.

Commissioner Ford stated that there is no law that allows the Sheriff's Department to pick up an animal unless there is an ordinance adopted.

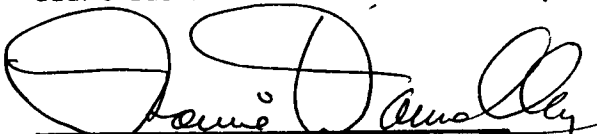
Fern Howze, Chairman of the Hays County Animal Control Committee, spoke of committee creating an ordinance under the rabies control act - Title 10 State Law - health & Safety of Animals - Chapter 821 (Cruelty to Animals), 822 (Regulation of Animals - dogs), 824 (Circus Carnival & Zoos), 825 and 826 (Rabies) - the Rabies Chapter is the one under which they were instructed to create an ordinance - requires vaccination and penalties are Class C Misdemeanor - there are already laws against discharge of firearms - cities can contract with Hays County for enforcement - there is a problem and it needs to be addressed.

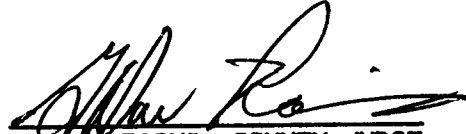
Commissioner Payne stated that cities need to take care of their own and they could enter into Interlocal Agreements.

Coleen Moreau spoke of Art. 822.33 Dogs that attack Domestic Animals (Health And Safety Code) (a) A dog that is attacking, is about to attack, or has recently attacked sheep, goats, calves, or other domestic animals or fowls may be killed by an person witnessing or having knowledge of the attack. (b) A person who kills a dog as provided by this section is not liable for damages to the owner of the dog.

Commissioner Ford stated that Statute must be voted in - gave other provisions of the Statute that would be adopted - spoke of local health authority which could be a Peace Officer.

Court was recessed until June 18, 1990 at 9:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~000~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 18th DAY OF JUNE , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                   |                           |
|-------------------|---------------------------|
| G. DON RAINS      | COUNTY JUDGE              |
| RAFAEL GONZALES   | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD        | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE    | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY     | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCHÉ | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10280 AWARD CONTRACT ON PERSONAL COMPUTERS FOR MAPPING PROJECT AND SHERIFF'S DEPARTMENT C.I.D.

Cheryl Pantermeuhl, Auditor's Office, presented proposal tabulations for personal computers (386) - low bid is Micro Synergy at \$5,689.00. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract to Micro Synergy for personal computers for the mapping project and the Sheriff's Department C.I.D. All voting "Aye".

\*June 18, 1990\*

10281 ACCEPT ROAD FOR COUNTY MAINTENANCE "LA BUENA VISTA DRIVE" (PCT. 3)

Commissioner Payne spoke of "La Buena Vista Drive" in an unrecorded subdivision developed by Farrell F. Badger, Sr. - the road is not currently being maintained - a \$1,000 contribution has been received to offset costs in upgrading roadway - Mr. Badger has executed a dedication of road which will be recorded in the Official Public Records in the County Clerk's office. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to accept "La Buena Vista Drive" for County maintenance. All voting "Aye".

10282 APPROVE USE OF THE COURTHOUSE LAWN FOR THE ANNUAL "SING OUT FOR PEACE" ON SATURDAY, AUGUST 4, 1990 (4PM TO 11PM)

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve use of the Courthouse lawn for the Annual Sing out for Peace to be held August 4, 1990 from 4 P.M. to 11 P.M. All voting "Aye".

ROGER ZIMMERMAN - BAIL BONDING FEE/DISCUSSION

Attorney Rodger Zimmerman appeared before the Court - presented a letter Re: Bail Bonding Fee - letter read as follows:

June 18, 1990

Hays County Commissioners Court  
Hays County Courthouse  
San Marcos, Texas 78666

Re: Bail Bonding Fee

Gentlemen:

Please be advised that I represent Ms. Sandra Keith, A-Bail Bonding Co.; Ms. Tressie Russel, AAA Bail Bonds; Mr. Jack Mudd, JAM Bonding and Mr. Sid Rickel, AAA Bonding.

Hays County, by and through its' Sheriff, is and has been assessing and collecting a "bonding fee" contrary to statutory authority. I first brought this to the attention of the Court last September 25, 1989. However, at that time the Court took no action to cease the assessing of said fee.

Attached you will find a copy of a very recent Texas Attorney Generals' Opinion advising that such a bonding fee is without statutory authority and should not be assessed.

In light of this opinion and the existing State Law, this letter is to advise that first, the Court should instruct the Sheriff of Hays County, Texas to cease and desist from collecting any further such bonding fee.

Next, demand is hereby made that all bonding fees paid to the county by my clients, including interest thereon, should be returned to those who paid the fee.

I will be happy to meet with anyone representing the county in an effort to determine the amounts that should be refunded to my clients.

Lastly, be advised that should this Court take no appropriate action concerning this matter within a reasonable length of time, other action to resolve this matter is being contemplated by me clients.

Very Truly Yours,

s/ Rodger M. Zimmerman  
Rodger M. Zimmerman

Attorney General of Texas  
Opinion No. JM-1172

Re: Authority of a sheriff to impose a \$20 fee on an inmate who is released on bond (RQ-1944)

Summary: A sheriff may not impose a \$20 fee for the release of an inmate at the time a bail bond is filed.

\*June 18, 1990\*

Mr. Zimmerman stated that there are many other counties in the state that are collecting this fee without statutory authority. Commissioner Gonzales spoke of hearing different opinions on the matter and Court does not have the expertise and the District Attorney is not present today to give his opinion. Rodger Zimmerman spoke of bonding fee not being proper - hopes that other counties will cease collecting this fee also. Judge Rains stated that the Court will research the matter. Sheriff Paul Hastings stated that the District Attorney's opinion was sought when fees were raised and he will go with whatever the Court decides - he has been unable to get clear answers from anyone statewide on bonding procedures. Commissioner Ford suggested not changing procedure until a determination is made.

10283 HAYS COUNTY HISTORICAL COMMISSION - APPOINT BILL JOHNSON

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to appoint Bill Johnson of Wimberley to the Hays County Historical Commission. All voting "Aye".

10284 SHERIFF'S DEPARTMENT - AUTHORIZE PURCHASE OF OFFICE FURNITURE FROM JAIL CONSTRUCTION LINE ITEM

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize purchase of office furniture (2 desks 1 file cabinet) for the Sheriff's Department in the amount of \$367.50 from the Jail Construction line item. All voting "Aye".

10285 NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT - APPOINTMENT

Commissioner Ford made a motion which was seconded by Commissioner Gonzales to appoint Ralph Pfluger to the Northeast Hays County Rural Fire Prevention District Board to fill unexpired term of Nolan Kunkel. All voting "Aye".

10286 PRECINCT #2 BUDGET AMENDMENT - LINE ITEM TRANSFERS

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve budget amendment for Precinct #2 in the amount of \$9,000 by transferring \$3,000 from Line Item #5262 (Signs&Barracades) and \$6,000 from Line Item #5271 (Fuel&Lubricants) into Line Item #5351 (Road & Bridge Expense). All voting "Aye".

10287 APPROVE TREASURER'S REPORT FOR MARCH & APRIL 1990

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve the County Treasurer's report for March & April 1990. All voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 18th day of JUNE, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of MARCH, 1990 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains  
\_\_\_\_\_  
COUNTY JUDGE

s/ Rafael Gonzales  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 1

s/ W. R. Ford  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 2

s/ Craig D. Payne  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 3

s/ Oran Hill Rippy  
\_\_\_\_\_  
COMMISSIONER, PRECINCT 4

ATTEST:  
s/Linda C. Fritsche  
HAYS COUNTY CLERK DEPUTY

\*June 18, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period March 1990

|  | General      | Jury       | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4          | Total<br>Funds |
|--|--------------|------------|------------------|-------------------|-------------------|-------------------|----------------------------|----------------|
| Checking Balance on 03-01-90                         | 45,305.84    | 12,004.76  | 24,561.98        | 16,605.19         | 18,708.72         | 18,192.70         | 18,263.23                  | 153,642.42     |
| Deposit Warrants (Receipts)                          | 1,101,482.89 | 17,672.81  | 26,416.00        | 23,332.26         | 35,410.42         | 27,589.90         | 34,596.51                  | 1,266,500.79   |
| Disbursements (Claims)                               | 1,020,133.05 | 20,760.14  | 12,315.14        | 26,524.32         | 41,143.81         | 24,131.27         | 26,908.71                  | 1,171,916.44   |
| Total  | 126,655.68   | 8,917.43   | 38,662.84        | 13,413.13         | 12,975.33         | 21,651.33         | 25,951.03                  | 248,226.77     |
| Money Market Balance on 03-01-90                     | 120,993.75   | 23,849.93  | 25,692.88        | 335.87            | 177.89            | 27,205.99         | 12.81                      | 198,269.12     |
| Interest (Includes C.D. Interest)                    | 637.17       | 125.60     | 135.31           | 1.66              | .88               | 143.27            | .06                        | 1,043.95       |
| Deposits   |              |            |                  |                   |                   |                   |                            | 10,000.00      |
| Transfers to checking for disbursement               |              |            |                  |                   |                   |                   |                            |                |
| Matured C.D.'s transferred to Money Market           |              |            |                  |                   |                   |                   |                            |                |
| Total  | 121,630.92   | 23,975.53  | 25,828.19        | 337.53            | 178.77            | 27,349.26         | 10,012.87                  | 209,213.07     |
| Certificates of Deposit Balance on 03-01-90          | 3,250,000.00 | 130,000.00 | -0-              | -0-               | -0-               | 75,000.00         | 110,000.00                 | 3,565,000.00   |
| New C. D.'s  | 150,000.00   |            |                  |                   |                   |                   |                            | 150,000.00     |
| Matured C. D.'s transferred to Money Market or chkg. | 300,000.00   | 10,000.00  |                  |                   |                   |                   | to money mkt.<br>10,000.00 | 320,000.00     |
| Total  | 3,100,000.00 | 120,000.00 | -0-              | -0-               | -0-               | 75,000.00         | 100,000.00                 | 3,395,000.00   |
| Temporary Transfers:                                 |              |            |                  |                   |                   |                   |                            |                |

*Dorothy P. Sims*  
 Dorothy P. Sims, County Treasurer



\*June 18, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period March 1990

|  | County Jail<br>I & S | Jail Addition<br>I & S | Hays County<br>I & S | Public Works<br>I & S      | Springlake<br>I & S | Pioneer Trails<br>I & S |
|--|----------------------|------------------------|----------------------|----------------------------|---------------------|-------------------------|
| Checking<br>Balance on 02-01-90                        | 179.19               | 103.79                 | 1,111.41             | 180.25                     | 101.50              | 1,502.3                 |
| Deposit Warrants<br>(Receipts)                         | 27,269.22            | 5,822.74               | 151,474.95           | 14,446.32                  | 2,334.13            | 37.50                   |
| Disbursements (Claims)<br>Total                        | 27,747.64            | 6,316.52               | 75,622.68            | 14,935.57                  | 2,483.28            | 4,341.04                |
| Money Market<br>Balance on 03-01-90                    | 262.66               | 2,187.73               | 20,574.72            | 2,138.71                   | 1,454.14            | -0-                     |
| Interest (Includes C.D.<br>Interest)                   | 1.30                 | 11.52                  | 64.53                | 21.12                      | 7.66                |                         |
| Deposits   |                      |                        |                      |                            |                     |                         |
| Transfers to checking<br>for disbursement              |                      |                        | 20,500.00            |                            |                     |                         |
| Matured C.D.'s transferred<br>to Money Market          |                      |                        | 30,000.00            |                            |                     |                         |
| Total  | 263.96               | 2,199.25               | 139.25               | 32,159.83                  | 1,461.80            | -0-                     |
| Certificates of Deposit<br>Balance on 03-01-90         | 517,500.00           | 120,000.00             | 220,000.00           | 416,700.00                 | 80,500.00           | -0-                     |
| New C. D.'s  |                      |                        | to checking          |                            |                     |                         |
| Matured C. D.'s transferred<br>to Money Market or ckg. |                      |                        | 100,000.00           | to money mkt.<br>30,000.00 |                     |                         |
| Total  | 517,500.00           | 120,000.00             | 120,000.00           | 386,700.00                 | 80,500.00           | -0-                     |
| Temporary Transfers:                                   |                      |                        |                      |                            |                     |                         |



\*June 18, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period March 1990

|   | Adult Probation Operating | Adult Probation Facilities | Medical and Dental Fund | Medical and Dental Claims | Sheriff's Drug Forfeiture | District Attorney Drug Forfeiture | District Attorney Drug Forfeiture Pending |
|---|---------------------------|----------------------------|-------------------------|---------------------------|---------------------------|-----------------------------------|---|
| Checking Balance on 03-01-90                | 15,106.80                 | 19,288.96                  | 58,366.82               | 1.00                      | 42,269.01                 | 10,499.25                         | -0-                                       |
| Deposit Warrants (Receipts)                 | 178,740.26                | 1,000.00                   | -                       | 22,174.23                 | 10,026.95                 | 23,077.00                         | -   |
| Disbursements (Claims)                      | 146,669.95                | 1,938.96                   | 30,160.39               | 22,182.23                 | 45,492.31                 | 30,041.01                         | -0-                                       |
| Total                                       | 47,177.11                 | 18,350.00                  | 28,206.43               | -7.00 *                   | 6,803.65                  | 3,535.24                          | -   |
| Money Market Balance on 03-01-90            | 49,762.91                 | 11,423.14                  | -0-                     | -0-                       | -0-                       | -0-                               | -0-                                       |
| Interest (Includes C.D. Interest)           | 418.35                    | 60.16                      | -                       | -                         | 158.01                    | 55.31                             | 33.12                                     |
| Deposits                                    | 50,000.00                 | -                          | -                       | -                         | 40,000.00                 | 14,000.00                         | 9,977.00                                  |
| Transfers to checking for disbursement      | -                         | -                          | -                       | -                         | 10,000.00                 | -                                 | -   |
| Matured C.D.'s transferred to Money Market  | 100,181.26                | 11,483.30                  | -0-                     | -0-                       | 20,158.01                 | 14,055.31                         | 9,310.12                                  |
| Total                                       | -0-                       | -0-                        | 20,000.00               | -0-                       | -0-                       | -0-                               | -0-                                       |
| New C. D.'s                                 | -                         | -                          | -                       | -                         | -                         | -                                 | -   |
| Matured C. D.'s transferred to Money Market | -0-                       | -0-                        | 70,000.00               | -0-                       | -0-                       | -0-                               | -0-                                       |
| Temporary Transfers:                        | -                         | -                          | -                       | -                         | -                         | -                                 | -   |

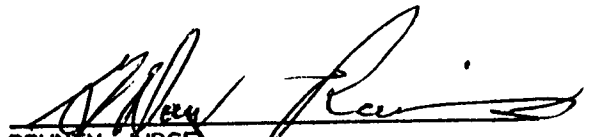
\*Boon Chapman quoted an incorrect amount for transfer on 03-30-90. An \$8.00 deposit was made 04-02-90 with check #129 to correct the error. The balance in this account as of 04-03-90 is \$1.00.

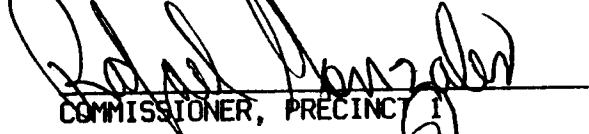
\*June 18, 1990\*


AFFIDAVIT - COUNTY TREASURER'S REPORT


THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 18th day of JUNE, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of APRIL, 1990 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

  
COUNTY JUDGE

  
COMMISSIONER, PRECINCT 1

  
COMMISSIONER, PRECINCT 2

  
COMMISSIONER, PRECINCT 3

  
COMMISSIONER, PRECINCT 4

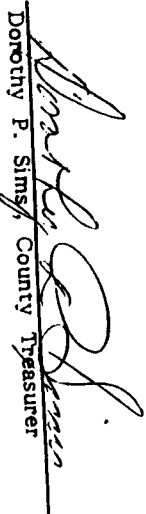
ATTEST:

  
HAYS COUNTY CLERK  
Deputy

\*June 18, 1990\*

County of Hays  
Summary of Receipts and Disbursements  
For the Period April 1990

|  | General      | July       | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |
|--|--------------|------------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|
| Checking<br>Balance on 4/1/90                  | 126,653.68   | 8,917.48   | 38,662.84        | 13,413.13         | 12,975.33         | 21,651.33         | 25,951.03         | 1,527,958.55   |
| Deposit Warrants<br>(Receipts)                 | 1,378,684.15 | 13,735.92  | 40,000.75        | 18,602.30         | 28,205.73         | 21,014.57         | 27,715.13         | 1,579,401.00   |
| Disbursements (Claims)                         | 1,382,982.06 | 21,117.66  | 36,612.39        | 24,753.66         | 39,384.27         | 28,517.21         | 46,033.75         | 1,96,784.32    |
| Total  | 122,357.77   | 1,535.69   | 42,051.20        | 7,261.77          | 1,796.79          | 14,148.69         | 7,632.41          | 209,313.07     |
| Money Market<br>Balance on 4/1/90              | 191,630.92   | 23,975.53  | 25,828.19        | 337.53            | 178.77            | 27,349.26         | 10,012.87         | 1,665.42       |
| Interest (Includes C.D.<br>Interest)           | 1,051.88     | 116.92     | 127.37           | 1.66              | .88               | 203.91            | 162.80            | 250,000.00     |
| Deposits                                       | 250,000.00   |            |                  |                   |                   |                   |                   | 258,000.00     |
| Transfers to checking<br>for disbursement      | 250,000.00   | 8,000.00   |                  |                   |                   |                   |                   | 80,000.00      |
| Matured C.D.'s transferred<br>to Money Market  | 122,682.80   | 16,092.45  | 25,955.56        | 339.19            | 129.65            | 57,553.17         | 60,175.67         | 282,978.49     |
| Total  | 3,100,000.00 | 120,000.00 | -0-              | -0-               | -0-               | 75,000.00         | 100,000.00        | 3,395,000.00   |
| Certificates of Deposit<br>Balance on 4/1/90   | 500,000.00   |            |                  |                   |                   |                   |                   | 500,000.00     |
| New C. D.'s<br>to checking                     | 250,000.00   |            |                  |                   |                   |                   |                   | 330,000.00     |
| Matured C. D.'s transferred<br>to Money Market | 2,350,000.00 | 120,000.00 | -0-              | -0-               | -0-               | 45,000.00         | 50,000.00         | 2,565,000.00   |
| Total  |              |            |                  |                   |                   |                   |                   |                |
| Temporary Transfers:                           |              |            |                  |                   |                   |                   |                   |                |

  
Dorothy P. Sims, County Treasurer



\*June 18, 1990\*

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period April 1990

|   | County Jail<br>I & S | Jail Addition<br>I & S | Hays County<br>I & S | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>I & S |
|---|----------------------|------------------------|----------------------|-----------------------|---------------------|-------------------------|
| Checking Balance on 4/1/90                  | 27,747.64            | 6,316.52               | 75,622.68            | 14,935.57             | 2,483.28            | 4,541.04                |
| Deposit Warrants (Receipts)                 | 16,256.90            | 3,411.99               | 4,405.50             | 6,084.00              | 979.37              |                         |
| Disbursements (Claims)                      | 40,000.00            | 8,000.00               | 45,836.27            | 18,000.00             |                     |                         |
| Total                                       | 4,004.54             | 1,728.51               | 34,191.91            | 3,019.57              | 3,462.65            | 4,541.04                |
| Money Market Balance on 4/1/90              | 263.96               | 2,199.25               | 139.25               | 32,159.83             | 1,461.80            | -0-                     |
| Interest (Includes C.D. Interest)           | 15.52                | 12.16                  | .69                  | 170.05                | 7.78                |                         |
| Deposits                                    | 40,000.00            | 8,000.00               |                      | 18,000.00             |                     |                         |
| Transfers to checking for disbursement      |                      |                        |                      |                       |                     |                         |
| Matured C.D.'s transferred to Money Market  | 46,500.00            |                        |                      | 51,700.00             | 3,500.00            |                         |
| Total                                       | 86,779.48            | 10,211.41              | 139.94               | 102,029.88            | 4,969.58            | -0-                     |
| Certificates of Deposit Balance on 4/1/90   | 517,500.00           | 120,000.00             | 120,000.00           | 386,700.00            | 80,500.00           | -0-                     |
| New C. D.'s                                 |                      |                        |                      |                       |                     |                         |
| Matured C. D.'s transferred to Money Market | 46,500.00            |                        |                      | 51,700.00             | 3,500.00            |                         |
| Total                                       | 471,000.00           | 120,000.00             | 120,000.00           | 335,000.00            | 77,999.00           | 0                       |
| Temporary Transfers:                        |                      |                        |                      |                       |                     |                         |

\*June 18, 1990\*

County of Hays  
Summary of Receipts and Disbursements  
For the Period April 1990

|  | Adult Probation<br>Operating | Adult Probation<br>Facilities | Medical and<br>Dental Fund | Medical and<br>Dental Claims | Sheriff's<br>Drug Forfeiture | District Attorney<br>Drug Forfeiture | District Attorney<br>Drug Forfeiture Pending |
|--|------------------------------|-------------------------------|----------------------------|------------------------------|------------------------------|--------------------------------------|--|
| Checking<br>Balance on 4/1/90                  | 47,177.11                    | 18,350.00                     | 28,206.43                  | -7.00                        | 6,803.65                     | 3,333.34                             | -0-  |
| Deposit Warrants<br>(Receipts)                 | 85,112.35                    |                               | 47,959.06                  | 26,594.57                    |                              |                                      |  |
| Disbursements (Claims)                         | 97,062.34                    | 2,504.60                      | 75,901.87                  | 26,586.57                    | 6,009.38                     | 2,295.74                             | -0-  |
| Total  | 35,227.12                    | 15,845.40                     | 263.62                     | 1,001                        | 794.27                       | 1,239.60                             | -0-  |
| Money Market<br>Balance on 4/1/90              | 100,181.26                   | 11,483.30                     | -0-                        | -0-                          | 30,158.01                    | 14,055.31                            | 9,310.13                                     |
| Interest (Includes C.D.<br>Interest)           | 489.93                       | 56.63                         | 40,000.00                  |                              | 150.31                       | 69.31                                | 45.91  |
| Deposits                                       |                              |                               |                            |                              |                              |                                      |  |
| Transfers to checking<br>for disbursement      | 25,000.00                    |                               |                            |                              |                              |                                      |  |
| Matured C.D.'s transferred<br>to Money Market  | 75,671.19                    | 11,539.93                     | 40,000.00                  | -0-                          | 30,308.38                    | 14,124.62                            | 9,356.04                                     |
| Total  | -0-                          | -0-                           | 70,000.00                  | -0-                          | -0-                          | -0-                                  | -0-  |
| Certificates of Deposit<br>Balance on 4/1/90   |                              |                               |                            |                              |                              |                                      |  |
| New C. D.'s                                    |                              |                               |                            |                              |                              |                                      |  |
| Matured C. D.'s transferred<br>to Money Market |                              |                               |                            |                              |                              |                                      |  |
| Total  | -0-                          | -0-                           | 70,000.00                  | -0-                          | -0-                          | -0-                                  | -0-  |
| Temporary Transfers:                           |                              |                               |                            |                              |                              |                                      |  |

\*June 18, 1990\*

10288 APPROVE MINUTES OF MAY 1990

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve minutes of May 1990 as presented by the County Clerk. All voting "Aye".

10289 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve payment of County invoices as presented by the County Auditor in the amount of \$144,888.93. All voting "Aye".

|            |             |             |              |                      |             |
|------------|-------------|-------------|--------------|----------------------|-------------|
| Auditor    | \$ 1,945.00 | Treasurer   | \$ 160.00    | Ext Ofc              | \$ 64.42    |
| Juv Prob   | \$ 5,813.96 | Bldg. Mtc.  | \$ 193.38    | Civic Ctr            | \$ 979.39   |
| Co Misc    | \$45,345.21 | Dist Clerk  | \$ 83.60     | Co Clerk             | \$ 1,317.13 |
| Sheriff    | \$ 2,049.62 | Jail        | \$ 20,749.42 | CCL #1               | \$ 143.80   |
| D.A.       | \$ 177.89   | J.P. 1-2    | \$ 57.45     | J.P. 5               | \$ 218.17   |
| DPS        | \$ 318.93   | Const 2     | \$ 540.45    | Const 4              | \$ 87.55    |
| Const 5    | \$ 169.59   | Data Proc   | \$ 199.35    | CCL #2               | \$ 26.30    |
| FosterCare | \$ 7,956.00 | InHome Spec | \$ 240.03    | Fire Marsh           | \$ 68.39    |
| TABC       | \$ 19.10    | TJPC Grant  | \$ 223.50    | (Credit = \$ 277.39) |             |
| Dist Crt   | \$ 24.43    | Co.Court    | \$ 1,893.50  | R&B Gen              | \$ 1,000.00 |
| Pct. 1     | \$ 3,498.25 | Pct. 2      | \$ 3,051.34  | Pct. 3               | \$12,910.95 |
| Pct. 4     | \$14,748.08 | Hot Chk     | \$ 259.95    | Pub Wrks             | \$17,118.04 |
| DA Drug    | \$ 88.00    | Adult P/D   | \$ 781.28    | Adult Prob/F\$       | 644.87      |

10290 BOB PORTERFIELD 51 ACRE TRACT - VARIANCE REQUEST

Variance request was received from Helen D. Putnam, Executrix of the Estate of Carl Putnam - to settle the estate a 51 acre tract is being sold out of the original 141 acres remaining in the estate. Terry Ewald, Health Dept., gave his approval to granting a variance. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to grant variance request to not file as a subdivision a 51 acre tract in the Estate of Carl Putnam. All voting "Aye".

10291 ZUNIGA ESTATE TRACT 5A (PCT. 2)

Patsy Greiner, Admin. Coord., spoke of Zuniga Estate property on Highway 21 - needs aquifer note and water supply note - City of San Marcos has approved. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve "Zuniga Estates, Tract 5A" subdivision on first, second and third readings. All voting "Aye".

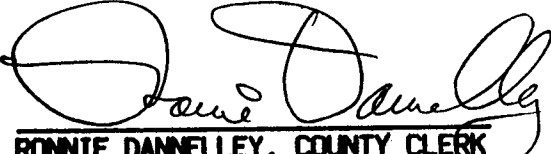
10292 WILDWOOD HIGHLANDS LOTS 1 & 2 (PCT. 4)

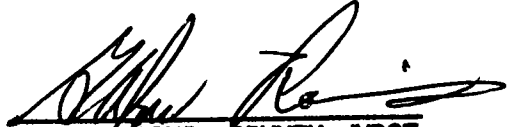
David Liss presented on all three readings. Patsy Greiner, Admin. Coord., spoke of roadway on plat does not have a name - need to add street name "Wildwood Hills Lane". A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Wildwood Highlands Lots 1 & 2" subdivision on first, second and third readings with addition of street name to plat. All voting "Aye".

10293 PENN SUBDIVISION LOTS 1 & 2 (PCT. 4)

Patsy Greiner, Admin. Coord., stated that signature blocks were needed for Court approval and water supply statements and fees need to be paid. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept "Penn Subdivision Lots 1 & 2" on first, second and third readings contingent on signature blocks being added to plat and fees being paid. All voting "Aye".

Judge Rains stated that the Court would now recess in memory of Tula Wyatt - a great historian - who died at the age of 95 last week.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

\*June 21, 1990\*

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 21ST DAY OF JUNE , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

G. DON RAINS COUNTY JUDGE
WAYNE FORD COMMISSIONER, PRECINCT #2
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
LINDA C. FRITSCH DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

\*Emergency meeting was called due to a reasonably unforeseeable situation requiring immediate action by the governmental body - bids submitted will expire this date (June 21, 1990).

10294 AWARD CONTRACT FOR SHERIFF & DISTRICT ATTORNEY AUTOS

Cheryl Pantermeuhl, Auditor's office, stated that only one bid was received for the Sheriff's Department automobile - Red Simon Ford @ \$12,900. State Farm Insurance settlement on wrecked vehicle was \$9,900 and county auction brought in \$5,700. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract to Red Simon Ford for Sheriff's automobile at \$12,900 to be financed entirely, to approve \$3,378.54 to equip the auto (i.e. siren, lightbar, etc.) and to place money from insurance settlement into the County Self Insurance Fund. All present voting "Aye".

Cheryl Pantermeuhl, Auditor's office, stated that two bids were received for District Attorney's automobile - Red Simon Ford = \$12,270 Bill Munday Super Store = \$12,100 (1990) \$11,760 (1991) - D.A. is currently renting a car at \$119 per week, therefore, we need to purchase one as soon as possible rather than waiting to receive a 1991 model vehicle. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract for District Attorney's automobile to Bill Munday Super Store at \$12,100 (1990 model) and use proceeds from County auction (\$5050) for purchase and finance the balance. All present voting "Aye".

Court recessed until June 25, 1990 at 9:00 o'clock A.M.

[Signature]
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

[Signature]
G. DON RAINS, COUNTY JUDGE
HAYS COUNTY, TEXAS

~~~~~o0o~~~~~

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 25TH DAY OF JUNE , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

G. DON RAINS COUNTY JUDGE
RAFAEL GONZALES COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:



\*June 25, 1990\*

## 10295 ADOPT RESOLUTION TO CONTINUE DISASTER DECLARATION: THREAT OF WILD FIRES/PROHIBITION OF OUTDOOR BURNING

Judge Rains spoke of having issued an Emergency Order prohibiting outdoor burning. A D. Carroll, Fire Marshal/EMC, spoke of need to issue this order because of the dry conditions and threat of numerous grass fires. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution to continue disaster declaration: Threat of Wild Fires and Prohibition of Outdoor Burning Emergency Order issued by the County Judge. All voting "Aye".

HAYS COUNTY, TEXAS  
EMERGENCY ORDER

## NUMBER 1.1 - PROHIBITION OF OUTDOOR BURNING

WHEREAS, in accordance with provisions of the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated Government Code Chapter 418, and the Order of the Hays County Commissioners' Court dated December 14, 1981, a state of disaster has been declared based on the imminent threat of disaster from wild fire; and

WHEREAS, declaration of such a disaster authorizes the imposition of controls on activities which tend to increase the likelihood of such fires;

BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for all unincorporated areas of HAYS COUNTY, TEXAS for the duration of the abovementioned declaration;

## (1) ACTIONS PROHIBITED:

A person violates this order if he burns any combustible materials outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning by others.

## (2) ENFORCEMENT

(a) Upon notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.

(b) As soon as possible the Hays County Fire Marshal's Office shall be notified, and officer/investigator shall be sent to the scene, to investigate the nature of the fire.

(c) If, in the opinion of the officer/investigator and the Fire Chief the goal of this order can be attained by informing the responsible party about the prohibitions established by this order, the officer may at his discretion, notify the party about the provisions of this order and request compliance with it. In such instances, a report shall be made, containing the date, time and place of the warning, along with the name of the party receiving the warning, and forwarded to the office of the County Fire Marshal.

(d) At the discretion of the County Fire Marshal and/or the Fire Chief second or flagrant violation of this order may be prosecuted.

BE IT ALSO ORDERED violation of this order may be prosecuted in accordance with a misdemeanor punishable by a fine not to exceed \$1,000.00 or a jail term not to exceed 180 days.

BE IT ALSO ORDERED that the purpose of this order is the mitigation of the hazard posed by wild fires during the current hot, dry weather by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

IN WITNESS WHEREOF, I affix my signature this 25th day of June, 1990.

Filed in the office of the Hays County Clerk

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

s/ Ronnie Dannelley  
RONNIE DANDELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



\*June 25, 1990\*

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such a disaster authorizes the imposition of controls on activities which tend to increase the likelihood of such fires; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, G. Don Rains, County Judge, on the 25th day of June, 1990, declared a state of disaster based on the threat of large wild fires in Hays County; and

WHEREAS, that state of disaster will be void at the end of seven days following its issuance without authorization by the Hays County Commissioners' Court

THEREFORE, BE IT RESOLVED, that this state of disaster is hereby continued until it is rescinded by the County Judge or by action of the Commissioners' Court; and

BE IT FURTHER RESOLVED, that the issue of the continuance of this state of disaster shall be placed on the agenda of each regularly scheduled meeting of the Commissioners' Court until it is rescinded.

PASSED AND APPROVED THIS THE 25th DAY OF June, 1990.

s/ G. Don Rains  
COUNTY JUDGE

s/ Rafael Gonzales  
COMMISSIONER, PRECINCT #1

s/ Wayne Ford  
COMMISSIONER, PRECINCT #2

s/ Craig Payne  
COMMISSIONER, PRECINCT #3

ATTEST:  
s/ Ronnie Dannelley  
HAYS COUNTY CLERK

s/ Oran Hill Rippey  
COMMISSIONER, PRECINCT #4

**LUPE CARBAJAL - DISCUSS REAL ESTATE NEAR COURTHOUSE SQUARE**

Realtor Lupe Carbajal spoke of office space and maintenance facility needs of the County - the old Coca Cola Bottling Plant is available at a cost of \$325,000 - there is approximately 1.59 acres (68,529 sq. ft.) - there are five buildings: old bottling plant (13,098 sf) office/house (2,098 sf) 2 sheds (27X99 & 28X99) metal warehouse (36X72) check-in office (18X20) - CAD has property appraised at \$413,700 - parking space should provide space for 30-40 cars. Commissioner Payne spoke of additional office space available at courthouse annex with renovation and that the parking at the courthouse has not been as bad since Court is being held at the LEC. Commissioner Ford encouraged the Court to look at the property and consider possibilities.

**PAYMENT OF PROPERTY TAXES ON NEWLY ACQUIRED COUNTY PROPERTY**

Ruth Clayton, Tax Assessor-Collector, spoke of property purchased by the County which taxes are due to other taxing entities - pro-rated taxes up to time county purchased property have not been paid - need to establish a policy on closings to deal with taxes due - unpaid taxes are accumulating penalty & interest - county needs to notify the taxing entities of acquisitions. Commissioner Ford suggested that the responsibility should be directed to the Administrative Coordinator. Patsy Greiner, Administrative Coordinator, spoke - very few properties have been acquired by the county for right-of-way - most property is deeded to the State of Texas. County Auditor Bill Herzog stated that he felt like the previous owners were responsible for these taxes due. Ruth Clayton, TAC, stated that the taxes should

\*June 25, 1990\*

have been figured at the time of closing to be paid by the seller - after the property changes hands the statements are sent to the new owner - it may be difficult to get the previous property owner to pay the taxes due. Commissioner Payne stated that he felt the County should pay taxes due on donated property. Commissioner Ford spoke of taxpayers who own to the center of the road - this issue needs to be addressed.

10296 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of County invoices in the amount of \$160,115.22 as presented by the County Auditor. All voting "Aye".

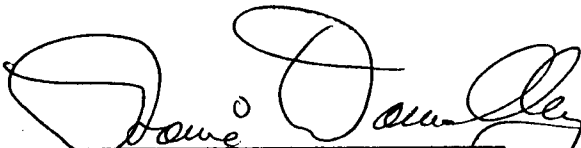
|               |             |              |              |              |              |
|---------------|-------------|--------------|--------------|--------------|--------------|
| Accts. Recvbl | \$ 5.70     | Auditor      | \$ 563.55    | Treasurer    | \$ 43.55     |
| Elect Admin   | \$ 75.35    | Indigent     | \$ 702.48    | Transfer Sta | \$ 1,982.19  |
| Bldg. Maint.  | \$ 1,831.33 | Health Dept. | \$ 334.04    | Co/wide Misc | \$105,324.64 |
| Tax A/C       | \$ 1,046.50 | Dist Clerk   | \$ 292.36    | County Clerk | \$ 60.00     |
| Sheriff       | \$ 1,129.70 | Jail         | \$ 3,215.95  | Dist Atty.   | \$ 234.40    |
| J.P. 1-1      | \$ 37.40    | J.P. 1-2     | \$ 165.70    | J.P. 2       | \$ 45.00     |
| J.P. 3        | \$ 69.09    | J.P. 4       | \$ 63.41     | J.P. 5       | \$ 155.97    |
| DPS           | \$ 318.11   | Constable 5  | \$ 92.96     | V.A. Ofc     | \$ 27.34     |
| TDH TB Grant  | \$ 16.00    | Dist Court   | \$ 561.89    | County Court | \$ 162.50    |
| DC Reporter   | \$ 113.17   | R&B General  | \$ 24,684.94 | Precinct 1   | \$ 19.87     |
| Precinct 2    | \$ 7,547.84 | Precinct 3   | \$ 3,437.62  | Precinct 4   | \$ 437.42    |
| Springlake    | \$ 199.73   | Public Works | \$ 3,764.02  | Pioneer Rd   | \$ 29.14     |
| Adult Prob Op | \$ 977.17   | Adult Prov F | \$ 363.51    |              |              |


\$ - 15.31 Credit General Fund

10297 HILL COUNTRY RANCHES REPLAT TRACTS 4 & 5 - PUBLIC HEARING/1ST-3RD (PCT. 3)

Rhea Moore presented plat on first, second and third readings - filed publishers affidavit - floodplain note has been added to the plat. A motion was made by Commissioner Payne seconded by Commissioner Rippy to approve "Hill Country Ranches Replat Tracts 4 & 5" subdivision on first, second and third readings. All voting "Aye".

Court was adjourned until July 2, 1990 at 9:00 o'clock A.M.

  
 \_\_\_\_\_  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 \_\_\_\_\_  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 2ND DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10298 BAIL BOND FEE - DISCONTINUED TEMPORARILY TO DETERMINE LEGALITY

Sheriff Paul Hastings requested that the Court authorize temporarily discontinuing charging the "Bail Bond" fee until the Court determines legal authority to do so. District Attorney Charles Chapman spoke - will request a more specific A.G.'s opinion concerning the Commissioners' Court authority to impose this fee (civil or penal fee). Commissioner Ford suggested that the Court hold off on reimbursing fees already collected. A motion was made by Commissioner Ford, seconded by Commissioner Payne to temporarily discontinue charging the "Bail Bond Fee" when defendants are released at the County Jail and directing the District Attorney to seek an Attorney General's opinion on legal authority for the Commissioners' Court to set this fee. All present voting "Aye".

STREET ABANDONMENT POLICY - DISCUSSION

Patsy Greiner, Admin. Coord., spoke of a request from property owner Art Bush regarding abandoning a roadway that runs between lots that he owns in The Cliffside Subdivision - the abandonment would result in Cliffside Drive becoming a dead end street rather than connecting to Rockwood Drive - felt like neighbors should be notified of this request - spoke of the City of San Marcos policy regarding street abandonments requiring owner to pay for an appraisal and pay the fair market value for the property abandoned - requested an opinion from the Court regarding a county policy. Commissioner Payne spoke of this property being in a recorded subdivision - may need to auction roadway property if it is abandoned. No action taken.

10299 AUTHORIZE PURCHASE OF TWO TYPEWRITERS FOR TAX ASSESSOR COLLECTOR'S OFFICE AND APPROVE BUDGET LINE ITEM TRANSFER

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize purchase of two typewriters and amend budget of Tax Assessor-Collector by transferring \$1,000.00 from Salaries line item to Office Equipment line item. All present voting "Aye".

10300 APPOINT BOARD OF DIRECTORS - SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT CORPORATION

Judge Rains spoke of need to appoint Board of Directors for the South Central Texas Industrial Development Corporation - confirmation has been received from the majority of the previously appointed Board - Donald Sisson no longer resides in Hays County, therefore, Commissioner Payne has suggested appointment of Bob Gwynn of Wimberley - there is a question about liability of the Directors. District Attorney Charles Chapman stated that appointments made by the Commissioners' Court are covered by county insurance. Commissioner Ford spoke of Statute requiring Oaths be taken.

A motion was made by Judge Rains, seconded by Commissioner Ford to appoint the South Central Texas Industrial Development Corporation Board of Directors as follows:

| <u>Name</u>        | <u>Address</u>                       | <u>Term Expires</u> |
|--------------------|--------------------------------------|---------------------|
| William M. Johnson | 605 West 2nd St.<br>Kyle             | Dec. 31, 1992       |
| Clarence C. Cobb   | Hays Co. Rd. 360<br>Dripping Springs | Dec. 31, 1992       |

\*JULY 2, 1990\*

|                     |                                  |               |
|---------------------|----------------------------------|---------------|
| Bob Gwynn           | 14 Overlook Ct.<br>Wimberley     | Dec. 31, 1992 |
| Pedro Rodrigues     | 321 Broadway<br>San Marcos       | Dec. 31, 1991 |
| Jack E. Byrom       | San Marcos Academy<br>San Marcos | Dec. 31, 1991 |
| Mrs. J. C. Sullivan | Chestnut & Holland<br>San Marcos | Dec. 31, 1991 |

All present voting "Aye".

10301 AUTHORIZE COUNTY AUDITOR TO ACCEPT BIDS FOR THE SALE OF THE STEAMER AT THE COUNTY'S LAW ENFORCEMENT CENTER

Rod Ellis, Jail Administrator, spoke of using steamer as a trade-in created over inflated prices - felt like we could receive a better deal if steamer was sold outright. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to accept bids for the sale of the steamer at the County's Law Enforcement Center. All present voting "Aye".

10302 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$230,657.46 . All present voting "Aye".

|                   |              |                   |               |
|-------------------|--------------|-------------------|---------------|
| #322              | \$ 160.00    | Pub Saf Services  | \$ 50.00      |
| Other Rev         | \$ 8,790.89  | Auditor           | \$ 387.89     |
| Treasurer         | \$ 154.09    | Extension Ofc.    | \$ 242.49     |
| Judicial & Law    | \$ 1,001.78  | Juv. Probation    | \$ 1,494.85   |
| Election Admin.   | \$ 1,054.00  | Community Serv    | \$ 21,952.25  |
| Indigent Care     | \$ 5,321.86  | Bldg. Maint.      | \$ 2,988.02   |
| Health Dept.      | \$ 158.92    | Civic Center      | \$ 646.62     |
| Countywide Misc.  | \$ 81,250.70 | Tax A/C           | \$ 3,062.50   |
| District Clerk    | \$ 982.56    | County Clerk      | \$ 2,663.50   |
| Sheriff           | \$ 1,074.16  | Jail              | \$ 17,098.38  |
| Admin. Coord.     | \$ 49.25     | Co Crt @ Law 1    | \$ 129.82     |
| District Atty     | \$ 217.78    | J.P. 1-2          | \$ 20.88      |
| J.P. 2            | \$ 350.00    | J.P. 3            | \$ 300.00     |
| J.P. 4            | \$ 325.00    | J.P. 5            | \$ 120.88     |
| D.P.S.            | \$ 410.00    | Constable 3       | \$ 210.60     |
| Social Services   | \$ 28,462.50 | Data Proc Admin   | \$ 75.00      |
| TDH TB Grant      | \$ 80.87     | TDH Sanitarian    | \$ 259.50     |
| Foster Child Care | \$ 109.00    | M&C Care Grant    | \$ 700.00     |
| TJPC ISP Grant    | \$ 50.80     | (Credit GEN FUND= | \$ < 161.08 > |
| Dist Court Oper   | \$ 500.47    | County Court Oper | \$ 2,194.12   |
| Road & Bridge Gen | \$ 1,234.10  | Precinct 1        | \$ 9,205.52   |
| Precinct 2        | \$ 4,162.69  | Precinct 3        | \$ 6,614.35   |
| Precinct 4        | \$ 11,606.14 | Hot Check Fee     | \$ 28.00      |
| Law Library       | \$ 100.80    | Jail Constrctn    | \$ 7,376.75   |
| Public Works      | \$ 1,164.17  | D.A.'s Drug Forf  | \$ 1,740.19   |
| Adult Prob Oper   | \$ 1,954.07  | Adult Prob Fac    | \$ 529.83     |

SPECIFICATIONS FOR COUNTY HEALTH & DENTAL INSURANCE INCLUDING SELF FUNDED INSURANCE PROGRAMS

Judge Rains stated that he would like to continue with the self insurance fund. Commissioner Ford stated that he felt like the Court should look at the traditional insurance also. No action was taken.

10303 AUTHORIZE COUNTY AUDITOR TO USE A PORTION OF THE OLD JAIL FOR THE STORAGE OF SUPPLIES FOR CENTRAL STOREROOM

County Auditor Bill Herzog stated that the Sheriff has agreed to storage of supplies for the central storeroom at the old jail facility. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to use a portion of the old jail for the storage of central storeroom supplies. Judge Rains, Commissioner Ford, and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

\*JULY 2, 1990\*

10304 APPROVE OFFICIAL BOND FOR COUNTY AUDITOR

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Official Bond for County Auditor William Herzog. All present voting "Aye".

ADDITIONAL COST FOR CRIMINAL JUSTICE COMPUTER SYSTEM

County Auditor Bill Herzog stated that the minutes did not reflect the additional costs for shipping and installation of the criminal justice computer system (shipping \$180 installation \$1,200). Commissioner Ford stated that the minutes should reflect this additional information. Clerk will include additional costs in the minutes awarding the contract (Jun 11 #10268 N/375).

10305 HIDDEN VALLEY ESTATES LOT 33 - FLOODPLAIN VARIANCE

Bob Brown appeared before the Court requesting a variance to the FEMA 100 year flood elevation as it pertains to their property (lot 33 Hidden Valley Estates) - property is located on the Blanco River - Surveyor has certified that the elevation is at 804', however, the maps show elevation at 806' (difference of 2') - property is located out of the floodway. Commissioner Payne stated that he did not feel like this was an unreasonable request. Terry Ewald, Health Dept., spoke of need to keep down the number of variances that are granted so as not to jeopardize the flood insurance program - has no problem with granting this variance request. A motion was made by Commissioner Payne, seconded by Commissioner Ford to grant floodplain variance to Bob Brown for Lot 33 of Hidden Valley Estates. All present voting "Aye".

RANCHO ENCINO SUBDIVISION - LETTER OF CREDIT

Commissioner Payne stated that he was not ready to release the Letter of Credit at this time. No action taken.

JUVENILE DETENTION CENTER - WORKSHOP

Ed Cooper, Chief Juvenile Probation Officer, spoke of proposals by PSA for 8, 16 & 24 bed facility. Norris Fletcher of Phillips Swager Associates (PSA) explained costs estimates:

| # beds | Total Area | Cost/sf  | Cost/bed     | Budget Estimate |
|--------|------------|----------|--------------|-----------------|
| 8      | 7,454      | \$ 67.97 | \$ 63,326.88 | \$ 727,615.     |
| 16     | 8,924      | \$ 70.45 | \$ 39,291.56 | \$ 867,165.     |
| 24     | 10,394     | \$ 72.23 | \$ 31,279.79 | \$ 1,006,715.   |

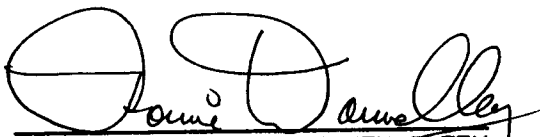
Judge CCL#1 Howard Warner spoke of expansion costs in the future - current figures differ by approx. \$140,000 between the 8 & 16 and the 16 & 24 bed facilities. Mr. Fletcher estimated that future expansion would be approx. 10-15%. County Judge Don Rains asked about adding on quadrants - questioned the necessity of a separate classroom and activity area - could combine dining and activity room. Judge Warner stated that there is a need for a place for private counseling. Ed Cooper stated that providing a separate classroom is an advantage when renting out space. Judge Rains stated that he needed assurance that additional space can be utilized and asked what other counties would be interested in a contract. Ed Cooper, JPO, stated that Bandera, Caldwell, Comal, Blanco and Gonzales counties have shown an interest in contracting with Hays County. Judge Warner stated that he felt like the State is leaning towards counties taking care of their own juveniles and will possibly re-introduce reimbursement to counties for this service, as was done in the past - spoke of need for more commitments and counseling for drugs and alcohol. Ed Cooper stated that they will not have to increase the staff for 8 to 16 bed facility because you have to have 2 officers per shift (1 male 1 female) and you can drop to one at night if you don't have any female detainees. Commissioner Payne stated that we need to scale down the rooms to go with a 16 bed facility - will consider a 16 bed facility for \$650,000 - cut down on kitchen, mechanical room, etc. and omit the courtroom (use courtroom at LEC). Judge Rains suggested cutting facility down to 12 beds and cut down rooms sizes. Ed Cooper spoke of getting interns from SWTSU to help in staffing the facility. Commissioner Ford stated that we need to establish a

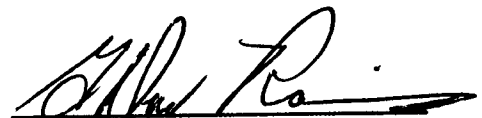
\*JULY 2, 1990\*

16 bed facility now - spoke of location for Juvenile Detention Center next to the LEC and utilities involved - spoke of kitchen area/food will come from the jail kitchen and would only need a small area to prepare snacks - need to have hardware that is compatible with the jail for maintenance purposes. Judge Rains felt like a Judge's office is not needed (could use the conference room), eliminate space not necessary and cut down on clerical space.

Norris Fletcher to present a new plan on Friday 13, 1990 at 11 A.M. during budget workshop.

Court recessed until July 9, 1990 at 9:00 o'clock A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 9TH DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10306 AWARD CONTRACT FOR INDIGENT HEALTH CARE PRESCRIPTION DRUGS

Cheryl Pantermeuhl, Auditor's Ofc., presented tabulation of bids received for Indigent Health Care Prescription Drugs:

| <u>Vendor</u>             | <u>Rate of Discount</u> |
|---------------------------|-------------------------|
|                           | SAN MARCOS              |
| Medpark Pharmacy          | 10%                     |
| Appletree Pharmacy        | 12%                     |
| Thorpe Lane Pharmacy      | 10%                     |
| B & J Pharmacy            | 10%                     |
| HEB Pharmacy              | 10% Disp Fee 2.50       |
| Kroger Pharmacy           | 10%                     |
|                           | BUDA                    |
| Buda Pharmacy             | 10%                     |
|                           | WIMBERLEY               |
| No Responses              |                         |
|                           | DRIPPING SPRINGS        |
| Dripping Springs Pharmacy | 10%                     |

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to award contract for Indigent Health Care Prescription Drugs to Appletree Pharmacy (San Marcos), Buda Pharmacy (Kyle/Buda Area) and Dripping Springs Pharmacy (Dripping Springs Area). All voting "Aye".



\*JULY 9, 1990\*

10307 APPROVE CHANGE IN HEALTH INSURANCE PROPOSAL SPECIFICATION TO INCLUDE HMO'S

County Auditor Bill Herzog recommended changing health insurance proposal specifications to include HMO's. It was stated that there are employees that have been on HMO plan for many years. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve including HMO's in the Health Insurance Proposal Specifications. All voting "Aye".

Bryan Hoot spoke of need to go out for bids on cafeteria plan - having to wait long period of time for reimbursements.

10308 AMEND BUDGET OF PUBLIC WORKS TO REFLECT ACTUAL BALANCE FORWARD FROM FY89

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend budget of Public Works to reflect actual balance forward from FY89 to FY90. All voting "Aye".

|        | Remaining FY89 | Added to FY90 | Total to be budgeted | Amount Budgeted | Adjustment |
|--------|----------------|---------------|----------------------|-----------------|------------|
| PCT. 1 | (1220.63)      | 12,500.00     | 11,279               | 12,500          | (1221)     |
| PCT. 2 | 140,689.03     | 12,500.00     | 153,190              | 177,500         | (24,310)   |
| PCT. 3 | 71,623.03      | 12,500.00     | 84,123               | 82,500          | 1,623      |
| PCT. 4 | 21,623.43      | 12,500.00     | 34,123               | 22,500          | 11,623     |
| ROW    | 221,966.31     | .00           | 221,966              | 168,000         | 453,966    |

|        | Amended Budget | YTD Expenses | Remaining |
|--------|----------------|--------------|-----------|
| PCT. 1 | 11,279         | 11,157       | 122.      |
| PCT. 2 | 153,190        | 76,452       | 76,738.   |
| PCT. 3 | 84,123         | 56,421       | 27,702.   |
| PCT. 4 | 34,123         | 25,872       | 8,251.    |
| ROW    | 221,966        | 334,236      | (112,270) |

PURCHASE OF 6 HAND-HELD RADIOS AND CHARGERS FOR THE JAIL

Discussion was had on purchase of 6 hand-held radios and chargers for the jail in the amount of \$1,341.00. No action taken this date.

10309 ADOPT WATER CONSERVATION PLAN FOR THE EDWARDS UNDERGROUND WATER DISTRICT PORTIONS OF HAYS COUNTY

Judge Rains spoke of lack of water in the county - water purveyors met in San Antonio - water situation is becoming critical - no authority to enforce water regulations in the southern areas - need to make people aware of water saving methods - need to endorse the plan today. A motion was made by Judge Rains, seconded by Commissioner Gonzales to adopt the Water Conservation Plan for the Edwards Underground Water District portions of Hays County and to encourage people in the county to get involve in conservation practices. All voting "Aye".

10310 APPROVE THE RELOCATION OF THE INDIGENT HEALTH CARE OFFICE TO THE HEALTH DEPARTMENT

Judge Rains spoke of cramped conditions and need to relocate so that they can have a private place to be interviewed - there is an extra office at the Health Department. Commissioner Gonzales felt like there was better parking and ground floor office. Eva Cruz, Indigent Health Care Administrator, spoke of office space at the health department. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve the relocation of the Indigent Health Care Office to the Health Department. Judge Rains spoke of Eva being very efficient in her job and she will be missed by the Judge's office. All voting "Aye". Commissioner Payne spoke of need to appoint Eva Cruz as Indigent Health Care Administrator to make it official.

\*JULY 9, 1990\*

10311 AUTHORIZE APPLICATION FOR EMPLOYEE MEMBERSHIP ELIGIBILITY IN RANDOLPH-BROOKS FEDERAL CREDIT UNION

Judge Rains spoke of not being comfortable with credit unions - spoke of it being an out-of-town operation - does not pay taxes. Patsy Greiner, Admin. Coord., stated that the Credit Union had been called by the Treasurer's office due to inquiries from several employees - they need a letter from the County Judge to join - no payroll deductions. Ford spoke in favor of joining - advantage for employees to obtain loans for personal items. Bill Herzog spoke of better interest rates. Commissioner Gonzales spoke of difficulties in borrowing money. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Hays County participating in Randolph-Brooks Federal Credit Union. Judge Rains and Commissioner Payne voting "Nay", Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye".

10312 AUTHORIZE ACQUISITION OF RIGHT-OF-WAY FOR RELOCATION OF BARTON CEMETERY ROAD

Patsy Greiner, Admin. Coord., spoke of project - property has been acquired - \$300 will be needed for appraisal - need to reward the field notes (Meador Condemnation)- Judge Rains stated that he would not like for appeal to be dropped. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize acquisition of right-of-way for relocation of Barton Cemetery Road. All voting "Aye".

10313 APPROVE BUDGET AMENDMENT FOR AIR CONDITIONER

Commissioner Gonzales spoke of need for air conditioner (8,000 BTU) that will cool his office - should come out of maintenance budget. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to amend budget in the amount of \$386.00 to purchase an air conditioner for Pct. #1 out of Maintenance of Building line item #5419. All voting "Aye".

10314 PCT. 1 BUDGET AMENDMENT - LINE ITEM TRANSFER

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to amend Pct. 1 budget by transferring \$5,000.00 from line item #5351 (R&B Exp) to line item #5352 (Rd Veh/Equip Exp). All voting "Aye".

10315 APPROVE MINUTES OF JUNE 1990

A motion was made by Commisisoner Payne, seconded by Commissioner Rippy to approve minutes of June 1990. All voting "Aye".

10316 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$134,917.40. All voting "Aye".

|                 |              |                   |             |
|-----------------|--------------|-------------------|-------------|
| Auditor         | \$ 164.50    | Treasurer         | \$ 80.14    |
| Extension Ofc.  | \$ 282.75    | Judicial & Law    | \$ 5,855.50 |
| Juv. Prob.      | \$ 420.89    | Election Admin    | \$ 21.52    |
| Indigent Care   | \$ 3.87      | Transfer Station  | \$ 52.57    |
| Bldg. Maint.    | \$ 7,129.28  | Health Dept.      | \$ 541.10   |
| Civic Center    | \$ 2,231.06  | Countywide Misc.  | \$ 2,014.82 |
| Tax A/C         | \$ 376.85    | District Clerk    | \$ 776.14   |
| County Clerk    | \$ 1,004.54  | Sheriff           | \$ 1,640.69 |
| Jail Operation  | \$ 16,508.11 | Co. Judge         | \$ 136.79   |
| Admin. Coord.   | \$ 3,989.03  | Co. Cr. @ Law 1   | \$ 129.14   |
| Dist. Atty.     | \$ 1,089.09  | JP 1-1            | \$ 60.22    |
| J.P. 1-2        | \$ 120.15    | J.P. 2            | \$ 262.71   |
| DPS             | \$ 596.43    | Constable 1       | \$ 165.90   |
| Constable 2     | \$ 69.78     | Constable 5       | \$ 42.45    |
| Veterans Admin  | \$ 50.76     | Data Proc Admin   | \$ 2,578.26 |
| Co.Crt. @ Law 2 | \$ 29.56     | InHome Spec Grant | \$ 344.61   |
| TDH M&C Care    | \$ 37.11     | Fire Marshal/EMC  | \$ 35.69    |
| TJPC ISP Grant  | \$ 75.61     | *CREDIT           | \$33.91*    |

\*JULY 9, 1990\*

|                   |             |                  |             |
|-------------------|-------------|------------------|-------------|
| District Court    | \$ 374.47   | County Court     | \$ 1,470.56 |
| Dist. CRT Rep     | \$ 60.13    | R&B General      | \$ 8,442.46 |
| Precinct 1        | \$ 4,554.71 | Precinct 2       | \$ 2,034.61 |
| Precinct 3        | \$ 7,844.90 | Precinct 4       | \$ 7,356.12 |
| Other revenue     | \$ 59.00    | Radio Twr Repair | \$ 4,300.00 |
| Hot Check Fee     | \$ 338.33   | Law Library      | \$ 680.40   |
| Jail Construction | \$ 552.91   | Public Works     | \$40,096.03 |
| D.A.'s Drug Forf  | \$ 2,800.95 | Adult Prob Oper  | \$ 4,993.95 |
| TABC              | \$ 75.61    |                  |             |

10317 WEBB SUBDIVISION LOT 1 (PCT. 2)

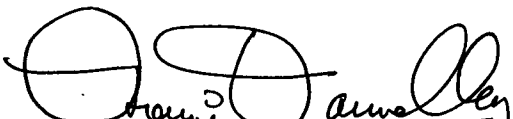
Patsy Greiner spoke of subdivision. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve "Webb Subdivision Lot 1" on first, second and third readings. All voting "Aye".

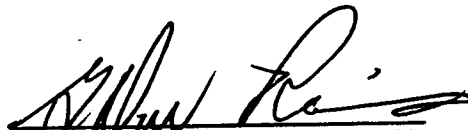
10318 RELEASE LETTER OF CREDIT - RANCHO ENCINO SUBDIVISION

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to release letter of credit #279 on "Rancho Encino" subdivision. All voting "Aye".

10319 APPROVE ROAD CLOSURE FOR CONSTRUCTION OF BRIDGE ON COUNTY ROAD #305 (PLUM CREEK) FROM SEPT. 1990 TO APR. 1991

Commissioner Ford spoke of highway department needing letter from county, rural mail carriers and school district for closing CR305 when bridge is built - will go out for construction between now and September - need to send letter that Court has no objection to closing. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve road closure on County Road #305 for construction of bridge by the State Highway Department - letter to be sent to the State Highway Department. All voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 12th DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

FY91 BUDGET WORKSHOP

Commissioner Ford was not present at beginning of meeting. Judge Rains spoke of budget requests have come over \$1,430,677 FY90 budget - an 8 cent increase would be needed - a 1 cent tax increase would generate \$177,000 in revenues - proposes a budget that would be \$233,110 over FY90 budget - will go back again and improve on these numbers - not inclined to a tax increase - taxpayers do not want a tax increase as expressed at election time - additional personnel request were taken out - suggested eliminating some employees - spoke of increases in insurance costs - spoke of acquiring right-of-way - difficult to do any improvements to any county buildings - predicts an increase in indigent health care. County Auditor Bill Herzog stated that the county has lost \$55,000,000 in property valuation this year (\$32,000,000 - came from Peyton/Kroger warehouse).

\*JULY 12, 1990\*

Commissioner Rippe spoke of biggest complaint is "we're taxed to death" and "fix the pot holes".

Commissioner Gonzales spoke of school district taxes.

Commissioner Ford came to meeting at this time.

Bill Herzog spoke of current effective tax rate of 32.743 has increased to 34.78.

County Extension Service - Cliff Caskey spoke of last 5 years he has asked for a fulltime secretary - has to lock the door when his current secretary is on vacation or sick - receives 1200 phone calls incoming a month and 800 to 1000 people walk in a month - has one employee with federal aid - request is for a fulltime secretary - spoke of calls: 10-15% w/ranchers 50-60% w/oak wilt - also assisting in Xeriscape water conservation plan - uses the civic center quite a bit, however, cannot afford the rental - spoke of horse shows and big cattle seminars - concessions are run by 4-h clubs.

Auditor Bill Herzog spoke of comp time for overtime worked by county employees. Mr. Claskey stated that there is no time to take off without locking the office door. Mr. Herzog stated that comp time or paying overtime is required by law. Judge Rains suggested call forwarding to the Health Dept. Mr. Caskey stated that it would not help for people walking in to get bulletins.

Juvenile Probation Dept. - Ed Cooper spoke of budget request not being more than last year - vehicle has needed repairs (transmission and air conditioner) - request vehicles mtc. = \$2300 - will continue to turn in expenses for personal vehicles - county vehicle is being parked at the San Marcos Police Dept. on the weekends - request another computer (PC can be purchased w/CO money) - telephone (\$2500) and medical (\$1600) on budget request needs to be switched.

Libraries - Stephanie Langencamp spoke of funding for libraries were decreased last year - it is more costly to run libraries - spoke of standards to be eligible through State Library System - need to have same funding level or increased funding to remain eligible - county funding enables county residents to use City Library at no cost - libraries provide children programs to keep them reading - teach english and spanish, help with GED, basic literacy in english and spanish, social services directory, tutoring - serve the needs of the entire community.

Buda Library - Jackie Glove (volunteer) spoke of summer reading program - two of the young girls with the summer reading program spoke.

Kyle Library - Marion Richards spoke - their libraries depends on donations - they are open 20 hours a week - no room for full summer reading program so they have 2 classes - they have opened a thrift shop to help raise funds manned by volunteers.

Wimberley Library - Rosa Lee ? spoke of supporting the literacy program - spoke of volunteers - County is the only tax base for this library - need to extend hours and more reference books.

Stephanie Langencamp spoke of State funding - there are 10 library system and you must meet certain qualifications to join in: be open a certain number of hours per week, certain number of staffing, librarian certification, telephone services and a certain number of books per capita - maintain operating budget or exceed it - membership qualifies for matching funds and loan services, etc. - Dripping Springs is the most unique in that it is a School/Public Library. Don Forester, Principal of D.S. High School, spoke of the importance of their library for their community (25 miles from Austin) - fundings helps them buy books that are used every year.

Ginny Botkins spoke - City of Dripping Springs did not fund last year - \$5,974 (26% funding from Hays County) under 25% from fundraising - CTLS matched these funds - every penny is spent - will receive no money from Dripping Springs this year - average monthly circulation of 710 - requests maintaining or increasing funding - students volunteer to work in the Library.

Bill Liddle (Public Library Board) spoke - budget figures show 79 cents per capita in Hays County - State average is \$1.62 per capita - Comal County is \$1 per capita - Guadalupe County is \$1.23 per capita - 10,000 patrons using City Library with 6500 being City residents - City contributes at a rate of \$10.40 approx per capita - 300 patrons live outside of Hays County (they pay a fee of \$10 for a library card which was recently increased to \$12) - County needs to increase their funding. Judge Rains spoke in favor of charging a fee to users that live outside of the City limits. Mr. Liddle opposed to charging this users fee - cannot charge fee as long as County provides funding. Commissioner Ford spoke of funding - \$34,000 for SM Library. Stephanie Langencamp spoke of County Certification - awarded based on a Masters Degree or attend continuation education hours for Librarians - no unified library system - libraries do work together - City maintains microfilm copies of all county newspapers & audiovisual equipment to borrow - Board members consist of 2 members outside the city and 2 inside.

Bill Miers, Board Member - has used the library 14 years - request that funding be increased. Stephanie Langencamp spoke of division of funding - budget request from

\*JULY 12, 1990\*

County is \$86,000. Commissioner Payne spoke of decrease in the tax base. Mrs. Langencamp stated that the County started funding the library in 1977 - spoke of Book Mobile service that use to be provided before City Library took over in 1977 to provide books in outlying communities. Judge Rains spoke of budgeting problems.

San Marcos/Hays County EMS - Tom Partin spoke - City has approved 3 additional people - City provides EMC firefighters and dispatch service - City of San Marcos funded 3 addl people last year that were not hired because County did not fund these positions. Commissioner Payne spoke of expansion of other EMS programs. Mr. Partin spoke of services provided outside their immediate area - County pays \$6,000 towards office rent - contract with the City has been extended - no volunteers due to insurance.

San Marcos Area Food Bank - Alma Briggs, Executive Director, spoke - actual expenditures in 1989 was \$51,175 - 181,000 lbs of output compared to last year being 151,000 - no longer serving outside of Hays County at all - request is for \$8,000.

Indigent Health Care - Eva Cruz, Administrator, spoke of need for a telephone line and postage (currently using Co. Judge's postage) - request salary increase - spoke of personnel in other Counties. Judge Rains recommended a salary increase - tremendous responsibility. Eva Cruz spoke of referrals, saving the County money - no equipment requested except for a computer - requested increase in medical supplies (\$30,000) and medical services(\$200,000) - suggested going out for proposals for a Physician to care for all indigents and for the Jail - spoke of paperwork may require hiring a secretary in the future.

Health Department - Terry Ewald and Ann Ashjian appeared - Terry Ewald spoke of need for a copy machine (\$4500 + \$648 maint) that will handle heavy use - employee merit increases requested: Nursing Director @ 7% Nurse II, TB Control Nurse and two Sanitarians @ 5% to maintain competitive salaries - clinics: 2 Dripping Springs 1 in Buda and starting 1 in Kyle - truck maintenance increase requested (\$2995). Bill Herzog - revenue projections budgeted are \$45,000. Ann Ashjian spoke of Home Health Program - \$8,000 for indigents - spoke of merit increases. Discussion was had on paving parking lot - estimated cost of \$6300 w/no base.

Transfer Station - Craig Payne spoke of running a deficit of approximately \$40,000 will bring in about \$3,000 in recycling - hauling went up from \$245 to \$260 with approx. \$3,000 increase - request is for same budget as last year.

Building Maintenance Dept. - Bryan Hoot spoke of recycling waste paper - looking into a baler such as the one used by WalMart - there is only one company that provides this type of equipment - spoke of need for a mailclerk to pickup and deliver mail, deliver interoffice correspondence, deliver office supplies, etc. - would like to see continuation of remodel/renovation projects - has no control of utility bills - may need line item transfer this FY year - ongoing project is the 3rd floor restrooms - no funds allocated for Historical Commission office - no funding available for completing rotunda area on 2nd & 3rd floor.

Tax Assessor-Collector - Ruth Clayton spoke of budget request - need a mid size demand printer for Ad Valorem Tax Division (\$2900) - increased postage for rate increase (f/25 t/30) - strongly urged Court to look at a cost-of-living increase for all employees - spoke of delinquent taxes and partial payments - \$4700 in salary line item to hire VOE student part-time (agreed).

County Clerk - Ronnie Dannelley spoke of expenditures as of 7/11/90 - postage increase due to rate change - continuing education is over this year (approx 80 Bills affecting his office requiring education) - records storage is needed - spoke of electrical change in the basement has created leaking, mildewing and rain running in and ruining records (was not properly sealed) - requested an additional employee now that bookkeeper is fulltime and Jury is being held at LEC - Criminal cases are going down, Probate about the same, Juvenile cases have doubled.

Tax Assessor-Collector - Ruth Clayton spoke of contracting with the City of San Marcos to collect taxes - could save taxpayers money - the Fire District, Water Districts & EMS Districts cannot afford - should leave the small districts as they are and absorb the costs - proposed contract should be pursued.

Sheriff - Paul Hastings - request additional personnel - spoke of increase in service calls and average 30% crime clearance rate - spoke of need to 4 additional patrol deputies, 2 investigators and 2 dispatchers - spoke of salaries are not competing with City of San Marcos PD, Austin Police Dept. and Travis County Sheriff's Dept. - need to bring salaries up. Judge Rains asked about reducing

\*JULY 12, 1990\*

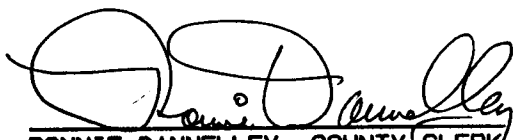
starting salary and give bigger raises later. Sheriff Hastings spoke of population and area served by the San Marcos PD and the Sheriff's Dept. and SMPD budget is 2.7 million \$ and the Sheriff's Dept. budget by comparison is half of that. Judge Rains stated that his recommendation is that the Sheriff make more money - SM Chief of Police makes \$55,000 and the Sheriff has twice the job - being Sheriff is the biggest job in the County. Sheriff Hastings spoke of prisoners being kept for other entities - would like to adjust dispatcher salary pay scales to the same as a corrections officer especially with implementation of 9-1-1 system - drug money has been used to purchase cars, radios, vests, shotguns - Drug Task Force is funded with drug funds.

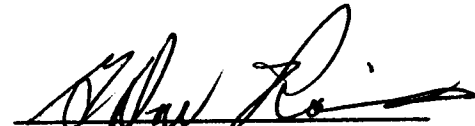
Jail - Sheriff Paul Hasting spoke - rearranged line items - need additional personnel for maintenance (2 maintenance and 1 janitorial) with starting salary of \$1,000 per month - a lot of the equipment, etc is going to be out of warranty - meals are costing 65-85 cents per meal.

District Clerk - W. H. Moore spoke of budget request - increase in office supplies (\$225) postage (\$500) permanent records (\$500) and education (\$300) - need an ultraView Work Station, Printer (\$650), stand (\$150) and bookshelf (\$125) - spoke of software (child support package has never been delivered) - need a records facility. Spoke of renovation needed in the old Juv. Probation Dept. office.

County Court at Law #1 - Howard Warner appeared - request \$300 for books as an additional line item (have been paying out of Misc. Expense) - request increase in salaries - has checked with other Counties concerning salaries (32 counties of comparable population - received 11 responses from 50,000 or under/16 counties under 50,000) - present salary is \$42,000 - Chief Felony Prosecutor and District Court Reporters are making more than the County Court at Law Judges - spoke of cash bond money that has not been claimed has been put in an interest bearing account - have had to sentence in a moneywise manner by allowing CSR (Community Service Restitution) - group has worked in excess of 6300 hours - have assisted the County in the amount of \$25,000 through June of this year - requested a 20% increase in salary for his employees working for two Judges and two Courts. Commissioner Gonzales spoke of Elected Officials knowing what the salary is when they run - if we compare ourselves with other counties than we are underpaid too - where will the money come from - spoke of cases being down yet requesting more. Judge Rains spoke of County Clerk showing that case load has gone down. Judge Warner spoke of cases disposed: 805 criminal 173 civil (some were divorces & adoptions) 87 probate hearings, 19 mental commitments filed, 56 juvenile hearings since January 1990 - DA office is not filing the criminal cases (closer screening of cases before they are filed). Judge Rains asked if Judge Warner would take \$52,000 for fulltime or \$30,000 for part-time and practice law. Judge Warner stated that he would have to go for fulltime - difficult to get work down on a part-time basis - run into problem with jurisdiction if practicing law on the side (conflict of interest) - projected an increase in cases and more trials based on conversation with candidates for District Attorney.

J.P. Pct. #2 - James Holt requested same budget as FY90 - request that budget not be cut.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 13th DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

\*JULY 13, 1990\*

## FY91 BUDGET WORKSHOP

J.P. PCT. #4 - John Burke appeared - request increase in telephone expense (f/\$395 t/\$850) and salary increase for Court Clerk from \$13,000 to \$15,500 - gave statistics of cases filed - projected revenues \$40,000

Constable Pct. #1 - Lupe Cruz appeared - spoke of his workload (946 papers served in 6 months) - request a fulltime Deputy Constable - request a hand-held and mobile radio and a personal computer.

Constable Pct. #5 - Billy Reeves appeared - request new line item Ofc. Equip Mtc. & Rep in the amount of \$500 for copier - request part-time reserve deputy in the amount of \$8,840 - spoke of training and equipment would be provided by the reserve deputy.

Palmer Drug Abuse Program - Richard Weeks appeared - request is for \$5,000 (\$3,800 budgeted FY90) - spoke of need for additional counselors - funding is received from City of San Marcos, United Way, Churches, Civic Clubs and Individuals.

Hill Country Senior Citizens Ruth Bennett, Director, appeared - request 5% increase in salary for all employees and keep expenses to a minimum - funding comes from grants (49%) and local services (51%) which included the Thrift Shop - budget request is for \$20,000 (\$16,500 FY90) to be used for salaries, operation of vans, insurance, audit, bldg&equip repairs and match-home delivered meals program - Center is open 5 days a week and provides health screening, referrals, transportation and meals - Wednesday meals average 110 with other four days averaging 25 - full van 5 days a week transporting to Wimberley and Austin - average age of those being served is 75-80.

Scheib Opportunity Center - John Grayson and Ed Jordan appeared - budget request is for \$18,000 (\$14,000 FY90) - spoke of present workshop being too small - spoke of fund raisers - 43 clients now.

Hays Caldwell Council on Alcohol and Drug Abuse - budget request is for \$4,450.

Juvenile Detention Center - Discussion was had on changes made in design of Juvenile Detention Center since the last presentation - \$80.58 per square foot cost total budget of \$725,565. Ed Cooper spoke of need to get price down to \$700,000 - computer is needed - reduced beds from 16 to 12. Norris Fletcher spoke - eliminated the conference room, jury room and part of the employee lounge - eliminated the Judge's office, courtroom, classroom, 1/3 mech room, 4 bedrooms, counseling room reduced kitchen and laundry and increased the dining room - furniture and equipment variables (\$79,000) - discussion was had on what all is included in the price per square foot. Judge Rains spoke of need to go out for bids - ready to proceed with drawings and contract with Architect.

CAA Senior Citizens Program - Ofelia Vasquez appeared - budget request is for \$10,000. Rene Morales, Transportation Director, spoke - passengers have increased - spoke of need for mass transit - funding from State and Federal government is 50%. Commissioner Ford spoke of need for transportation in the Buda/Kyle area.

Hays County Crisis and Information Center - Margie First, Director, appeared - requested funding of \$2,000 (\$1,000 FY90) - presently operating at a deficit level each quarter.

Hays County Women's Center - Ginger Eways, Director, appeared - budget request is for \$16,500 (\$12,000 FY90) - gave statistics of abused women & children - need to expand outreach program - would like to increase salaries to keep employees - help the women to find jobs, housing and relocation.

Southside Community Center - Ruben Garza appeared - budget request is \$13,000 (\$6,000 FY90).

Hays County Fire Association - A. D. Carroll & Raymond Czichos appeared - spoke of fire training program in Wimberley is recognized Statewide - provided hazardous material information sheet - request is for \$12,500 for initiating the first stage for a Hays County Haz-Mat Team.

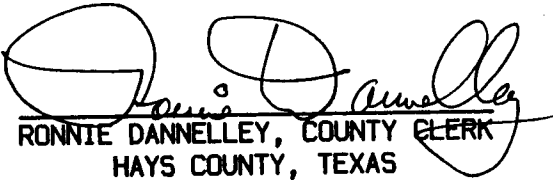
P.A.W.S. - Gail Field, President, appeared - request is for \$20,000 (\$2,000 FY90) - yearly operating cost is \$73,000 - \$28,000 comes from services, adoptions and promotions - \$13,000 raised through donations and fundraising - Miriam and Emmett McCoy donated the entire facility and have been bearing the expense to keep the shelter in operation.

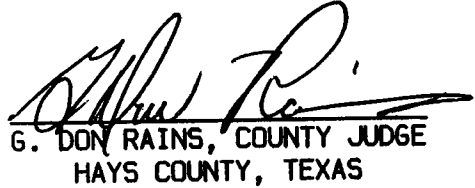
\*JULY 13, 1990\*

Fire Marshal/Emergency Management Coord. - A. D. Carroll appeared - new line items requested: Printing \$300 24 Hour Weather Radar Monitor (leasing) \$2500.

Data Processing Dept. - Danny Dever, Administrator, appeared - request salary increased: Admin f/\$25,000 t/\$30,000 Asst. f/\$13,500 t/\$15,000 - has turned into a 24 hour job - request new line items: Postage \$100 Travel Allowance \$600 Travel (outside County) \$500 Data Lines for Computers \$500 - discussion was had on what to do with the old computer system now that the new system is on line - discussion was had on addition of users throughout the county including the 911 and mapping project

Union Creek Senior Citizens - Sandra Grizzle, Director, appeared - request is for \$8,000 (\$6,000 FY90) - total budget is \$14,000 - they do have fundraisers.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 16th DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10320 HAYS COUNTY CHILD WELFARE BOARD - APPOINTMENT

Anna Farr appeared requesting appointment of Debra Miller (#5 Creek Rd., Dripping Springs 858-7877 ) to replace Mack Crow. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve appointment of Debra Miller to the Hays County Child Welfare board. All voting "Aye".

10321 JAIL BUDGET AMENDMENT - APPROVE PURCHASE OF RADIOS AND CHARGERS

Major Rod Ellis requested approval to purchase six replacement radios and chargers to be used in the jail @ \$1,341.00. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve purchase of six radios and chargers for the Jail and to amend the Jail budget by transferring \$1,341.00 from the Colonial Insurance line item into the Communication Equipment line item. All voting "Aye".

10322 SHERIFF - ACCEPT NOTIFICATION OF ADDITIONAL FORFEITED DRUG FUNDS TO BE UTILIZED IN THE DRUGS FORFEITURE ACCOUNT AS PER HOUSE BILL 65

Sheriff Paul Hastings spoke of \$29,023 of seized drug money awarded by the District Court to the District Attorney's office and the Hays County Drug Task Force - Sheriff's HCDTF's share is \$12,451.90 - HB 65 requires that the Commissioners' Court be notified of the intended use of these funds. Sheriff Hastings advised the Court that these funds will be used in the expense and salary account for drug investigators (Line items 418-5020,5111,5120,5160,5170,5180,5192,5489 & 5715) and to be divided between the line items accordingly. A motion was made by Commissioner Gozales, seconded by Commissioner Ford to accept notification from Sheriff Hastings of forfeited drug funds (\$12,451.90) and their intended use being for expense and salary account for drug investigators. All voting "Aye".



\*JULY 16, 1990\*

## 10323 APPOINT EVA CRUZ AS HAYS COUNTY INDIGENT HEALTH CARE COORDINATOR

Judge Rains stated that Eva Cruz has never been officially appointed as the Indigent Health Care Coordinator by the Commissioners' Court - she started out as the County Judge's secretary and was moved to this position without official action by the Court. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to appoint Eva Cruz as Hays County Indigent Health Care Coordinator. All voting "Aye".

## 10324 VIA METROPOLITAN TRANSIT - APPROVE AGREEMENT FOR SERVICE TO HAYS COUNTY

Edmundo Zaragoza, Customer Service Supervisor for Via Metropolitana Transit (Bexar Co), appeared before the Court - they are working with SWTSU to provide service for SWTSU students that live in San Antonio - must have authorization from the County government in order to provide services in Hays County - spoke of providing transportation to special events and "Via Share" program - no funding or liability to the County. Patsy Greiner, County Admin. Coord., stated that she has checked with CARTS and Kelly Franks and they have no problem with this service if it originates in San Antonio. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve agreement with Via Metropolitan Transit to provide transportation services in Hays County and Via Metropolitan Transit agrees to provide semi-annual activity reports to the Hays County Commissioners' Court. All voting "Aye".

## A G R E E M E N T

This agreement is made this 16 day of July, 1990, A.D., by and between VIA Metropolitan Transit, a metropolitan transit authority and political subdivision of the State of Texas, hereinafter referred to as "VIA", and the County of Hays, hereinafter referred to as "County", and is entered into pursuant to the Interlocal Cooperation Act, Article 441 (32c), and article 1118X, section 6(q), of the Texas Civil Statutes.

WHEREAS, VIA is a political subdivision of the State of Texas and mass transit authority created pursuant to Article 1118X which operates a mass transit system, as defined within Article 1118X;

WHEREAS, County is situated outside the boundaries of VIA;

WHEREAS, VIA may pursuant to the provisions of Article 1118X, contract with County to provide transportation services outside VIA's boundaries;

WHEREAS, VIA and County agree that there exists a necessity for the availability of efficient and economical public transportation services for the benefit and convenience of the citizens within the VIA boundaries and the County, and it is in the public interest to encourage and provide such services;

WHEREAS, VIA enters into this agreement for the purposes of generating funds to offset the deficit incurred in operating mass transit, and to provide for certain trips between the County and VIA with the goal of improving the quality of the ambient air and reducing vehicular traffic congestion for the portions of those trips which lie inside the VIA boundaries through the use of mass transit;

WHEREAS, VIA will not use any sales tax proceeds to provide service under this Agreement;

NOW, THEREFORE, in consideration of the above, VIA and County covenant and agree as follows:

1. Scope of Services: The scope of services to be provided for by this Agreement is limited to those necessary or convenient to carry out and effectuate the purpose and objective of this agreement including, but not limited to, sightseeing and special event transportation services in and throughout the County.
2. VIA's Authority: It is agreed and understood that VIA shall have all the powers necessary or convenient to carry out and effectuate the purpose and objective of this Agreement including, but not limited to, those set forth by the provision of Article 1118X.
3. Use of Facilities: It is agreed and understood that county will allow

\*JULY 16, 1990\*

VIA free use of any streets, roads, alleys, highways, or facilities within the County, whether real or personal, which are the property of or under the control of County, and necessary for the implementation of this Agreement.

4. Term: It is agreed and understood that this agreement will be in effect from the date of execution and may only be terminated by thirty (30) days written notice from either party to this Agreement.
5. Liability: It is agreed and understood that nothing in this Agreement creates or confers any governmental immunity or limitation of liability on any party other than that set forth by the Texas Tort Claims Act.
6. Severability: It is agreed and understood that if any provision of this Agreement, or the application thereof to any person or circumstances, is held invalid, such invalidity will not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or application, and to that end, the provision of this Agreement are severable.
7. Semi-Annual report will be presented to Hays County Commissioners Court in January and July of each year.
8. Notice: Notice to County under this Agreement shall be sufficient under this Agreement if mailed to:

The Honorable G. Don Rains  
 Hays County Judge  
 County Courthouse, Room 103  
 San Marcos, Texas 78666

Notice to VIA shall be sufficient under this Agreement if mailed to:

General Manager  
 VIA Metropolitan Transit  
 800 West Myrtle Street  
 P. O. Box 12489  
 San Antonio, Texas 78212

s/ G. Don Rains  
 Hays County Judge  
 July 16, 1990

10325 AUTHORIZE COUNTY TAX ASSESSOR-COLLECTOR TO PURSUE CONTRACT WITH CITY OF SAN MARCOS AND WIMBERLEY ISD FOR TAX COLLECTION

Ruth Clayton, County Tax Assessor-Collector, spoke of a proposed contract with the City of San Marcos and the Wimberley ISD for tax collection @ \$1.25 per parcel. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize Ruth Clayton, County Tax Assessor-Collector, to actively pursue a contract with the City of San Marcos and the Wimberley ISD for tax collection. All voting "Aye".

10326 AUTHORIZE COMMISSIONER PCT. #4 TO CONSTRUCT BASE PARKING AREA FOR HILL COUNTRY SENIOR CITIZENS AND THE DEER CREEK FIRE DEPARTMENT

Commissioner Rippy spoke of the Hill Country Senior Citizens outdoor covered area that needs a small parking lot - there is no funding available for this project - cost for each project would be approximately \$400 - 500 - could use this as a budget consideration. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize Commissioner Pct. #4 to construct base parking area for the Hill Country Senior Citizens and the Deer Creek Fire Department. all voting "Aye".

10327 AUTHORIZE COMMISSIONER PCT. #2 TO PROVIDE GRAVEL FOR THE NIEDERWALD FIRE DEPARTMENT

Commissioner Ford requested authority to provide gravel for the Niederwald Fire Department. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize Commissioner Pct. #2 to provide gravel for the Niederwald Fire Department. All voting "Aye".

\*JULY 16, 1990\*

10328 PRECINCT #2 BUDGET AMENDMENT - LINE ITEM TRANSFER

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve budget amendment for Precinct #2 by transferring \$1,000 to Uniform line item and \$5,500 to Road Vehicle/Equip Exp line item #5352 from R&B Expense (\$6,500). All voting "Aye".

10329 APPROVE RIGHT-OF-WAY REQUIREMENT FOR GENERAL TELEPHONE COMPANY (CR158)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve right-of-way requirement on County Road #158 for General Telephone Company. All voting "Aye".

10330 SHERIFF'S DEPARTMENT BUDGET AMENDMENT FOR PURCHASE OF COMPUTER SYSTEM

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend budget of the Sheriff's Department by transferring \$7,750 from the DP Software line item to the DP Equipment line item. All voting "Aye".

10331 APPROVE FORMATION OF AN "INSURANCE COMMITTEE" TO MAKE RECOMMENDATIONS TO THE COMMISSIONERS' COURT CONCERNING THE COUNTY'S INSURANCE PROGRAMS

County Auditor Bill Herzog suggested that a committee be formed to make recommendations to the Court on insurance programs. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve formation of an "Insurance Committee" consisting of Cheryl Pantermeuhl, Wayne Ford, Ruth Clayton, Sherman Brodbeck, Craig Payne, Bill Herzog, Jackie Jordan and Eva Cruz - to make recommendations to the Commissioners' Court concerning the County's insurance programs. All voting "Aye". Judge Rains suggested that the Court contract an Insurance Consultant.

10332 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$119,250.86. All voting "Aye".

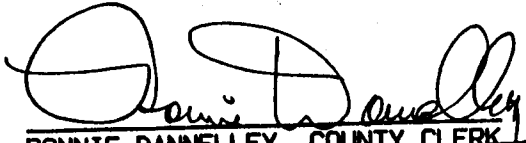
|                  |              |                     |              |
|------------------|--------------|---------------------|--------------|
| Auditor Ofc.     | \$ 752.26    | Treasurer           | \$ 100.00    |
| Judicial & Law   | \$ 2,582.55  | Juv. Prob.          | \$ 438.25    |
| Election Admin.  | \$ 146.00    | Indigent Care       | \$ 12,814.25 |
| Transfer Station | \$ 4,862.00  | Bldg. Maint.        | \$ 476.66    |
| Countywide Misc  | \$ 20,668.66 | Tax A/C             | \$ 166.24    |
| County Clerk     | \$ 719.47    | Sheriff's Dept.     | \$ 8,359.84  |
| Jail Operations  | \$ 22,095.42 | County Judge        | \$ 100.38    |
| Dist. Attorney   | \$ 130.20    | J. P. 1-2           | \$ 509.80    |
| DPS              | \$ 997.59    | Constable Pct. 1    | \$ 525.95    |
| Constable Pct. 2 | \$ 500.00    | Constable Pct. 3    | \$ 116.15    |
| Constable Pct. 5 | \$ 211.64    | Data Proc Admin     | \$ 30.48     |
| TDH TB Grant     | \$ 3.50      | Foster Child Care   | \$ 9,955.00  |
| In Home Spec     | \$ 300.62    | (GEN FUND CREDITS = | \$133.18)    |
| Co. Court Oper   | \$ 1,159.33  | R&B General         | \$ 283.30    |
| Precinct 1       | \$ 1,809.78  | Precinct 2          | \$ 3,415.02  |
| Precinct 3       | \$ 3,183.20  | Precinct 4          | \$ 8,921.49  |
| Self Insurance   | \$ 18.00     | Jail Construction   | \$ 7,507.49  |
| Public Works     | \$ 4,137.89  | Adult Prob Oper     | \$ 971.52    |
| Adult Prob Fac   | \$ 391.16    | Veterans Adm        | \$ 22.95     |

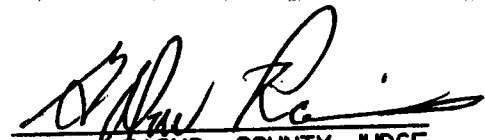
10333 APPROVE PURCHASE OF THREE (3) MOBILE TELEPHONES FOR DPS LICENSE & WEIGHTS

Judge Rains spoke of request by the Texas Dept. of Public Safety License & Weight Service for purchase of three mobile telephones to be placed in patrol units which primarily work Hays County - average monthly charge of \$25-30 per unit for "usage cost" will also be needed - DPS L&W have begun enforcing the Federal Motor Carrier Safety Regulations making it necessary to place drivers and vehicles "out of service" and requires a telephone call to the truck owner/motor carrier - mobile telephones are available through government contract for approx. \$300 each. Commissioner Gonzales stated that the DPS L&W could go through the Sheriff's Dept.

\*JULY 16, 1990\*

Dispatcher - they have accessibility in this manner. Commissioner Ford stated that the Law is unfair in that it now passes the expense to the State/Local government - spoke of revenues brought in by the DPS L&W Service. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve purchase of three (3) mobile telephones for the Texas DPS License & Weight Service. Judge Rains, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Gonzales and Commissioner Payne voting "Nay". Budget to be amended at a later date

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 19th DAY OF JULY, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**FY91 BUDGET WORKSHOP**

TEXAS ASSOCIATION OF CONCERNED CITIZENS - Jeffrey Stefanoff spoke for TACC - working with Southside Community Center - housing for the elderly and handicapped is being sought through H.U.D. - request is for \$7,000 - they constructed 2 new houses this last year - they are audited yearly - received \$4,000 from County FY90. Commissioner Gonzales spoke of 4 houses that were rehabilitated this last year and 15 smaller projects.

COUNTY TREASURER - Dottie Sims appeared - no new line items - spoke of increase in postage, telephone and continuing education - request salary increase for Assistant Treasurer - request a larger shredder which could be used by other departments as well - office supplies was discussed.

Judge Rains spoke of his recommendations for the FY91 budget:

- No salary increase has been recommended
- All requests for new positions have been denied
- 2 Sanitaricians have been cut from the Health Department budget
- Civic Center budget (expenses & revenues) have been eliminated
- Line item cuts have been made in some departments
- Annex parking lot rent has been eliminated
- Varmint control budget has been eliminated
- Contingencies cut from 25,000 to 10,000
- No funds for capital improvement
- Social Services cut 10%
- Increases provided for Schieb & Southside Community Center
- Palmer Drug Abuse funding eliminated
- Dental & Cancer Insurance eliminated
- Additional funds provided for: increase in salary for Sheriff, County Court at Law #1 Judge & Indigent Health Care Coordinator
- Additional funds for County's Health Insurance
- Additional funds for County's Liability Insurance Costs

J.P. PCT. #5 - Orlena Hehl appeared - request salary increase for staff and increase in Misc. line item.

\*JULY 19, 1990\*

YOUTH SERVICES BUREAU - Margie Hernandez appeared - spoke of caseload, Youth at Risk, tutoring program, activities and fundraisers - spoke of school supplies fund drive and difficulty in raising funds - spoke of graffiti/gang activities - requested that YSB be notified if youths are caught in gang related activities.

Commissioner Gonzales opposed to salary increase for Sheriff and Judge County court at Law #1. Commissioner Ford asked about insurance increase if County is saving money with self insurance.

NIEDERWALD VFD - Fern Houze appeared - 2 trucks have broken down and are inoperable (engine problems) - spoke of income from Caldwell County - Hays County portion is mostly residential - request is for \$4,500.

GREATER SAN MARCOS ECONOMIC DEVELOPMENT COUNCIL - Vicki Fruit appeared - spoke of ongoing projects - main objective is to create jobs (projects have created 510 construction jobs and 157 permanent jobs) - would like to do more for small businesses - 12% increase is budgeted due to the increased amount of activity (15% administrative 5% operations) - programs increased 10% - increase of \$20,000 (50%) is requested from the City of San Marcos and \$7,500 (60%) from Hays County. Janis Wade spoke of their request and the success of the San Marcos program at the Texas Municipal League Conference. Commissioner Gonzales asked about personnel reports from Industries that have received tax abatements - he has not received reports as requested. It was stated that these reports are being monitored by the City of San Marcos and should also be supplied to Hays County.

HAYS COUNTY SOIL & WATER CONSERVATION DISTRICT - Marion Johnson, Jack Maxwell and Ernest Cummings appeared before the Court - request is for \$3,000. Commissioner Gonzales asked about the fence at the dam site and Mr. Johnson stated that it was funded by the Upper San Marcos Watershed District - Commissioner Gonzales stated that he could not get to Dam Site #2 to inspect it during the rains because the gate was locked. Marion Johnson requested moving the annual inspection to October rather than November - Court approved.

JUDGE, COUNTY COURT AT LAW #2 - Linda Rodriguez, Candidate for this position, appeared - Judge Lilly had asked her to draw up a budget - she submitted a part-time and fulltime budget request - spoke of Code books that are needed and additional postage - spoke of family law matters that could be dealt with by the County Court at Law out of the District Court.

CIVIC CENTER - Commissioner Ford suggested moving the County Extension Service out to the Civic Center and let them run it - need to change Administrator - Judge Rains proposed leasing to the San Marcos Chamber of Commerce. Commissioner Ford stated that Cliff Caskey has more avenues for attracting entities that could utilize the Civic Center - would enhance his abilities and provide staff he needs. Commissioner Payne stated that we need a fulltime Manager for the Civic Center. Judge Rains felt like the County has not reaped the bounty for improvements that have been made. Commissioner Gonzales was concerned about whether the County Extension Agent could legally run the Civic Center and still receive his funding. Judge Rains suggested dissolving the Civic Center Board of Directors. Discussion was had on what acreage at the Civic Center site belongs to the Livestock Association.

NORTHEAST HAYS COUNTY VOLUNTEER EMS - Jim Huggins appeared - NEHCEMS was organized in 1984 as the Buda First Responders - in Jun 1988 they became a EMS District - spoke of training, sponsor courses and community programs - proposed budget is \$64,000 with tax revenues of \$38,000 - need a new ambulance (current unit is 12 yrs old) - have cut communication and hardware - FY91 request is for \$15,250 - ultimate goal is "advanced life support" for their community.

KYLE AREA VFD - Glenn Whitaker appeared - they do not have an ambulance - provide supplies for victims and get them stabilized for an ambulance - equipment and supplies is kept on the Kyle Fire Dept. rescue truck - request is for \$6,000 - they receive no funding from the City of Kyle - they pay for training volunteers.

DPS LICENSE & WEIGHTS - Trooper Mike Holmes appeared - spoke of L&W Service being separate from the Local Highway Patrol - requested a line item be set up for L&W to cover cost of telephone service (\$1200) scales (\$500) misc. equipment (\$200) - equipment would be items such as weatherproof box for the scales.

VICTORY OUTREACH - Pastor Richard Reyes presented a video Re: drug addictions and how Victory Outreach helps rehabilitate the drug addict - spoke of the history of Victory Outreach program (22 yrs statewide and 5 yrs in San Marcos) - local program is a Tri-County area at this time - have assisted 1,000 addicts - services are free

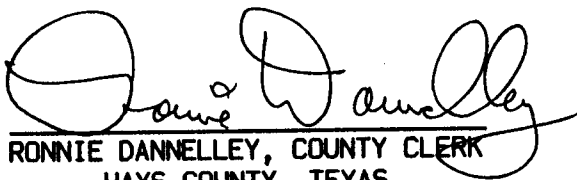
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- provide services at the County Jail, Kyle TDC Unit and Huntsville prison system - located at 2822 N. LBJ Drive, San Marcos - open 24 hours per day - Board of Directors: Richard Reyes, David Perez, Gregorio Solis and Beatrice Reyes - Board of Advisors: J.P. 1-2 Becky Sierra, Judge CCL #1 Howard S. Warner, City Councilman Ron Hart and Attorney Larry Murphree - 3 clients spoke of the program and how it has helped change their lives - request is for \$5,000 (\$3,000 Passenger Van \$500 Anti-Drug Abuse Books \$1,000 facility expansion). Commissioner Gonzales spoke in favor of the program and admires the job they are doing.

J.P. PCT. #3 - Sonny Gold appeared - request part-time secretary be increased to a fulltime position - request JP salary be equal to salary of Constable Pct. #3.

CONSTABLE PCT. #2 - James Kohler appeared - request \$7,200 for travel.

UHLAND VOLUNTEER FIRE DEPARTMENT - Commissioner Wayne Ford spoke for the Uhlend VFD - they cover the Green Pastures area - no district was created because their community lies in Hays and Caldwell Counties - request is for \$9,000 (\$4500 for perpertruck repairs).

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 23rd DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10334 APPROVE - AMENDMENTS TO ARTICLES OF INCORPORATION OF SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT BOARD, AMENDMENTS TO BY-LAW OF SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT BOARD, AND AGREEMENT OF THE SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT CORPORATION WITH RESPECT TO THE ISSUANCE OF TAXABLE INDUSTRIAL DEVELOPMENT BONDS FOR "ROHR INDUSTRIES INC "

John Orr, Fulbright & Jaworski, spoke of "Rohr Industries Inc." project - bonds are not tax exempt - Fuji Bank has issued a letter of credit - Rohr Industries deals with aero-space industry - they had previously secured short term financing and are not pursuing long term financing. Commissioner Ford asked about notification of SCTIDC Board and costs if any to the County. Mr. Orr stated that there would be no cost to the County - any costs are picked up by Rohr Industries. Commissioner Ford questioned whether the South Central Texas Industrial Development Corp. exists since the Boards term had expired and there was no activity for some time now. Mr. Orr stated that the Corporation does exist until proper dissolution through the Secretary of State's office. Commissioner Gonzales asked John Costello, Asst. D.A. for his input regarding this matter. ADA John Costello stated that Amendments to the Articles of Incorporation and By-Laws are required by Statute-with respect to approving agreement for issuance of taxable bonds for Rohr Industries this is a reporting procedure to the Court concerning this particular project. Judge Rains spoke of several meetings that have been held by the Board - they voted unanimously to adopt Amendment "A" & "B" and Agreement with Rohr Industries - recommends approval by the Commissioners' Court. Commissioner Gonzales stated that he wished the Commissioners would be kept informed of matters prior to their appearance before

\*JULY 23, 1990\*

the Court for approval. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve "Articles of Amendment the Articles of Incorporation and By-Laws of the South Central Texas Industrial Development Corporation" and "Agreement of the South Central Texas Industrial Development Corporation with Respect to the Issuance of Taxable Industrial Development Bonds for Rohr Industries Inc.". All voting "Aye".

LXHIBIT A

ARTICLES OF AMENDMENT  
TO THE  
ARTICLES OF INCORPORATION  
OF  
SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT CORPORATION

Pursuant to the provisions of Art. 1396-4.03 of the Texas Non-Profit Corporation Act, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation which limit the liability for monetary damages of directors of the corporation to it:

ARTICLE ONE. The name of the corporation is South Central Texas Industrial Development Corporation.

ARTICLE TWO. The corporation has no members. The following amendment to its Articles of Incorporation was adopted by the board of directors of the corporation at a meeting of such board held on July 19, 1990:

"The Articles of Incorporation of South Central Texas Industrial Development Corporation are hereby amended by adding thereto the following Article XIV, which shall henceforth read in its entirety as follows:

## ARTICLE XIV

No director of the Corporation shall be personally liable to the Corporation for monetary damages for any act or omission in the director's capacity as a director occurring from and after the certification by the Secretary of State of the State of Texas that these Articles of Amendment have been filed in such office, except in the following instances: (i) for any breach of the director's duty of loyalty to the corporation; (ii) for any act or omission not in good faith that constitutes a breach of the duty of the director to the Corporation or an act or omission that involves intentional misconduct or a knowing violation of law; (iii) for any transaction from which the director received an improper benefit, whether or not the benefit resulted from action taken within the scope of the director's office; or (iv) for any act or omission for which the liability of a director is expressly provided by an applicable statute."

ARTICLE THREE. Such amendment receive the vote of a majority of the directors in office.

ARTICLE FOUR. Upon written application from the corporation and at a meeting held on July 23, 1990, the Commissioners Court of Hays County, Texas, the unit which created the corporation, found it advisable that such amendment be made, authorized the same to be made, and approved the form of such amendment.

Dated: July 23, 1990.

LXHIBIT B

AMENDMENTS TO  
BYLAWS OF  
SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT CORPORATION

1. Article I, Section 2(2) of the ByLaws is hereby amended and shall henceforth read in its entirety as follows:

\*JULY 23, 1990\*

"(2) The Texas Department of Commerce, or the executive director thereof, has approved the contents of any lease sale or loan agreement made by the Corporation under the Act in connection with the issuance of obligations by affirmatively finding that the project sought to be financed is in furtherance of the public purposes of the Act."

2. The second sentence of Article V, Section 6 of the ByLaws is hereby amended and shall henceforth read in its entirety as follows:

"Such consent shall have the same force and effect as the unanimous vote and may be stated as such in any articles or document filed with the Secretary of State, the Texas Department of Commerce or any other person."

10335 RENAME OAK RIDGE ESTATES DRIVE IN OAKRIDGE ESTATES SUBDIVISION TO "HARMONS WAY"

Patsy Greiner, Admin. Coord., spoke of history of Harmon Henderson in this subdivision - first resident of the subd. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve renaming of street in the Oakridge Estates Subdivision "Harmons Way" (fka Oakridge Estates Drive) to be effective immediately. All voting "Aye".

DISCUSSION - FLOODWAY CONCERNS OF PRECINCT #1 BUILDING

Commissioner Gonzales spoke of City of San Marcos not approving findings of Kelly Kilber and Chase Baromeo - Dan Gibson, City of SM, referred D.A. Charles Chapman to FEMA regulations for routes to take to remedy the problem - spoke of dam site #5 being just up the creek from the Pct. #1 barn - City has put a culvert at Mitchell Street that creates flooding and spoke of debris in the floodway. Terry Ewald, Health Dept., stated that Chase Baromeo advised that the building did not need to be torn down and that he can justify his study - correction can be made to the FEMA map. Commissioner Gonzales stated that paperwork from the City was not processed properly - felt like the City Mayor & Councilmen need to be made aware of the situation - requested time to try and work things out - spoke of the fact that "Bill's Trading Place" is built in the floodway adjacent to the County barn property. No action taken.

DISCUSSION - RENOVATION ON 3RD FLOOR COURTHOUSE ANNEX (HISTORICAL COMMISSION)

Commissioner Gonzales spoke of prior discussion about funds not being available for renovation at courthouse annex - Mrs. Stovall had advised him that the Historical Commission might possibly be able to raise funds for the renovation. Judge Rains discussed items that need to be addressed - need to get an estimate of costs to finish renovation.

10336 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$126,633.44. All voting "Aye".

|                 |              |                |             |
|-----------------|--------------|----------------|-------------|
| ACCOUNTS RECVB  | \$ 5.59      | OTHER REV      | \$ 131.90   |
| AUDITOR         | \$ 697.95    | TREASURER      | \$ 98.42    |
| EXTENSION OFC   | \$ 47.04     | JUDICIAL & LAW | \$ 422.00   |
| JUVENILE PROB   | \$ 3,632.83  | ELECTION ADMIN | \$ 1,074.78 |
| COMM SEVICES    | \$ 20,937.00 | INDIGENT CARE  | \$ 395.00   |
| TRANSFER STA    | \$ 10.35     | BLDG. MAINT.   | \$ 634.55   |
| HEALTH DEPT.    | \$ 166.14    | CIVIC CENTER   | \$ 677.75   |
| COUNTYWIDE MISC | \$ 2,722.26  | TAX A/C        | \$ 183.00   |
| COUNTY CLERK    | \$ 6,719.28  | SHERIFF        | \$ 3,083.94 |
| JAIL OPERATION  | \$ 16,838.64 | ADMIN COORD    | \$ 32.50    |
| CO CRT @ LAW #1 | \$ 2.72      | DIST. ATTY.    | \$ 151.25   |
| J. P. 1-2       | \$ 21.65     | J. P. 3        | \$ 12.64    |
| J. P. 4         | \$ 61.41     | J. P. 5        | \$ 14.32    |



\*JULY 23, 1990\*

|                   |              |                 |              |
|-------------------|--------------|-----------------|--------------|
| CONSTABLE 3       | \$ 678.00    | CONSTABLE 5     | \$ 67.41     |
| DATA PROC ADMIN   | \$ 81.50     | CO CRT @ LAW #2 | \$ 40.70     |
| TDH TB GRANT      | \$ 1,846.75  | TJPC ISP GRANT  | \$ 70.00     |
| DIST COURT OPER   | \$ 4,419.70  | CO COURT OPER   | \$ 1,064.50  |
| FINES/TRANSFER    | \$ 50.00     | PRECINCT 1      | \$ 3,150.48  |
| PRECINCT 2        | \$ 12,131.24 | PRECINCT 3      | \$ 27,319.22 |
| PRECINCT 4        | \$ 2,543.81  | HOT CHECK       | \$ 109.25    |
| JAIL CONSTRUCTION | \$ 5,752.75  | PIONEER RD DIST | \$ 2,490.92  |
| SHERIFF'S DRUG    | \$ 21.84     | ADULT PROB OPER | \$ 5,408.56  |
| ADULT PROB FAC    | \$ 611.90    |                 |              |

**COUNTY LAW LIBRARY - DISCUSSION**

Commissioner Ford spoke of access to the Law Library in the basement at the Courthouse Annex - humidity prevents use of copier - books are not checked out and in - lights are left burning - need to lock it up until it can be adequately addressed. Auditor Bill Herzog stated that damaged books have not been replaced - has been unable to get a response from the local bar association as to what books are needed. Ruth Clayton, Tax A/C, spoke - very few people use the law library. John Costello, Asst. D.A., stated that the D.A.'s office is the main user and they are concerned about continuous access to the law library. Commissioner Ford spoke of need to check books in and out - it is being mismanaged and needs to be locked up until it can be properly managed. Commissioner Ford made a motion to lock up the law library with access only by signing in with the Auditor's office. Motion died for lack of a second.

**COURTHOUSE 3RD FLOOR - RENOVATION OF OLD JUVENILE PROBATION OFFICE**

District Clerk W. H. Moore and Deputy Sheriff Keith Jeffrey appeared before the Court - requested authority to go out for bids for renovation of the old juvenile probation office - build a wall to separate holding area from District Clerk area - holding area will need benches and grates or bars on the window. Deputy Keith Jeffrey spoke of the project - holding area will have only the one door into the courtroom - need to secure the prisoners and prevent public contact - spoke of present situation requiring additional deputies. Commissioner Gonzales suggested that the Sheriff's Dept. supply funding for the renovation from drug money. Commissioner Payne suggested getting informal proposals for the Court to consider. Court advised that Chery Pantermeuhl, Auditor's office, can write up the specs for the proposal.

**CONTRACT WITH CITY OF SAN MARCOS FOR COLLECTION OF CITY TAXES BY THE COUNTY TAX ASSESSOR-COLLECTOR**

Tax Assessor-Collector Ruth Clayton presented proposed contract with City of San Marcos for collection of City taxes by the County Tax A/C - stated that she was actively pursuing a contract with the Hays Consolidated ISD - HCISD objects to the half tax provision, however, she has no problem with omitting this. Action was postponed.

**10337 INDIGENT HEALTH CARE BUDGET AMENDMENT - LINE ITEM TRANSFER**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Indigent Health Care budget amendment by transferring \$295 from office supplies line item to office equipment line item. All voting "Aye".

**10338 ALLEN TRACT LOT 1 (PCT. 4) - 1ST, 2ND, 3RD READINGS**

Commissioner Ford asked about the water statement - would like a source of water supply indicated. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Allen Tract Lot 1" subdivision on first, second and third readings contingent on Dripping Springs approval and water statement on the plat. All voting "Aye".

\*JULY 23, 1990\*

10339 WILDWOOD REPLAT LOT 4 (PCT. 4) - 1ST, 2ND, 3RD READINGS


Tom Wisseman appeared - lot is being divided as a veterans tract - City of Dripping Springs has requested platting. Commissioner Payne spoke of his concern being that there is no property owners association to take care of the road - 4 lots are served by the road easement. Mr. Wisseman stated that the road easement is like a driveway and the property owners will maintain. Terry Ewald, Health Dept., spoke of the water statement that was required by the City of Dripping Springs being a pretty strong statement that he is reluctant to sign. Patsy Greiner, Admin. Coord., suggested that the Court start issuing "Certificates of Occupancy". A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Wildwood Replat Lot 4" subdivision on first, second and third readings. Judge Rains, Commissioner Gonzales, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "Nay".

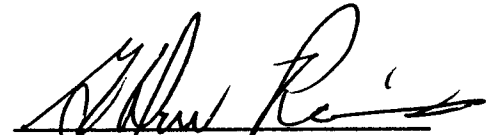
RIVER OAKS RANCH (PCT. 4)

This item was not on the agenda. Marshall Lowe spoke of paved private roads - not in Dripping Springs ETJ - same Home Owners Assn. as Phase I subdivision. No action taken this date.

JUVENILE DETENTION CENTER - CONTRACT WITH ARCHITECT

Ed Cooper, Chief Juvenile Probation Officer; spoke of PSA needing a signed contract to proceed. Commissioner Ford stated that he would like to negotiate on the figure. County Auditor Bill Herzog had several questions concerning the contract. Ed Cooper stated that he does not want the contract to hold up the project. Commissioner Ford spoke of additional fees and services - PSA's presentation gave projected cost of \$65 psf. Commissioner Payne suggested that the Court change the figures on the contract and send it back to the Architect for consideration. Commissioner Gonzales felt like the County could build this facility itself at 25% savings. Ed Cooper stated that Norris Fletcher of PSA would be in his office on Wednesday and requested that some members of the Court should also meet with him. Commissioner Ford is opposed to the Architects fee - feels like it is too high. No action was taken - to be considered at the next meeting.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 27TH DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

FY91 BUDGET WORKSHOP

\*JULY 27, 1990\*

County Auditor Bill Herzog gave a summary of FY91 budget recommendations by the County Judge.

Danny Dever, DP Administrator, spoke in support of purchasing a computer for Indigent Health Care - spoke of software to assist in her job is available.

County Auditor Bill Herzog spoke of losses in appraisals and improvements that were added (\$85 million lost \$24 million improvement added).

Civic Center - Jim Hotz appeared - revenues are down - bookings project a FY91 revenue of \$64,000 - spoke of "time element" in getting bookings for horse shows, work involved in preparing for large rallies requires up to 14 days to remove dirt and prepare grounds - spoke of Chilympiad, Cinco De Mayo and Good Sam Rallies - has been utilizing Gary Job Corps - Civic Center is a "big barn" not a convention center. Commissioner Ford asked about fees charged - Mr. Hotz stated that horse stalls are rented at \$10 each with 50 stall guarantee (\$500 - \$800) per horse show. Mr. Hotz stated that he was opposed to increasing the fees.

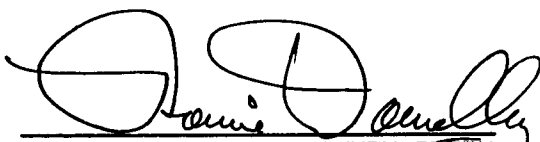
J.P. Pct. 1-1 & 1-2 - Judge Macel Sullivan and Judge Becky Sierra appeared - requested salary increase equal to other elected officials - spoke of increased workload and more complex job as laws change - spoke of being on call 24 hrs per day. Current salary is \$23,500. Judge Sierra spoke of handling San Marcos "Animal Seizure Laws" and all Administrative hearings for the other JP's, Hot Check Divisions and revenues generated. Judge Sullivan spoke of City of San Marcos prisoners at the County Jail have increased her workload in magistrating - City Judges magistrate on the weekends. Judge Rains stated that Judge Sullivan is not required to magistrate city prisoners - this was not in the agreement with the City of San Marcos. Judge Sullivan stated that she needs another typewriter for her office. Judge Sierra requested salary increases for her staff and requested that she be allowed to increase her bookkeeper (Lydell Clayton, former County Clerk) from 2 hrs per day to 4 hrs per day. Commissioner Gonzales asked the JP's about marriage ceremonies that they perform - Judge Sullivan performs approximately 1 every 3 months - Judge Sierra performs approximately 2 every week.

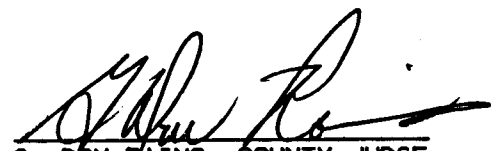
County Extension Service/Civic Center - County Agents Cliff Caskey and Susan Schramm appeared - Commissioner Payne spoke of need for a change at the Civic Center and asked for their input concerning their office being placed at the Civic Center. Mr. Caskey stated that it would depend on his District Supervisors opinion - could not interfere with their regular job - depends on how much is expected from them - need a written agreement - move would be beneficial - would need a Manager because they could not actively pursue booking of activities not related to livestock/agriculture - would need to hire additional staff - computer could be utilized to assist in bookkeeping. Judge Rains recommended continuing Civic Center as is this year.

Discussion was had on losses in appraisals and increases (i.e. insurance, salary increases, civic center) and effective tax rate.

Health Department - Terry Ewald presented figures on revenues and expenditures - 1 Sanitarian funded by the State (Pope) 1 Sanitarian funded by the City of San Marcos (Ewald) and 4 Sanitaricians funded by Hays County - spoke of programs provided, inspection & training classes for food handlers, no current truck payments - would need to increase fees to increase revenues - would like to keep current staff.

Tax increase for roads was discussed - Commissioner Payne spoke of projects on RR12 and others - Commissioner Ford proposed a 1 1/2 cent increase for R&B tax.

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

\*JULY 30, 1990\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 30th DAY OF JULY, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10340 APPROVE AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES WITH CITY OF SAN MARCOS AND THE WIMBERLEY ISD - COLLECTION OF TAXES BY THE HAYS COUNTY TAX ASSESSOR-COLLECTOR

County Tax Assessor-Collector Ruth Clayton presented two Agreements for Assessment and Collection Services, one with City of San Marcos and one with the Wimberley ISD. The County shall collect the current ad valorem property taxes owed and the delinquent taxes owed as well as perform duties relating to the assessment - cost of performing the services will be \$1.25 per parcel annually for all parcels located in Hays County and \$4.28 annually per parcel for those located outside of Hays County. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Agreement for Assessment and Collection Services between Hays County and the City of San Marcos. All voting "Aye". (see agreement in file)

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve Agreement for Assessment and Collection Services between Hays County and the Wimberley Independent School District. All voting "Aye". (see agreement in file)

10341 PROCLAMATION - VOTER REGISTRATION AWARENESS MONTH

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt Proclamation recognizing September 1990 as "Votger Registration Awareness Month". All voting "Aye".

PROCLAMATION

STATE OF TEXAS  
COUNTY OF HAYS

WHEREAS, it is the fundamental responsibility of every Texan to participate in the electoral process by exercising his or her constitutional right; and

WHEREAS, a democracy's most precious gift to its citizens is the right of participation - the right to vote; and

WHEREAS, the Texas Secretary of State's office is actively promoting voter registration and participation through the VOTE '90 campaign; and

WHEREAS, the VOTE '90 program is promoting voter registration for the November 6, 1990 general election; and

WHEREAS, October 7, 1990 marks the deadline for Texas to register and vote in the November 6, 1990 General Election; and

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that:

VOTER REGISTRATION AWARENESS MONTH

be recognized SEPTEMBER 1990, and all citizens are urged to take part in observance of this very special occasion and all Texans who have not already done so be urged to register between now and October 7, 1990 and vote in the November 6, 1990 General election.

s/ G. Don Rains  
G. DON RAINS - County Judge

ATTEST:  
s/ Ronnie Dannelley  
RONNIE DANNELLEY - County Clerk

\*JULY 30, 1990\*

## 10342 APPOINT ELECTION JUDGES AND ALTERNATE JUDGES FOR TERM STARTING AUGUST 1, 1990 TO JULY 31, 1991

Election Administrator Joyce Cowan spoke of annual appointments - Pct. 45 has no Judge or Alternate - this box is a University box and Judges can be appointed in September when students return to SWTSU. A motion was made by Commissioner Ford, seconded by Commissioner Payne to appoint Election Judges and Alternate Judges for term starting August 1, 1990 through July 31, 1991 as presented by the Election Administrator. All voting "Aye".

| <u>Pct. #</u> | <u>Judge</u>        | <u>Alternate</u>       |
|---------------|---------------------|------------------------|
| 10            | Elias F. Salinas    | Thomas Norris          |
| 11            | Neil Burleson       | Barbara Ahlberg        |
| 12            | Gloria A. Castillo  | Baltazar Saenz         |
| 13            | Rose Brooks         | Baudelia Arredondo     |
| 14            | Rosemary Suniga     | Elizabeth T. Champagne |
| 15            | Carol Kutscher      | C. S. Livingston       |
| 16            | Johnnie Armstead    | Clinton Ace Dyess      |
| 20            | Margie Villalpando  | Kyle Mayse             |
| 21            | Mary Ann Till       | Allene Von Henner      |
| 23            | Ethelene Dunham     | Susie T. Fuentes       |
| 24            | Lois J. Franklin    | Charlene Jones         |
| 25            | Leslie Young        | Mary Louise Curry      |
| 26            | Jane Kirkham        | Reagan Lambert         |
| 27            | Connie Camacho      | Susan Baldrige         |
| 28            | Ruth Spivey         | Frank Cortez           |
| 29            | Robert Ronson       | Tim R. Sorrells        |
| 30            | Mary Ann Webster    | Ofelia Vasquez         |
| 31            | Deanna Badget       | Willis R. Weld         |
| 34            | Aart Millecam       | Casandra Tvrdik        |
| 35            | Mary Joe Roddie     | Gentry Carr            |
| 36            | Harvey Mathews      | Berry James            |
| 37            | Leland F. Cadenhead | Bernice Neumann        |
| 40            | Jesse Halm          | Ellis Linsey           |
| 41            | Richard Boltz       | Clem Best              |
| 42            | Judy Templeton      | Stan A. Jones          |
| 43            | Jo Overton          | John M. Bryant         |
| 44            | Joyce L. Glore      | Graciela Garcia        |
| 45            |                     |                        |
| 46            | John Gaddie         | Mary Compton           |
| 47            | Albert H. Cobb      | Inez Patton            |
| 48            | Connie Rogers       | Robert D. Tracy        |
| 49            | Sybil Floyd         | Jacqueline M. Adams    |

COUNTING STATION

Counting Station Manager - Bob McJohnson  
 Tabulation Supervisor - Mark D. Lambdin  
 Presiding Judge - Janis Womack

ABSENTEE BALLOT BOARD

Presiding Judge - George Boerman  
 Alternate Judge - Delia Lucio  
 Worker - Vannis Mathews  
 Worker - Doris Moloney

## 10343 APPROVAL OF PROPOSED BUDGET 1990-91 OF THE SAN MARCOS-HAYS COUNTY HOME HEALTH CARE AGENCY

Ann Ashjian presented proposed 1990-91 budget for the San Marcos-Hays County Home Health Care Agency - she spoke of services and programs bringing in additional funding - requested approval of the budget recognizing that there could be changes. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve the proposed budget for 1990-91 as submitted by the San Marcos-Hays County Home Health Care Agency in the amount of \$85,800.00. All voting "Aye".

\*JULY 30, 1990\*

PROPOSED BUDGET 1990-91  
SAN MARCOS-HAYS COUNTY HOME HEALTH CARE

|                        |           |
|------------------------|-----------|
| INCOME                 |           |
| Medicare               | \$ 67,300 |
| Medicaid               | \$ 900    |
| Private Insurance      | \$ 3,600  |
| Private Ins. - Class B | \$ 4,600  |
| County (Indigent)      | \$ 9,400  |
| TOTAL INCOME           | \$ 85,800 |

|                        |           |
|------------------------|-----------|
| EXPENSES               |           |
| Director (RN) Salary   | \$ 27,040 |
| Clerical Salary        | \$ 15,787 |
| Fringe Benefits - FICA | \$ 3,277  |
| TEC                    | \$ 216    |
| Health Ins.            | \$ 2,220  |
| Contract RN            | \$ 9,890  |
| Contract PT            | \$ 10,800 |
| Contract Nurses Aide   | \$ 3,000  |
| Travel                 | \$ 5,000  |
| Malprac. Insurance     | \$ 900    |
| Medical Supplies       | \$ 2,400  |
| Offic Supp/Postage     | \$ 1,200  |
| Telephone              | \$ 960    |
| Advertising            | \$ 250    |
| Training               | \$ 360    |
| Fees, Dues, Misc.      | \$ 2,500  |
| TOTAL EXPENSES         | \$ 85,800 |

ANIMAL CONTROL COMMITTEE REPORT

Fern Houze, Animal Control Committee Chairman, spoke - committee recommends budgeting for an Animal Control Officer - recommends that State Law be adopted now and rewrite the ordinance when an ACO is budgeted. Gail Fields, P.A.W.S., asked about problems with the proposed ordinance. Commissioner Ford spoke of gray areas in the proposed ordinance and concerns of citizens, in particular ranchers. Mrs. Fields stated that the committee used laws that have already been written and that they would like to meet with the Commissioners to discuss the ordinance.

GOODMAN CORPORATION-DRAFT THOROUGHFARE PLAN FOR HAYS COUNTY

Administrative Coordinator Patsy Greiner passed out draft report which has been received - need to make any recommendations - will put on next agenda.

10344 ADOPT RESOLUTION URGING DELAY IN DEMOLITION OF CARROLL HALL AT SWTSU

Judge Rains spoke of demoliton plans at SWTSU. Patsy Greiner, Admin. Coord., spoke of the Hays County Historical Commission's meeting with the Regents of SWTSU - they are requesting delay of the demolition to the State Board of Regents - there are no plans to build on this site in the near future. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to adopt resolution urging the Board of Regents of SWTSU not to demolish Carroll Hall at this time. All voting "Aye".

RESOLUTION

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
COUNTY OF HAYS \* OF H A Y S COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

\*JULY 30, 1990\*

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF HAYS, TEXAS, URGING THE BOARD OF REGENTS OF SOUTHWEST TEXAS STATE UNIVERSITY NOT TO DEMOLISH THE BUILDING KNOWN AS CARROLL/SAN MARCOS HALL LOCATED ON THE WEST CAMPUS OF OF SAID SOUTHWEST TEXAS STATE UNIVERSITY AT THIS TIME.

WHEREAS, Carroll Hall proudly bears a Texas Historical medallion due to its being a Recorded Texas Historic Landmark; and

WHEREAS, the Commissioners Court supports the preservation of the historical heritage of Hays County; and

WHEREAS, there appears to be no immediate need to demolish this outstanding example of Classical Revival architecture; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that:

The Commissioners' Court of Hays County, Texas strongly urges the Board of Regents of Southwest Texas State University not to demolish the building known as Carroll/San Marcos Hall located on the West Campus of Southwest Texas State University at this time.

RESOLUTION PASSED AND ADOPTED ON THIS 30TH DAY OF JULY, 1990,

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
G. Don Rains, County Judge

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
County Clerk

10345 REAPPOINT BOARD MEMBERS TO THE "HAYS COUNTY HOSPITAL AUTHORITY" AND THE "HAYS MEMORIAL HEALTH FACILITIES DEVELOPMENT CORPORATION"

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to reappoint Board members to the "Hays County Hospital Authority" and the "Hays Memorial Health Facilities Development Corporation" as follows: Wm. M. Johnson, Noble Haden, Patty Sullivan, Tom Haley, Ollie Giles, Jim H. McCrocklin, Marcos Hernandez, Dr. Wm. Moore, Don Green, Mary Salinas and Blas Tenorio. All voting "Aye".

10346 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$91,437.13. All voting "Aye".

|                 |             |                 |              |
|-----------------|-------------|-----------------|--------------|
| Other Revenue   | \$ 470.00   | Auditor         | \$ 17,381.03 |
| Judicial & Law  | \$ 7,896.63 | Juv. Probation  | \$ 385.00    |
| Election Admin  | \$ 139.00   | Indigent Care   | \$ 7,315.93  |
| Transfer Sta    | \$ 231.53   | Bldg. Maint     | \$ 106.93    |
| Civic Center    | \$ 102.62   | Countywide Misc | \$ 19,439.21 |
| Tax A/C         | \$ 15.12    | Dist. Clerk     | \$ 26.88     |
| County Clerk    | \$ 3,916.16 | Sheriff         | \$ 2,320.98  |
| Jail Operations | \$ 2,302.90 | Dist. Atty.     | \$ 34.92     |
| J.P. 1-1        | \$ 131.15   | J.P. 3          | \$ 58.74     |
| J.P. 5          | \$ 125.81   | DPS             | \$ 706.37    |
| Constable 1     | \$ 229.76   | Constable 5     | \$ 184.25    |
| Data Proc Adm   | \$ 154.96   | TDH TB Grant    | \$ 283.50    |

\*JULY 30, 1990\*

|                        |    |          |                        |    |          |
|------------------------|----|----------|------------------------|----|----------|
| TABC                   | \$ | 3.01     | *CREDIT/GEN = \$53.01* |    |          |
| Co Court Oper          | \$ | 1,341.00 | Dist Court Oper        | \$ | 44.33    |
| *CREDIT/JURY = \$5.58* |    |          | R&B General            | \$ | 496.12   |
| Precinct 1             | \$ | 3,201.33 | Precinct 2             | \$ | 5,868.93 |
| Precinct 3             | \$ | 7,701.26 | Precinct 4             | \$ | 5,932.95 |
| Hot Check Fee          | \$ | 513.20   | Law Library            | \$ | 287.70   |
| Public Works           | \$ | 350.00   | Adult Prob             | \$ | 1,382.21 |
| Adult Prob Fac         | \$ | 414.30   |                        |    |          |

10347 APPROVE BILLING FROM PEC FOR UTILITY RELOCATION ON RR12 PROJECT

Patsy Greiner, Admin. Coord., spoke of previous billing on relocation of utilities being \$85,990.84 - re-estimate is more in the \$60,000 range - PEC will bill County only for expenses and will request variance to leave some poles where they are - there is money in the ROW budget. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve billing from PEC for utility relocation on RR12 project - not to exceed \$60,000.00. All voting "Aye".

10348 AUTHORIZE LINE ITEM TRANSFER FOR INDIGENT HEALTH CARE TO ALLOW FOR PURCHASE OF COMPUTER

Judge Rains spoke of need for a computer for the Indigent Health Care - manual process is time consuming - Eva Cruz has been assisted by Virginia in the County Judge's office, however, once she moved to the Health Dept. she will not have this assistance - computer will help in screening process - software is provided by the State. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of computer not to exceed \$2,000.00 with transfer of funds from Indigent Health Care Operating Expense line item to Office Equipment. All voting "Aye".

PCT. 1 VEHICLE MAINTENANCE BUILDING

Commissioner Gonzales spoke of engineering study that has been made by Travis Associates - he has tried to work with the City of San Marcos - had been advised in the past by District Attorney Bill Rugeley that the County did not need to obtain a permit to build on county property - has contacted several City Councilmen concerning this matter - felt like flooding will be downstream - City needs to reconsider based on reports/studies - does not want to jeopardize the flood insurance program. No action taken.

10349 APPOINT RECORDS MANAGEMENT OFFICER

County Auditor Bill Herzog spoke of Law requiring appointment of a Records Management Officer by January 1, 1991 - must adopt a written plan and a records control schedule by January 1995. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to appoint County Auditor Bill Herzog as Records Management Officer for Hays County. All voting "Aye".

10350 HIRE SURVEYOR TO SURVEY JAIL PROPERTY (LAND SITE SURVEY)

Commissioner Ford spoke of need to have an up-to-date land site survey of the Jail property which would show existing easements, driveways, etc. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to hire Kelly Kilber to survey the jail property on approval by the County Judge of fee to be charged for this service. All voting "Aye".

SURVEY OF MILAM JOHNSON PROPERTY

Commissioner Craig Payne spoke of a county road that was put in years ago (1950's) - property owner owns to the centerline of this r-o-w and would like to have this property taken off the tax rolls. Patsy Greiner, Admin. Coord., spoke of having a quitclaim deed form in her computer that could be signed by the property owner once field notes are obtained of the property. Commissioner Rippy stated that the survey should be made at the property owners expense and not the Countys. Commissioner Ford stated that the County should only pay for survey expenses if the County is doing improvements that will benefit the County.



\*JULY 30, 1990\*

## 10351 ACTION NAMING A COUNTY ROAD IN PCT. #2 "PEACEFUL VALLEY ROAD"

Commissioner Wayne Ford spoke of a county road located in the area of FM2001 and County Road #157 that does not have a name - residents on the road cannot come to an agreement on a name for the road - a road name is needed for the 9-1-1 program - road is approximately 4/10 of a mile long - recommends naming "Peaceful Valley Road". A motion was made by Commissioner Ford, seconded by Commissioner Rippy to designate unnamed road in Pct. #2 as "PEACEFUL VALLEY ROAD". All voting "Aye".

## 10352 CALL PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION - SET SPEED LIMIT ON "PEACEFUL VALLEY ROAD" IN PCT. #2

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to call public hearing to establish traffic regulation - Speed Limit of 30MPH - on Peaceful Valley Road to be held August 13, 1990 at 9:30 A.M. All voting "Aye".

## 10353 RIVER OAKS RANCH, PHASE 2 - 1ST, 2ND, 3RD READINGS (PCT. 4)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "River Oaks Ranch, Phase 2" subdivision on first, second and third readings. All voting "Aye".

## 10354 JUVENILE DETENTION CENTER - APPROVE CONTRACT AND SCHEMATIC DESIGN

Commissioner Craig Payne spoke of Architects contract: fee remains \$68,500 additional services fee reduced to 1.1% of costs (was 2.5%) - fee does not include fulltime inspections - certificate of work does not guarantee quality of work, this liability is on the general contractor. Commissioner Gonzales was concerned about approving a contract without building plans - Judge Rains advised that contract can be terminated. Architect presented a Schedule of Services - their fixed fee includes the services listed in the first two columns - agreed to add furniture selection/design. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve Contract with Phillips Swager Associates for a Juvenile Detention Center with services agreed to this date. All voting "Aye".

Norris Fletcher, of PSA, presented schematic design for a 16 bed juvenile detention center containing 7,552 sq. ft. - construction cost = \$560,135 (\$74.17 psf) - total estimated project costs = \$735,135. Ed Cooper, Chief Juvenile Probation Officer, projected that operating costs for the facility would be around \$180,000 - \$200,000 - they are currently receiving funding by the State and Federal government - spoke of having been working towards this project for the last 5 years. Commissioner Gonzales spoke of appraisals having gone down, Industries with tax abatements and tax exempt properties - Court needs to be realistic about taxes - Commissioners are more accountable to the citizens than others.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve schematic design presented by PSA and proceed with a 16 bed Juvenile Detention Center. All voting "Aye".

## ADMINISTRATIVE COORDINATOR - REPORT

Patsy Greiner gave a report of meetings she has attended - spoke of FM1626 project (fencing) RR12 project f/San Marcos t/Wimberley (need environmental impact study and bird survey) FM3407 "Wonderworld Drive" (widening f/Hwy 123 t/I35 to 5 lanes) FM2770 @ FM1626 (left turn lane) - bid letting will begin in October for State projects on RR12 north of Dripping Springs and Hwy 290 east of Dripping Springs for left turn lanes - State project to widen FM2001 f/IH35 t/Hwy 21 - I35 overpass @ McCarty & Wonderworld Drive has been approved - spoke of seminar on endangered species in Travis County - part of Hays County is included - Georgetown is being added - need to participate in the regional plan - \$45,000 needed (could be split with Barton Springs/Edwards Aquifer. Downtown Parking meeting - Downtown Merchants are actively pursuing cooperation with new mall - enforcement of 2 hour parking.

\*JULY 30, 1990\*

FY91 BUDGET WORKSHOP

Auditor - Auditor's salary increased to \$36,500 (from \$34,192) \$18,000 + added for Internal Auditor position (new position) \$899 added for books & periodicals

Salary increases was discussed - there are 20 elected officials - 3% cost-of-living increase = \$160,000 - put dental back in @ \$25,000.

Treasurer - shredder to be purchased by Auditor's office - salary increase for Asst. Treasurer (Michelle) approved - continuing education increased \$200 Postage increased by \$300

County Extension Office - leave as proposed.

Judicial & Law - increased appointed attorney expense to \$75,000.00.

Juvenile Probation Office - leave as proposed.

DPS - Sgt. Ralph Meyer appeared and requested that the License & Weights line items be put under the DPS budget department - scale repairs are currently being paid out of the DPS budget - requests \$5,000 for radar units and \$7,200 for part-time staff.

Election Administration Office - leave as proposed.

Community Services - Buda Public Library \$6,300 Dripping Springs Library \$6,300 Kyle Public Library \$6,300 San Marcos Public Library \$21,750 Wimberley Public Library \$6,300 Niederwald VFD \$3,300 Uhland VFD \$2,200 Kyle Area Vol EMS \$5,000 San Marcos EMS Serv Suppl \$85,000 Greater San Marcos Economic Devel Council \$12,500 San Marcos Area Food Bank \$6,000

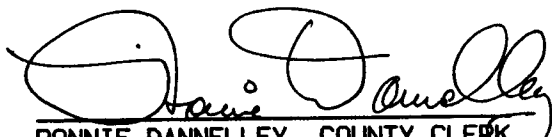
Indigent Care - Medical Supplies @ \$23,000 Medical Sevices @ \$170,000 Pauper Burial Expense @ \$4,000 - leave the rest as proposed.


Transfer Station - Staff Salaries @ \$28,500 Trash Hauling @ \$55,000 - leave rest as proposed.

Bldg. Maintenance Dept. - Janitorial supplies @ \$12,000 Misc. Equip Mtc. & Rep @ \$1,500 Telephone @ \$1,200 - leave the rest as proposed.

Health Dept. - cut one Sanitarian @ \$18,000 - leave the rest as proposed.

Countywide Misc. - Varmint control @ \$10,800 Annex Parking Lot Rent @ \$4,680 (need to check into buying this property) - change Misc. Operating Expense to Contingencies - CAPCO \$7,500 is for solid waste regional plan - leave the rest as proposed.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*JULY 31, 1990\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 31st DAY OF JULY , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

#### FY91 BUDGET WORKSHOP

Heartland Council - Ed Thomasson spoke of the Heartland Council promoting tourism in the Dripping Springs area of Hays County - request \$5,000 from Hays County - they will be seeking additional grants - this organization will benefit the Dripping Springs area. Judge Rains felt like the City of Dripping Springs should help fund this organization to help promote their community.

Salaries - Commissioner Gonzales spoke of some social service programs paying their employees more than some county employees make. Bill Herzog stated that total salaries for Hays County is \$6,404,785 - Elected Officials & Department Heads salaries comprise \$871,994 of that total - 1 cent tax increase would generate \$180,000 in revenues.

Countywide Misc. - Annex remodeling added \$5,000 (1st floor \$2,500 3rd floor \$2,500).

Indigent Care - Increase Eva Cruz salary from \$15,496 to \$18,500 with no additional increases allowed.

Hays County Historical Commission - Frances Stovall presented the County with a copy of the two cemetery books (filed in County Clerk's office) - spoke of project renovating the first Hays County Jail owned by the City of San Marcos and funded with a grant with the help of the Hays County Historical Comm - spoke of need for renovation of the third floor courthouse annex for their archives.

Tax Assessor-Collector Office - leave as proposed.

District Clerk - cut part-time employee - office supplies @ \$3,500 permanent record supplies @ \$2,500 - leave the rest as proposed.

County Clerk - permanent records supplies @ \$53,125 continuing education @ \$2,000 - leave the rest as proposed.

Sheriff's Dept. - same budget as FY90 .

Jail Operations - prisoner meal expense cut to \$275,000 - leave the rest as proposed.

County Judge - travel allowance @ \$1,500 continuing education @ \$475 - leave the rest as proposed.

Administrative Coordinator - leave as proposed (\$32,698).

County Court at Law 1 - Judge's salary @ \$41,572 telephone @ \$800 - leave the rest as proposed.

District Attorney's Ofc - leave as proposed (\$310,037).

\*JULY 31, 1990\*

J.P. 1-1 - Judge's salary @ \$25,072 telephone @ \$700 ofc. equip \$ -0-  
leave the rest as proposed.

J.P. 1-2 - Judge's salary @ \$25,072 postage @ \$600 continuing education @ \$375  
misc. expense @ \$300 telephone @ \$1,400 - leave the rest as proposed.

J.P. 3 - Judge's salary @ \$20,000 - leave the rest as proposed.

J.P. 4 - leave as proposed (\$46,733).

J.P. 5 - leave as proposed (\$67,124).

Dept. of Public Safety - leave as proposed (\$89,860).

Constable 1 - Office supplies @ \$800 fuel & lubes @ \$2,000 telephone @ \$800 -  
leave the rest as proposed.

Constable 2 - Travel @ \$7,000 - leave the rest as proposed.


Constable 3 - Salary @ \$20,000 fuel & lubes @ \$1,000 vehicles Mtc. & Rep @ \$700  
telephone @ \$300 - leave the rest as proposed.

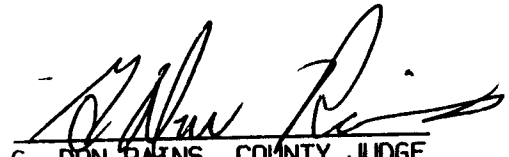
Constable 4 - Fuel & lubes @ \$1,200 vehicle mtc. & rep @ \$1,000 telephone @  
\$200 - leave the rest as proposed.

Constable 5 - leave as proposed (\$40,794).

Palmer Drug Abuse Program - Lee Swift appeared before the Court - spoke of budget  
request and funds that were cut.

Court recessed until 10 A.M August 1, 1990.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~000~~~~~

\*AUGUST 1, 1990\*

STATE OF TEXAS •  
 •  
 COUNTY OF HAYS •

ON THIS THE 1ST DAY OF AUGUST , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

#### FY91 BUDGET WORKSHOP

Sheriff Paul Hastings appeared before the Court regarding the proposed budgets for the Sheriff's Dept. and the Jail - spoke of closing down part of the jail, drug fund expenditures and discretionary funds - spoke of number of employees that he has: 125 Jailers and 39 Clerical. Judge Rains spoke of this years budgeting process being the most difficult because of decrease in valuations and increases in insurance costs - citizens have requested "no tax increase". Commissioner Payne stated that he felt like more has been spent on law enforcement than any other departments.

Social Services - Judge Rains' proposed budget shows a 10% decrease in funding from FY90 - Court decided on the following funding for FY91:

|                            |           |
|----------------------------|-----------|
| CCA Elderly Nutrition      | \$ 10,000 |
| Hill Country Sr Citizens   | \$ 16,500 |
| Onion Creek Sr Citizens    | \$ 6,000  |
| CAA Sr Citizens Program    | \$ 10,000 |
| Wimberley Sr Citizens      | \$ 4,000  |
| Crisis Hot Line            | \$ 1,000  |
| Hays/Caldwell Council Alc  | \$ 4,000  |
| Hays County Women's Center | \$ 12,000 |
| CAA Legal Aid              | \$ 2,000  |
| Scheib Opportunity Center  | \$ 14,000 |
| Southside Comm Center      | \$ 7,000  |
| Youth Services Bureau      | \$ 10,841 |
| P.A.W.S.                   | \$ 3,000  |
| TX Assn Concerned Citizens | \$ 3,000  |
| Student Government Day     | -0-       |
| Palmer Drug Abuse Program  | -0-       |
| Home Health Program        | \$ 8,250  |
| Heartland Council          | -0-       |
| Victory Outreach           | -0-       |

Commissioner Gonzales was absent for afternoon session.

Constable 5 - Vehicle Mtc & Rep increased to \$2,800.

Veteran's Adm Ofc - same as proposed (\$26,691).

Data Processing Admin - same as proposed (\$98,826).

County Court at Law 2 - same as proposed (\$27,656)

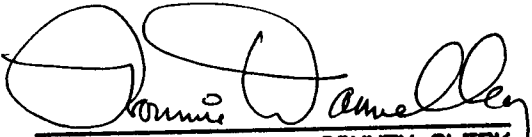
Civic Center - discussion was had on leasing, changing Manager and moving the County Extension Service to the Civic Center - need to get a report of events and fees charged and check on concessions.

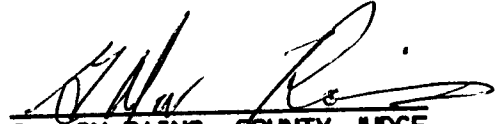
Commissioner Ford suggested a 1 1/2 cent tax increase that would generate revenue = \$250,000 (\$75,000 for R-O-W \$175,000 for the Road Precincts) - Commissioner Ford, Commissioner Payne and Judge Rains voted in favor of a 1 1/2 cent tax increase. County Auditor Bill Herzog spoke of revenues generated from telephone service at the jail \$8,000 creating additional revenues of \$74,000.

Prisoner Transfer Expense - add \$10,000.

\*AUGUST 1, 1990\*

Greater San Marcos Economic Development - Increase to \$20,000.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 6th DAY OF AUGUST , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| 6. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10355 ADOPT RESOLUTION REPEALING DISASTER DECLARATION - THREAT OF WILD FIRES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt resolution repealing Disaster Declaration - Threat of Wild Fires. All voting "Aye".

REPEAL OF DISASTER DECLARATION

THREAT OF WILD FIRES

STATE OF TEXAS \*  
COUNTY OF HAYS \*

WHEREAS, on June 25, 1990 a declaration of disaster based on the threat of large wild fires in Hays County and an emergency order prohibiting outdoor burning was initiated; and

WHEREAS, Hays County has now had an appreciable rainfall and conditions are improving;

NOW, THEREFORE, BE IT RESOLVED that the Commissioners' Court of Hays County, Texas, do hereby REPEAL the Disaster Declaration - Threat of Wild Fires.

RESOLUTION PASSED AND ADOPTED on this the 6th day of August, 1990.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains  
COUNTY JUDGE

s/ Rafael Gonzales  
COMMISSIONER, PRECINCT #1

s/ W. R. Ford  
COMMISSIONER, PRECINCT #2

s/ Craig Payne  
COMMISSIONER, PRECINCT #3

s/ Oran Hill Rippy  
COMMISSIONER, PRECINCT #4

ATTEST:  
s/ Ronnie Dannelley  
HAYS COUNTY CLERK

\*AUGUST 6, 1990\*

**10356 CALL PUBLIC HEARING TO CHANGE STREET NAME FROM CENTERPOINT ROAD TO "FACTORY SHOPS ROAD" (PORTION OF ROAD FROM OLD BASTROP ROAD TO HUNTER ROAD)**

Commissioner Gonzales spoke of request by Factory Shop Mall to change road name - there are five residence on this portion of roadway (apprx. 2 miles). A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to call a public hearing to change name of Centerpoint Road from the Old Bastrop Road to Hunter Road - name to be changed to "Factory Shops Road" - public hearing to be held August 13, 1990 at 10:00 o'clock A.M. All voting "Aye".

**10357 HAYS COUNTY SOIL & WATER CONSERVATION DISTRICT - REQUEST FOR \$600 TO CONTINUE EMPLOYMENT OF SCD TECHNICIAN**

A letter was received from Marion Johnson, District Conservationist, requesting funds in the amount of \$600 to continue employment of Soil Conservation District Technician. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend the budget \$600.00 from Road & Bridge Line Item #5454 Dam Mtc. to Line Item #5853 HCS&WCD. All voting "Aye".

**10358 RESOLUTION SUPPORTING PETITION FOR EXTENDED AREA SERVICE FOR UNINCORPORATED AREAS OF DRIPPING SPRINGS AND BUDA**

Commissioner Ford spoke of petition for extended area service urging the Public Utility Commission to approve a joint agreement for extended area service. GTE Representative spoke of advantages to the residents if agreement is approved. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to adopt resolution supporting a petition for extended area service and urging the Public Utility Commission to approve a joint agreement filed by the Cities of Dripping Springs, Buda, and Hays for this extended area service to the Austin Metropolitan Exchange and furthermore designating Commissioners Wayne Ford and Oran Hill Rippey to represent customers residing in the unincorporated areas. All voting "Aye".

RESOLUTION

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
 COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF HAYS, TEXAS, REPRESENTING THE UNINCORPORATED AREAS OF BOTH THE DRIPPING SPRINGS AND BUDA TELEPHONE EXCHANGES, FULLY SUPPORTS A PETITION FOR EXTENDED AREA SERVICE AND STRONGLY URGES THE PUBLIC UTILITY COMMISSION OF TEXAS TO APPROVE A JOINT AGREEMENT FILED BY THE CITIES OF DRIPPING SPRINGS, BUDA, AND HAYS FOR THIS EXTENDED AREA SERVICE FROM THE DRIPPING SPRINGS AND BUDA EXCHANGES TO THE AUSTIN METROPOLITAN EXCHANGE (DOCKET NO. 9495).

WHEREAS, the Hays County Commissioners Court has been advised that the Cities of Dripping Springs, Buda, and Hays have petitioned the Public Utility Commission of Texas for extended area service (EAS) from the Dripping Springs and Buda exchanges and to Austin Metropolitan exchange (Docket No. 9495); and

WHEREAS, the Hays County Commissioners Court, representing the unincorporated areas of both the Dripping Springs and Buda exchanges, fully supports this petition and strongly urges the Public Utility Commission of Texas to approve the joint agreement filed by the parties in this case; and

WHEREAS, in addition to supporting the joint petition for EAS, the Commissioners Court authorized Galen Dodson, Mayor of Dripping Springs, to act as spokesperson for the Dripping Springs exchange in the proceedings pending before the Public Utility Commission of Texas, and Robert Roach, Mayor Pro-Tem of Buda, and June Hill, Mayor Pro-Tem of Hays, to act as joint spokespersons for the Buda exchange; and

\*AUGUST 6, 1990\*

WHEREAS, the Commissioners Court also designates County Commissioner Wayne Ford to represent those GTE Southwest Incorporated customers who reside in unincorporated areas of the Buda exchange to monitor and participate in the proceedings pending before the Public Utility Commission of Texas to ensure that the interests of those residents are fully protected, and County Commissioner Oran Hill Rippy to represent those GTE Southwest Incorporated customers who reside in unincorporated areas within the Dripping Springs exchange to ensure that the interests of those residents are also met.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, that:

The Commissioners Court of Hays County, Texas strongly urges the Public Utility Commission of Texas to approve the Joint Agreement filed by the parties in this case.

RESOLUTION PASSED AND ADOPTED ON THIS 6TH DAY OF AUGUST, 1990.  
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Ralph Gonzales  
Ralph Gonzales, Pct. 1

s/ W. R. Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

s/ G. Don Rains  
G. Don Rains  
County Judge

ATTEST:

s/ Linda C. Fritsche  
Deputy County Clerk

10359 APPROVE PROPOSAL FOR COURTHOUSE RENOVATION 3RD FLOOR DISTRICT CLERK/HOLDING CELL OFFICES

Sheriff Paul Hastings and District Clerk W. H. Moore appeared with cost estimates received to build a wall, benches, tape & float & paint the wall:

|  |             |
|--|-------------|
| Alton T. Hill - Carpentry & Cabinets     | \$ 2,980.00 |
| Bob Ogletree - San Marcos Remodeling Co. | \$ 1,775.00 |
| Herb Sanchez - Sanchez Construction      | \$ 1,100.00 |

Commissioner Gonzales spoke of not having specifications for the project drawn up - proposals may not be for the same identical job. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award proposal for 3rd floor courthouse renovation of the District Clerk/Holding Cell to Herby Sanchez - Sanchez Construction. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Gonzales and Judge Rains voting "No".

10360 APPROVE GOODMAN CORPORATION THOROUGHFARE PLAN UPDATE FOR HAYS COUNTY

Patsy Greiner, Admin. Coord., spoke of Thoroughfare Plan for Hays County - utilize mapping project to highlite areas of need. Commissioner Ford questioned the Courts legal authority to adopt a transportation plan - would need to hire an Engineer. Commissioner Payne disagreed with some of the cost estimates. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve the Goodman Corporation Thoroughfare Plan for Hays County as amended by the Court in writing. All voting "Aye".

10361 CALL PUBLIC HEARING TO ABANDON AND SALE A PORTION OF CLIFFSIDE DRIVE IN THE CLIFFSIDE SUBDIVISION

Commissioner Payne spoke of request by Art Bush to abandon part of Cliffside Drive in the Cliffside Subdivision - need to call a public hearing and notify abutting property owners. A motion was made by Commissioner Payne, seconded by Commissioner Ford to call public hearing to abandon and sale a portion of Cliffside Drive in the Cliffside Subdivision to be held August 20, 1990 at 10:00 A.M. All voting "Aye".



\*AUGUST 6, 1990\*

10362 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$49,903.85. All voting "Aye".

|                   |              |                   |             |
|-------------------|--------------|-------------------|-------------|
| Auditor           | \$ 367.50    | Treasurer         | \$ 80.35    |
| Judicial & Law    | \$ 319.31    | Juv Probation     | \$ 44.00    |
| Indigent Care     | \$ 5,775.02  | Transfer Station  | \$ 56.73    |
| Bldg. Maint.      | \$ 5,410.16  | Health Dept.      | \$ 609.47   |
| Civic Center      | \$ 1,786.34  | Countywide Misc   | \$ 6,795.51 |
| Tax A/C           | \$ 1,318.50  | Dist. Clerk       | \$ 112.00   |
| County Clerk      | \$ 1,524.51  | Sheriff's Ofc.    | \$ 499.25   |
| Jail Operations   | \$ 13,190.01 | Co Court @ Law 1  | \$ 200.00   |
| Dist. Atty.       | \$ 507.59    | J. P. 1-2         | \$ 11.60    |
| J.P. 2            | \$ 422.01    | J. P. 3           | \$ 300.00   |
| J. P. 4           | \$ 250.00    | J. P. 5           | \$ 123.52   |
| DPS               | \$ 1,037.74  | Constable 2       | \$ 66.72    |
| Constable 3       | \$ 15.00     | Constable 4       | \$ 27.70    |
| Data Proc Admin   | \$ 835.50    | Co Court @ Law 2  | \$ 165.00   |
| TDH TB Grant      | \$ 19.50     | TDH Sanit Grant   | \$ 285.50   |
| TDH M&C Care      | \$ 800.00    | TABC              | \$ 1.67     |
| Dist Court Oper   | \$ 77.47     | County Court Oper | \$ 823.80   |
| Road & Bridge Gen | \$ 24.89     | Precinct 1        | \$ 114.16   |
| Precinct 2        | \$ 3,152.60  | Precinct 3        | \$ 373.21   |
| Precinct 4        | \$ 209.93    | Hot Check Fee     | \$ 18.90    |
| Law Library       | \$ 3.35      | Adult Prob Oper   | \$ 1,642.83 |
| Adult Prob Fac    | \$ 505.00    |                   |             |

10363 PCT #1 BUDGET AMENDMENT TO PROVIDE FUNDS FOR ROADWORK AT FACTORY OUTLET MALL

Commissioner Gonzales spoke of need for base with double squirt on Centerpoint Road at the new Factory Outlet Mall - their grand opening will be August 17th - cost for project would be approximately \$10,000 - Pct. 1 does not have the funds and does not want an advancement from FY91 funds for this project. Commissioner Payne spoke of possible tax increase for FY91 for the road precincts. Commissioner Gonzales stated that he would accept a loan - emphasized the fact that his precinct does not contract out roadwork, its done by his crew. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to advance Precinct #1 \$10,000 from the R&B General budget for roadwork at Factory Outlet Mall. All voting "Aye".

10364 AMEND BUDGET OF COUNTY AUDITOR'S OFFICE TO PAY FOR PURCHASE OF REQUISITION FORMS AND PURCHASE ORDER FORMS

Assistant Co. Auditor Paula Pond spoke of requisition forms and purchase order forms that have already been purchased - need to transfer \$1,500 from DP Mtc. & Rep line item to Office Supplies line item. Commissioner Ford stated that the Commissioners' Court needs to establish a Purchase Order Policy in order to utilize the forms. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to amend the County Auditor's budget to pay for purchase of requisition forms and purchase order forms by transferring \$1,500 from DP Mtc. & Rep line item to the Office Supplies line item. Judge Rains, Commissioner Gonzales, Commissioner Payne, and Commissioner Rippy voting "Aye". Commissioner Ford voting "Nay".

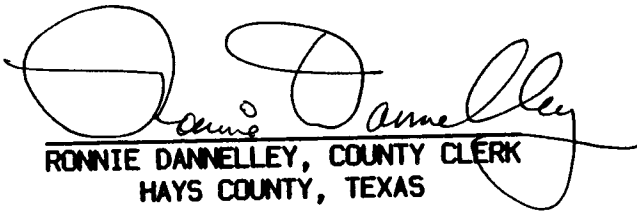
10365 JAIL - AUTHORIZE PURCHASE OF FILING CABINETS

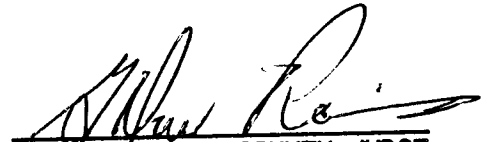
Major Rod Ellis spoke of need for filing cabinets for jail records - they can go to microfilm/microfiche after records are 5 yrs old, however, they do not have the necessary equipment to do so - in the meantime they are in need of 5 lettersize filing cabinets and 1 legalsize - approximate cost is \$930. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize purchase of six filing cabinets for the Jail. All voting "Aye".

FLOODPLAIN VARIANCE REQUEST - SALT LICK RESTAURANT ON ONION CREEK

Terry Ewald, Health Dept., spoke of property owned by Hisako Roberts located on FM 1826 - owner wants to add a partyroom in the floodway - will have solid walls and restrooms. Commissioner Payne spoke of it being illegal to build in the floodway. No action was taken - Postponed.

\*AUGUST 6, 1990\*

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*\*\*\*\*000\*\*\*\*\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 13th DAY OF AUGUST , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**CITY OF DRIPPING SPRINGS - FUNDING REQUEST FOR FOUNDERS MEMORIAL PARK**

Mayor Galen Dodson appeared before the Court and spoke of Founders Memorial Park which was built with the cooperation of the City of Dripping Springs, Hays County Commissioners' Court, Texas Parks and Wildlife and others - consists of 32 acres with a junior olympic swimming pool, one unlighted softball field, a walking trail, a cactus garden, a small playground and a pavillion - park maintenance and ranger service is provided by volunteers - pool is managed by Oak Hill YMCA - request funding of \$10,000. George Galloway, Park Board Chairman, spoke of park improvements - would like to put in two softball fields with lighting and fencing in order to hold tournaments which would bring in revenues for the park - feel like the park will become self supporting through users fees from the swimming pool and ball fields. Commissioner Ford spoke of the fact that Dripping Springs does not have a property tax - only revenues are from sales tax. Commissioner Payne asked about current revenues at the park. Mr. Galloway stated that in June 3,000 people used the pool (fees are \$2 for adults & \$1 for children) and in July it was just under 2,000. Commissioner Rippy spoke of the advantages of the park in the Dripping Springs community. Court advised that they would consider this request during budget process. No action taken.

**10366 RESOLUTION APPROVING TAX ABATEMENT AGREEMENT BETWEEN HAYS COUNTY AND PARKVIEW METAL PRODUCTS INC. AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE AGREEMENT**

Patsy Greiner, Admin. Coord., spoke of request for Tax Abatement for Lot 1 Block 3 Therman Industrial Park No. 2 Unit Two that was requested March 5, 1990 - they have obtained abatements from the City of San Marcos and the San Marcos CISD. Vicki Fruit, San Marcos Economic Development Council, spoke of project. Commissioner Gonzales requested that the members of the Court be informed of new industries and businesses before they appear on the agenda. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve the terms and conditions of a tax abatement agreement between the County of Hays and Parkview Metal Products, Inc. and authorizing the County Judge to execute the agreement and declare an effective date. All present voting "Aye".

\*AUGUST 13, 1990\*

**10367 PUBLIC HEARING - ESTABLISH TRAFFIC REGULATIONS (30MPH SPEED LIMIT) ON "PEACEFUL VALLEY ROAD"**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to establish traffic regulations - 30MPH speed limit - on "Peaceful Valley Road" in Pct. 2. All present voting "Aye".

**10368 REPORT FROM INSURANCE COMMITTEE AND AWARD CONTRACT FOR HEALTH INSURANCE**

Commissioner Wayne Ford spoke of insurance committee meeting - evaluated the four lowest bidders - Transport Life was recommended with increased premiums for county employees, however, cheaper premium for family coverage. Commissioner Craig Payne spoke of increase in premiums - would benefit the county employee more by county paying more for insurance premiums (tax deferred) than giving a 3% cost-of-living increase which would require FICA, etc deductions. Jacque Jordan, County Insurance Rep, spoke of concerns about runoff claims - Transport Life offers an identical policy except for prescription drugs and stop loss coverage. County Auditor Bill Herzog spoke of HMO's being cheaper - concerned about how this would affect the traditional carrier if a large number of employees went with HMO's (would affect the stop loss coverage). Cheryl Pantermeuhl spoke of the selection process and recommendation by the committee. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract for health and dental insurance to Transport Life and PCA (HMO). Jerry Southard of Boon-Chapman spoke of services and fixed cost and problems with county changing insurance every year. Bill Herzog stated that the County needs to have bids analyzed by an actuary. Commissioner Ford stated that the committee has analyzed the bids and he is comfortable with their recommendation - concerned about the Court waiting until the last minute to award contract for health insurance. Commissioner Ford and Commissioner Payne voting "Aye". Commissioner Rippy and Commissioner Gonzales voting "Nay". County Treasurer Dottie Sims spoke of last minute decisions causing turmoil for everyone involved. Insurance Representatives, Bill Herzog, Jacque Jordan and others met in the Judge's office during the rest of the Court's meeting and returned later - Court reconsidered their decision - County Auditor insisted that an actuary be hired. A motion was made by Commissioner Ford, seconded by Commissioner Payne to award health insurance bid to Transport Life. Commissioner Ford and Commissioner Payne voting "Aye". Commissioner Gonzales and Commissioner Rippy voting "Nay". Motion did not carry. Postponed until Monday when County Judge will be present to vote.

**10369 PUBLIC HEARING TO RENAME PORTION OF CENTERPOINT ROAD FROM OLD BASTROP ROAD TO HUNTER ROAD (APPROX 2 MILES) TO "FACTORY SHOPS ROAD"**

Commissioner Gonzales spoke of request by Prime Group to rename part of Centerpoint Road to "Factory Shops Road" - he did not see a problem in the beginning - the Prime Group has been cooperative and are going to assist in paving Centerpoint Road at the mall - he is concerned about address changes for residents and the fact that there is a historical marker on this roadway - trying to be fair to everyone. Gwen Smith, concerned citizen, spoke in opposition to the change - do not change a historical name - factory shops are very visible on the Interstate to passersby - emphasized "Don't Mess With Texas". Matt Busher, resident of Centerpoint Road, spoke of historical significance - taxpayers should not have to fund changing the signs. Martha Soyars, resident of Centerpoint Road, spoke in opposition of the change and re-emphasized the historical significance. Garland Warren, resident of Centerpoint Road, spoke in favor of name change up to his property (the first residence) - would like a compromise - stated that his place is for sale. Commissioner Gonzales stated that perhaps it could be named "Centerpoint Factory Shops Road". Ed Rosenthal of The Prime Group spoke of road name change - northbound traffic cannot see the mall and the road name change would help matters. Patsy Greiner, Admin. Coord., suggested possibility that the State Highway Department could put up signs without changing the road name. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to table action at this time. All present voting "Aye".

**10370 COUNTY COURT AT LAW #1 - BUDGET AMENDMENT/LINE ITEM TRANSFER TO PURCHASE A COMPUTER TERMINAL**

County Court at Law #1 Judge Howard Warner spoke of need for another computer terminal in his office for the Court Reporter - terminal has already been purchased and a line item transfer is needed in the amount of \$515.00. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve budget amendment line item transfer in the amount of \$515.00 from Jury Fund Office Supplies line item to the Data Processing Dept. budget. All present voting "Aye".

\*AUGUST 13, 1990\*

10371 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County Invoices as presented by the County Auditor in the amount of \$66,132.18. All present voting "Aye".

|                   |               |                  |              |
|-------------------|---------------|------------------|--------------|
| Non Business      | \$ 420.00     | Auditor          | \$ 1,385.09  |
| Treasurer         | \$ 86.27      | Extension Ofc    | \$ 210.40    |
| Judicial & Law    | \$ 2,316.50   | Juvenile Prob    | \$ 295.31    |
| Election Admin    | \$ 91.32      | Indigent Care    | \$ 284.13    |
| Transfer Sta      | \$ 5,250.45   | Bldg. Maint.     | \$ 708.29    |
| Health Dept.      | \$ 572.64     | Civic Center     | \$ 235.13    |
| Countywide Misc.  | \$ 1,762.20   | Tax A/C          | \$ 366.10    |
| District Clerk    | \$ 154.30     | County Clerk     | \$ 156.53    |
| Sheriff           | \$ 2,975.50   | Jail Operations  | \$ 34,623.54 |
| County Judge      | \$ 121.47     | Admin. Coord.    | \$ 69.39     |
| Co Court @ Law 1  | \$ 81.73      | Dist. Attorney   | \$ 844.70    |
| J. P. 1-1         | \$ 54.39      | J. P. 1-2        | \$ 110.93    |
| J. P. 4           | \$ 289.27     | DPS              | \$ 1,364.96  |
| Constable 1       | \$ 83.15      | Constable 5      | \$ 60.51     |
| Veterans Serv     | \$ 45.42      | Data Proc Admin  | \$ 607.08    |
| Co Court @ Law 2  | \$ 31.83      | In Home Spec     | \$ 192.05    |
| TDH M&C Care      | \$ 51.24      | Fire Marshal/EMC | \$ 50.81     |
| TABC              | \$ 74.58      | TJPC ISP Grant   | \$ 35.26     |
| *GEN FUND CREDIT  | -\$508.43**** | Dist Court Oper  | \$ 400.96    |
| County Court Oper | \$ 504.54     | Dist Court Rep   | \$ 72.83     |
| Precinct 1        | \$ 417.46     | Precinct 2       | \$ 2,745.22  |
| Precinct 3        | \$ 1,400.56   | Precinct 4       | \$ 343.64    |
| Hot Check Fee     | \$ 427.65     | Law Library fund | \$ 112.00    |
| Public Works      | \$ 1,760.00   | Sheriff's Drug   | \$ 258.16    |
| Adult Prob Oper   | \$ 1,425.07   | Adult Prob Fac   | \$ 710.05    |

10372 FLOODPLAIN VARIANCE REQUEST FROM HISAKO ROBERTS (SALT LICK RESTAURANT)

Patsy Greiner, Admin. Coord., spoke of a memo from Terry Ewald indicating no objection - building will be openweave construction and location was moved from original proposed site - letter from Curtis Wilson of K.C. Engineering was submitted indicating no definable impact for upstream and downstream landowners - felt like the allowance of this variance will not circumvent the intent of the established regulations due to the recreational rather than residential use. Betty Rogers, concerned citizen, spoke of building being in the floodplain - asked about septic system - there is presently a septic problem with the existing building that is offensive to the neighbors. Commissioner Rippy stated that he went to the site with Terry Ewald and it was determined that flooding does not occur in this location - the new building will be higher than the existing building. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to grant a floodplain variance to Hisako Roberts (Salt Lick Restaurant). All present voting "Aye".

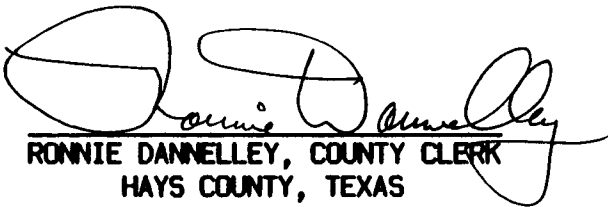
10373 AUTHORIZE PURCHASE OF TWO USED PICKUPS FOR PRCT. 4

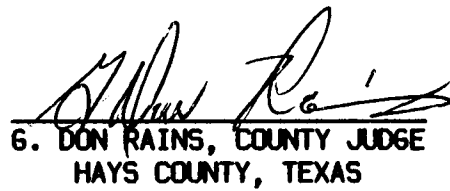
Commissioner Rippy spoke of wanting to purchase two used pickups for Pct. 4 and to finance the purchase out of R&B General funds - needs pickup to transport fuel to project sites. County Auditor Bill Herzog spoke of need to publish notice of purchase if you are going to finance. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize purchase of two used pickups for Precinct #4 not to exceed \$8,000.00. Commissioner Gonzales, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford voting "Nay".

10374 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A FLATWHEEL VIBRATORY ROLLER FOR PRECINCT #4

Commissioner Rippy spoke of need for another flatwheel vibratory roller for his precinct - he is unable to find one for under \$10,000. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to authorize the County Auditor to advertise for bids for a used flatwheel vibratory roller for Precinct #4. All present voting "Aye".

\*AUGUST 20, 1990\*

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 20TH DAY OF AUGUST , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**CITY OF SAN MARCOS - PRESENTATION BY BLUE RIBBON BOND COMMITTEE**

Jesse Estrada, Vice Chairman of Blue Ribbon Bond Committee, appeared before the Court - committee is composed of 25 citizens and was created to investigate the community needs and determine the need for a bond election - requests total \$46.5 million and were whittled down to \$28.5 million that the committee felt were crucial to the development of San Marcos (\$15.5 million in General Obligation Bonds \$13 million in Revenue Bonds) - spoke of construction of a surface water treatment plant to provide a guaranteed water source for San Marcos (water from Canyon Lake) - spoke of other projects. Commissioner Gonzales spoke of drainage problems being less severe with the construction of the dams. Mr. Estrada spoke of several areas that still have a drainage problem (standing water) - some bond indebtedness will be retired soon - tax increase will be required if bonds pass. Commissioner Gonzales spoke of his concerns about taxpayers losing their homes because they can't pay their taxes - all taxing entities are increasing taxes. Commissioner Rippy spoke in favor of letting the voters make the choice on bond issues and commended the committee on their efforts. Judge Rains asked about expanding the tax base with annexation.

**10375 YOUTH SERVICES BUREAU - REQUEST FUNDING FOR AUTOMOBILE INSURANCE**

Margie Hernandez appeared before the Court - spoke of State awarding YSB a van = \$19,650 - deadline to purchase van is 8/31/90 - money is needed to purchase insurance (\$ awarded cannot be used for insurance) - YSB will ask the City of San Marcos for 1/2 the amount of the insurance) - presented a quote from Bill Taylor & Associates Insurance Agency in the amount of \$2,190.98 dated 4/30/90. Judge Rains stated that the Court would like to see the YSB get the van - the question is whether the County gives an advance from FY91 budget or additional FY90 funding. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve funding for automobile insurance for the Youth Services Bureau van not to exceed \$1,300.00 and subject to 50% participation from the City of San Marcos. Court to decide where funds will come from at a later date. County Auditor Bill Herzog suggested that the YSB look into monthly insurance premium payments. Commissioner Payne stated that he will support an advancement on FY91 funding. All voting "Aye".

**10376 AWARD CONTRACT FOR GROUP HEALTH INSURANCE**

Insurance Consultant Don Gray appeared before the Court with his review of group medical, life & dental insurance proposals for Hays County - two proposals were

\*AUGUST 20, 1990\*

considered: Boon-Chapman/John Alden Life and Transport Life (TLIC) - annual fixed costs included (1) per individual stop-loss insurance (2) annual aggregate stop-loss insurance (3) administration (4) utilization reviews, PPO & set-up fees (5) life and accidental death/dismemberment insurance Boon-Chapman = \$128,358 TLIC = \$130,502 with \$50,000 per individual stop-loss deductible - annual aggregate stop-loss were quoted @ \$662,795 Boon-Chapman & \$644,661 TLIC - spoke of paid claims and incurred claims - any incurred claims need to be paid before Oct 1st so County will be reimbursed thru aggregate stop-loss coverage - the County will probably exceed the deductible on the American General policy - any claims paid on or after 10/01/90 would be paid out of the County's loss fund and would accumulate toward the 90/91 aggregate deductible - under Boon-Chapman claims exceeding the deductible would be paid by the County and then reimbursed by the aggregate policy in late 1991 or early 1992 - under TLIC claims exceeding the aggregate deductible would be paid by TLIC immediately - discussion was had on "actively at work" provisions (no stop-loss coverage on individual if in the hospital on Oct 1st and until evidence of good health is approved) - Boon-Chapman noted the the proposal was subject to change by John Alden Life after review of Jul-Oct claims, individual claims over \$10,000, and possibly imposing a \$75,000 deductible on the retired employee that recently had open-heart by-pass surgery - underwriter was unaware of claims involving the heart transplant - TLIC proposal was quoted without any contingencies and not subject to changes. Comparison of benefits:

| <u>Feature</u>                                     | <u>TLIC</u>                                                                                            | <u>Boon-Chapman</u>                                                         |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Hospital co-payment %<br>(using PPO hospital)      | 90%                                                                                                    | 85%                                                                         |
| Out-of-pocket limit                                | \$1,000/person                                                                                         | \$1,000/person<br>\$2,000/family                                            |
| Outpatient mental, nervous,<br>drug, alcohol abuse | \$2,000 at 80%                                                                                         | 50%-55%                                                                     |
| Prescription Drugs                                 | insured pays full<br>cost and is reimb<br>(\$7/brand name<br>\$5/generic or \$10<br>f/3 mos mtc script | insured pays \$6<br>per prescription<br>for brand name &<br>\$2 for generic |
| Dental deductible f/prev serv                      | waived                                                                                                 | waived                                                                      |

Don Gray advised the Court that they could contract with local pharmacies to charge employees \$5/\$7 and send invoice for difference to the County - recommended the \$50,000 per individual claim stop-loss deductible over the lower amounts - summary: Boon-Chapman advantages is that claims incurred on or after 7/1/90 and paid on or after 10/1/90 would accumulate toward the 10/90-91 stop-loss deductible TLIC advantages: maximum cost for fixed costs and claim costs would = \$764,517 (\$44,823 savings), stop-loss coverage would immediately take-over payment of claims if they exceed the aggregate deductible, not subject to any contingencies, higher co-payment percentage (90%) for hospital care. Discussion was had by the Court concerning contingencies and premiums - employees with child, spouse and family coverage will notice a considerable increase in insurance payments resulting in less take-home pay. A motion was made by Commissioner Ford, seconded by Commissioner Payne to award contract for Health Insurance to Transport Life Insurance Company and PCA (HMO). All voting "Aye".

10377 PARADISE VALLEY SECTION 2 REPLAT LOTS 7 & 8 (PCT. 3) - PUBLIC HEARING

Carolyn Nichols presented plat of "Paradise Valley Section 2 Replat Lots 7 & 8" on first, second and third readings. Patsy Greiner stated that neither she or Terry Ewald had any problems with this subdivision - the purpose of the replat is to move the centerline 30' between the two lots. Commissioner Payne stated that he prefers that location of stakes be placed on the plat before filing. A motion was made by Commissioner Payne, seconded by Commissioner Rippey to approve "Paradise Valley Section 2 Replat of Lots 7 & 8". All voting "Aye".

\*AUGUST 20, 1990\*

**PUBLIC HEARING - ABANDONMENT & SALE OF A PORTION OF CLIFFSIDE DRIVE IN THE CLIFFSIDE ADDITION**

Judge Rains called public hearing to order. Ann Richardson and Doris Udmi appeared before the Court in opposition to abandonment. Commissioner Payne stated that Cliffside Drive is not a county maintained road. Ann Richardson spoke of road being unkept - notices of abandonment were not posted at the road - road is used by the residents in the area as a walking trail and to gain access to the river - part of the road was closed in 1985 (owned by Mrs. Lange) as it was never used - closure of this part of the road would put the Wilson and Richardson property at a deadend and cut off access to the river/walkway. Patsy Greiner presented copy of appraisal by Barber Appraisers Inc. on the property paid for by A. W. Busch (appraised market value of the property is \$3,000) - Mr. Busch indicates that he owns property on both sides of the road, however, it is possible that he is only in the process of purchasing additional lots along this roadway. Mrs. Richardson felt like it would be detrimental to the other property owners and would set a precedent to closing more roads in the area. Commissioner Payne stated that no action would be taken this date due to the fact that notices were not properly posted at the road and he stated at this time he is opposed to the closure.

**10378 APPROVE MINUTES OF JULY 1990**

A motion was made by Commissioner, seconded by Commissioner Gonzales to approve minute of July 1990 as presented by the County Clerk. All voting "Aye".

**10379 HAYS COUNTY HISTORICAL COMMISSION - APPROPRIATE FUNDS FOR ARCHIVES STORAGE**

Judge Rains spoke of need to finish archives storage space on the 3rd floor of the Courthouse Annex. Judge CCL Claude Lilly spoke to the Court concerning the Hays County Historical Commission becoming a County Department - funding should be included in their budget request. Judge Rains stated that most renovation work is not placed in the individual department budget request. Judge Lilly urged the Court to deny the request for funding. Commissioner Ford spoke of Courts decision to make the Historical Commission a County Department - all monies will have to go through the County Auditors office (revenues and expenditures). Commissioner Payne spoke of the fact that funds were placed in the FY91 budget for this project. A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize \$2,000 out of Building Maintenance Department for renovation project at the Courthouse Annex for the Hays County Historical Commission. All voting "Aye".

**10380 APPROVE PROPERTY EXCHANGE WITH DS12 INVESTMENT CORP FOR RELOCATION OF ROADWAY (RR12)**

Knox Williams appeared before the Court representing Main Pass Partners Ltd. - Dripping Springs ISD has requested relocation of roadway due to concerns about the ability of school buses to turn into the roadway from Ranch Road 12 - Dripping Springs ISD has approved proposed configuration for relocation and are requesting that the County authorize exchange deeds to proceed with relocation - new road will be built to county specifications. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve property exchange with DS12 Investment Corp. and authorize the County Judge to sign the exchange deeds in order to relocate the subject roadway. All voting "Aye".

**10381 APPROVE GTE PLACEMENT OF POLE, ANCHOR AND CABLE IN COUNTY ROAD #101 R-O-W**

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve GTE placement of pole, anchor and cable in County Road #101 right-of-way 284 feet west of its intersection with Oak Forest Place. All voting "Aye".

**RESOLUTION AUTHORIZING MINUTE ORDER 90363 AND AGREEING TO PROVIDE R-O-W FOR UPGRADING ONE MILE OF RR12 BETWEEN WIMBERLEY AND DRIPPING SPRINGS**

Patsy Greiner, Admin. Coord., spoke of request by the State Highway Dept. for right of way relocation for future upgrade (RR12 from 5.3 miles south of Dripping Springs to 6.3 miles south of Dripping Springs). Commissioner Rippy was unsure as to the exact location being proposed and requested postponement at this time.

\*AUGUST 20, 1990\*

**PROPOSAL BY TRAVIS ASSOCIATES TO REVIEW FLOODWAY/FLOODPLAIN AREAS OF HAYS COUNTY**

Patsy Greiner, Admin. Coord., spoke of letter from Chase Baromeo (Travis Associates) proposing to review the County's property which lies in the floodplain and floodway under the new FEMA maps in order to facilitate amendments which could result in greater tax valuations and potential development - a study of the entire county would cost \$15,000.00 - a study of the major waterways (Onion Creek, Blanco River, and San Marcos River) would be only half that amount. Terry Ewald, Health Dept., spoke of FEMA updated maps will take 3 to 4 month to receive - a study could be advantageous and reduce floodplain/floodway areas. Commissioner Ford spoke of study helping to increase property appraisals - create higher tax evaluations. No action taken.

**FISCHER STORE ROAD BRIDGE PROJECT - COUNTER OFFER ON R-O-W (PARCEL #5)**

Patsy Greiner, Admin. Coord., presented a copy of Graham & Associates appraisal for Parcel #5 of the Fischer Store Road Bridge Project on County Road 180 southwest of Wimberley: Parcel No. 5 Parts 1 & 2 = \$959.40 Damages to trees = \$11,000.00 Damages to fences = \$500.00 (Total = \$12,459.40) - Dwain Blaschke, representing the owners, claims torturous interferences of trespass by the State's contractor prior to right of entry and he is threatening legal action and wants additional payment for his legal time spent on the project as well as pain and aggravation of the owners (his negotiated offer is \$25,500.00). Commissioner Payne spoke of appraised value - does not feel that the County should pay for damages to trees that the County will own. No action taken this date.

**10382 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of county invoices as presented by the County Auditor in the amount of \$87,224.97. All voting "Aye".

|                  |             |                     |             |
|------------------|-------------|---------------------|-------------|
| Accounts Recvbl  | \$ 3.48     | Interest Earnings   | \$ 93.02    |
| Other Revenue    | \$ 7,000.00 | Auditor             | \$ 145.00   |
| Treasurer        | \$ 138.40   | Judicial & Law      | \$ 4,004.97 |
| Juvenile Prob    | \$ 1,256.64 | Election Admin      | \$ 299.15   |
| Indigent Care    | \$ 6,959.02 | Transfer Station    | \$ 16.88    |
| Building Maint.  | \$ 1,229.01 | Health Dept.        | \$ 24.40    |
| Civic Center     | \$ 102.62   | District Clerk      | \$ 1,816.61 |
| County Clerk     | \$ 85.67    | Sheriff             | \$ 3,221.30 |
| Jail             | \$ 5,819.75 | Admin. Coord        | \$ 7.94     |
| Co CRT @ Law 1   | \$ 4.00     | District Atty.      | \$ 119.85   |
| J.P. 1-2         | \$ 48.38    | J.P. 5              | \$ 19.60    |
| DPS              | \$ 479.98   | Constable 1         | \$ 24.85    |
| Constable 2      | \$ 500.00   | Constable 5         | \$ 122.95   |
| Veterans Adm     | \$ 209.92   | Data Proc Adm       | \$ 84.26    |
| TDH TB Grant     | \$ 611.62   | Foster Child Care   | \$10,042.00 |
| TDH M&C Care     | \$ 771.80   | Fire Marshal/EMC    | \$ 59.49    |
| TJPC ISP Grant   | \$ 11.72    | *Gen Fund Credits = | \$210.61*   |
| Dist Court Oper  | \$ 875.40   | County Court Oper   | \$ 1,280.50 |
| Dist Court Reprt | \$ 148.74   | R&B General         | \$ 467.94   |
| Precinct 1       | \$ 5,707.59 | Precinct 2          | \$ 3,946.70 |
| Precinct 3       | \$ 5,775.33 | Precinct 4          | \$ 5,756.13 |
| Hot Check Fee    | \$ 699.93   | Public Works        | \$ 1,116.00 |
| D.A. Drug Forf   | \$ 961.86   | Adult Prob Oper     | \$ 5,760.86 |
| Adult Prob Fac   | \$ 1,943.35 | Countywide Misc     | \$ 7,660.97 |

**10383 J. P. PCT. 1 PLACE 1 - BUDGET AMENDMENT/LINE ITEM TRANSFERS**

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve budget amendment/line item transfers for Justice of the Peace Pct. 1 Place 1 as follows: Increase Office Supply \$450 and Office Equipment Mtc. & Repair \$64 Decrease Continuing Education \$125, Misc. Expense \$129 Telephone \$160 and Office Equipment \$100. All voting "Aye".



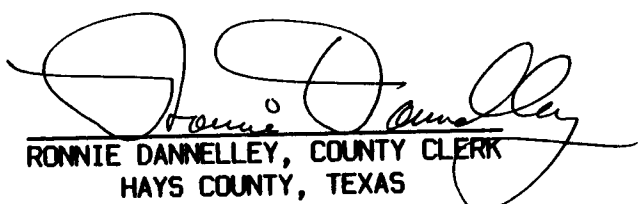
FY91 BUDGET WORKSHOP

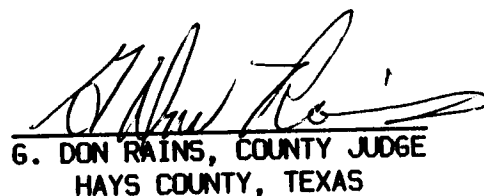
Sheriff Paul Hastings appeared before the Court - spoke of rebates from Tel Inc. for prisoners telephone calls averaging \$8,000 per month in revenues - spoke of Organized Crime Expense being deleted from the budget - requested funds for Law Enforcement Supplies for crime scene supplies and prisoner transfer expense that was left out of the budget. Court advised that \$10,000 had been put back into the budget for prisoner transfer in the Jail budget - decided to put \$7,000 for prisoner transfer in Jail budget and \$3,000 for law enforcement supplies in the Sheriff's budget. Sheriff Hastings spoke of arrangement with Commissioner Ford to use the Pct. #2 facility for the Sheriff's Mechanic Steve Cost. Commissioner Ford spoke of pouring a slab and installing lights in the Pct. 2 barn - this needs to be done anyway for his mechanic. Commissioner Payne spoke of Mr. Lackey having a facility with 3 bays @ \$500 per month with a lift out on Highway 123 that is available. Sheriff Hastings spoke of advantages to using the Pct. 2 barn - they can utilize the present Deputy's office space and prefers a fenced in area.

District Clerk W. H. Moore appeared before the Court - requested that funds previously allowed for software expense be carried over to FY91 - he has not received the software package yet and does not want to pay for it before it is online - spoke of printer using 3-part computer paper and printer issuing receipts - request an additional printer to be used primarily for jury questionnaires - software = \$2,000 printer = \$300.

Commissioner Ford spoke of a 1 cent tax increase for employees could be used to either allow \$140 per employee for insurance or a 2 1/2% salary increase per employee - stated that he would not support a tax increase without increasing road tax as well - felt like we need to increase road funds now before evaluations drop dramatically - to stay at the present budget level tax rate will need to be 34.839 cents. Discussion was had by Court on how many employees in the County and how the insurance will affect them (family coverage will reduce their present take home pay). Court decided to take \$150,000 out of Reserves for roads (to be divided between the Precincts) and \$75,000 out of Reserves for Right-of-Way. Commissioner Gonzales spoke of unemployment costs being high because of various departments having numerous terminations. County Auditor Bill Herzog spoke of Workers Comp: 75% of claims 25% lost in premiums. Discussed Proposed Budget.

Court recessed until August 27, 1990 at 9:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~000~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 27TH DAY OF AUGUST , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10384 APPROVE RESOLUTION AUTHORIZING MINUTE ORDER 90363/AGREE TO PROVIDE R-O-W FOR UPGRADING 1 MILE OF RR12 BETWEEN WIMBERLEY AND DRIPPING SPRINGS

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to adopt resolution authorizing Minute Order 90363 and agreeing to provide R-O-W for upgrading 1 mile of RR12 between Wimberley and Dripping Springs. All voting "Aye".

**RESOLUTION**

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
\*  
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF HAYS, TEXAS, ACCEPTING RESPONSIBILITY FOR RIGHT-OF-WAY ACQUISITION AND UTILITY ADJUSTMENTS AS MAY BE REQUIRED IN CONNECTION WITH A STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION PROJECT FOR THE IMPROVEMENT OF RM 12 FROM 5.3 MILES SOUTH OF DRIPPING SPRINGS TO 6.3 MILES SOUTH OF DRIPPING SPRINGS

WHEREAS, the State Department of Highways and Public Transportation has approved the 1991 Consolidation Rehabilitation Program and authorized necessary agreements, right-of-way acquisition, utility adjustments, relocation assistance and construction for projects included in the program; and

WHEREAS, this program includes improvements to a one-mile section of RM 12, approximately 5.5 miles south of Dripping Springs; and

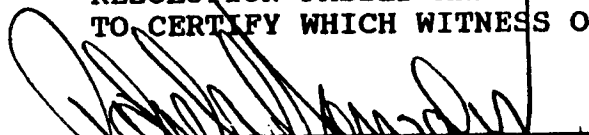
WHEREAS, since this facility is designated a Farm to Market Road, acquisition of additional right-of-way and adjustment of utilities is hte responsibility of the local government; and

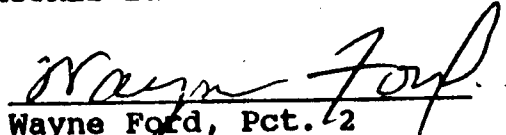
WHEREAS, the SDHPT has approved this project under Minute Order #90363;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, that:

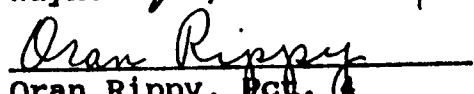
Hays County hereby agrees to accept responsibility for right-of-way acquisition and utility adjustments as may be required in improvement of RM 12 from 5.3 miles south of Dripping Springs to 6.3 miles south of Dripping Springs.

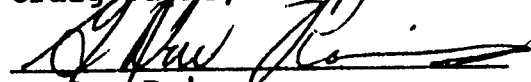
RESOLUTION PASSED AND ADOPTED ON THIS 20th DAY OF AUGUST, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

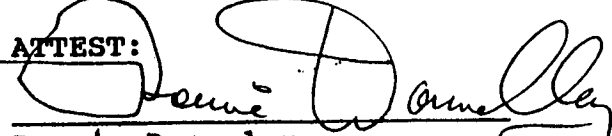
  
Ralph Gonzales, Pct. 1

  
Wayne Ford, Pct. 2

  
Craig Payne, Pct. 3

  
Oran Rippey, Pct. 4

  
G. Don Rains  
County Judge

ATTEST:  
  
Ronnie Danneley  
County Clerk

SALE OF STEAMER FROM THE JAIL

Cheryl Pantermeuhl, Auditor's Office, spoke of one bid received = \$300. Jail Major Rod Ellis spoke of steamer not being in working order - needs to be repaired - new equipment to replace the steamer cost \$5,600 - steamer needed constant repairs and in order to be utilized must be repaired and either softwater or distilled system must be used. Commissioner Ford suggested letting some other Agency in the County utilize the equipment - requested that letters be sent out to the social service agencies to see if they can use the steamer in their operations. Court decided to not award bid at this time.

CONSIDER RENAMING A PORTION OF CENTERPOINT ROAD FROM OLD BASTROP ROAD TO HUNTER ROAD (APPROX 2 MILES) TO "FACTORY SHOPS ROAD"

Gwen Smith and Frances Stovall appeared before the Court in opposition to changing road name. Mrs. Stovall read a resolution passed by the Hays County Historical Commission opposing the name change.

RESOLUTION

STATE OF TEXAS  
COUNTY OF HAYS

HISTORICAL COMMISSION  
OF HAYS COUNTY, TEXAS

ON THIS DAY at a regular meeting of the Historical Commission of Hays County, Texas a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

A RESOLUTION OF THE HISTORICAL COMMISSION OF THE COUNTY OF HAYS, TEXAS, URGING THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS TO ENCOURAGE THE PRIME GROUP DEVELOPERS TO WORK OUT AN ALTERNATIVE MEANS OF ACCOMPLISHING THEIR OBJECTIVE FOR LOCATION IDENTIFICATION OTHER THAN RENAMING ALL OF A PORTION OF CENTERPOINT ROAD

WHEREAS, street and road names, like other names on the land, serve to remind us of our heritage; and

WHEREAS, these names give meaning and identity to the communities they serve; and

WHEREAS, these names should never be sacrificed lightly in the name of commercialism; and

WHEREAS, we could, in time, lose a significant part of our heritage through indiscriminate name changes to appease diverse commercial interests; and

WHEREAS, confusion easily arises when name changes are applied to only part of a road or street;

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORICAL COMMISSION OF HAYS COUNTY, TEXAS, that:

The Hays County Historical Commission respectfully requests the Hays County Commissioners Court to resist any effort to change the name of Centerpoint Road at ANY point along its route; and be it further RESOLVED that the Commissioners Court urge the Prime Group developers to work out an alternative means of accomplishing their objective.

RESOLUTION PASSED AND ADOPTED ON THIS 23RD DAY OF AUGUST, 1990.  
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Frances Stovall  
Frances Stovall

s/ Al Lowman  
Al Lowman

ATTEST:

s/ Patsy K. Greiner  
Patsy Greiner

**TRAVIS ASSOCIATES (CHASE BAROMEQ) - PROPOSAL TO REVIEW FLOODWAY/FLOODPLAIN AREAS OF HAYS COUNTY**

Chase Baromeo appeared before the Court - spoke of proposal to review maps - could show significant changes - showed diagram of several projects that reduced the floodway and increased the value of the property from 27-29% - one of the projects was the Precinct 1 vehicle maintenance building. Judge Rains stated that the Onion Creek areas would be important to review. No action taken.

**10385 CONSTABLE PCT. #2 - BUDGET AMENDMENT/LINE ITEM TRANSFER**

Commissioner Ford spoke of request by Constable James Kohler to transfer line item amounts (\$162.25) so that he can purchase a fingerprint kit. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve budget amendment line item transfer for Constable Pct #2 as follows: decrease line items #5211 \$18 #5411 \$95 and #5417 \$52.25 & increase line item #5391 \$162.25. All voting "Aye".

**10386 AUTHORIZE PCT. #2 COMMISSIONER TO INSTALL A SCHOOL BUS TURNAROUND ON COUNTY ROAD 128**

Commissioner Wayne Ford spoke of request by Jackie Schawe for a school bus turnaround on County Road 128 - there are approximately 5 residences down this road and the school bus will not go down this road to pick up students - road is a county road by prescriptive easement - Mr. Schawe stated that he would move his fence back to provide the additional r-o-w - School District has stated that they would include this road in their bus route if turnaround is provided - turnaround will not be at the end of the road it will be a widening of the shoulders enabling the bus to turn around. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize Pct. #2 Commissioner to install a school bus turnaround on County Road 128. All voting "Aye".

**10387 JUSTICE OF THE PEACE PCT. #5 - BUDGET AMENDMENT/LINE ITEM TRANSFERS**

J.P. PCT. #5 Orlena Hehl appeared before the Court - need to amend budget to provide funds for Notary Public Commission, Error & Omissions Insurance and Continuing Education. A motion was made by Judge Rains, seconded by Commissioner Ford to approve budget amendment for J.P. Pct. #5 as follows: Increase line item #5331 (continuing educ) \$123 and line item #5391 (Misc. Exp) \$154 Decrease line item #5411 (Ofc. Equip M&R) \$277. All voting "Aye".

**10388 CONSTABLE PCT. #4 - BUDGET AMENDMENT/LINE ITEM TRANSFERS**

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve budget amendment for Constable Pct. #4 as follows: Increase line item #5413 (Vehicle Mtc.) \$1450 Decrease line item #5311 (Travel) \$950 line item #5391 (Misc. Exp) \$100 line item #5489 (Telephone) \$400. All voting "Aye".

**10389 AUTHORIZE PCT. 2 COMMISSIONER TO ENTER INTO TEMPORARY EASEMENT AGREEMENT WITH CHARLES EDWARD & JENNIFER SUE DEES (PUBLIC WORKS PROJECT #203)**

Commissioner Ford spoke of Public Works Project on County Road 157 - replacement of culverts - allows use of property for storage and to channelize drainage - fence replacement will be necessary - funds will come from public works. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize Pct. 2 Commissioner to enter into temporary easement agreement with Charles Edward & Jennifer Sue Dees for property on County Road 157. All voting "Aye". (Easement recorded in Volume 842 Page 225 of the Hays County Official Public Records)

**10390 APPROVE PAYMENT TO SONNY HAWKINS FENCE BUILDING & REPAIR FOR CENTEX FENCING**

Patsy Greiner, Admin. Coord., spoke of previous bid submitted for an 8 foot fence @ \$22,000 has been changed to 6 foot fence @ \$19,380 - R-O-W was donated by Centex and fence replacement is necessary. Commissioner Ford spoke of security problems on Centex property and need to reduce ease of access to this property. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment to Sonny Hawkins Fence Building & Repair for Centex fencing in the amount of \$19,380. All voting "Aye".

10391 RESCHEDULE SEPTEMBER 3, 1990 MEETING TO SEPTEMBER 4, 1990

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to reschedule the September 3rd meeting to September 4, 1990 due to Labor Day Holiday. All voting "Aye".

10392 APPROVE USE OF COURTHOUSE LAWN FOR CHILYMPIAD DANCE ON SATURDAY SEPTEMBER 8, 1990

A motion was made by Commissioner Gonzales, seconded by Commissioner Rippey to approve use of Courthouse lawn for Chilympiad Dance on Saturday September 8, 1990. All voting "Aye".

10393 APPROVE USE OF COURTHOUSE LAWN FOR SAN MARCOS HIGH SCHOOL HOMECOMING PEP RALLY ON FRIDAY SEPTEMBER 28, 1990 (4:30 - 5:30 P.M.)

A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to approve use of Courthouse lawn for the San marcos High School Homecoming Pep Rally on Friday September 28, 1990 from 4:30 to 5:30 P.M. All voting "Aye".

10394 APPROVE INVOICE OF PSA FOR ARCHITECTURAL SERVICES (JUVENILE DETENTION FACILITY)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve invoice in the amount of \$10,275.00 from PSA for architectural services connected with Juvenile Detention Facility. All voting "Aye".

10395 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of county invoices as presented by the County Auditor in the amount of \$107,374.77. All voting "Aye".

|                 |              |                   |              |
|-----------------|--------------|-------------------|--------------|
| Ad Valorem      | \$ 21,850.00 | Auditor           | \$ 242.51    |
| Treasurer       | \$ 127.49    | Judicial & Law    | \$ 156.00    |
| Juvenile Prob   | \$ 154.32    | Election Admin    | \$ 1,506.50  |
| Indigent Care   | \$ 494.00    | Transfer Station  | \$ 34.71     |
| Building Maint  | \$ 191.34    | Health Dept.      | \$ 37.61     |
| Countywide Misc | \$ 24,512.04 | Tax A/C           | \$ 65.00     |
| District Clerk  | \$ 319.95    | County Clerk      | \$ 2,793.70  |
| Sheriff         | \$ 2,742.56  | Jail Operations   | \$ 6,601.37  |
| County Judge    | \$ 62.18     | Admin Coord       | \$ 13.00     |
| District Atty   | \$ 150.00    | J.P. 1-2          | \$ 281.20    |
| J. P. 3         | \$ 83.37     | J.P. 4            | \$ 59.41     |
| J. P. 5         | \$ 108.32    | DPS               | \$ 806.67    |
| Constable 2     | \$ 157.95    | Constable 5       | \$ 263.59    |
| Data Processing | \$ 355.50    | TDH TB Grant      | \$ 79.91     |
| TABC            | \$ 99.72     | *Gen Fund Credit  | \$7.66*****  |
| District Court  | \$ 458.09    | County Court      | \$ 5,006.32  |
| Fines           | \$ 5,227.00  | R&B General       | \$ 263.43    |
| Precinct 1      | \$ 1,656.10  | Precinct 2        | \$ 7,725.93  |
| Precinct 3      | \$ 2,181.11  | Precinct 4        | \$ 2,944.19  |
| Hot Check Fee   | \$ 933.30    | Jail Construction | \$ 10,275.00 |
| Public Works    | \$ 1,128.00  | D.A. Drug Forf    | \$ 1,367.41  |
| Adult Prob Oper | \$ 2,860.30  | Adult Prob Fac    | \$ 1,006.33  |

FISCHER STORE ROAD BRIDGE PROJECT - PARCEL #5 - DAMAGES DISCUSSED

Attorney Dwain Blaschke appeared representing his wife (owns Parcel #5 of the Fischer Store Road Project) - he spoke of the State Contractor entering private property and destroying trees - has spent \$3,000 of his time on this matter - request payment of appraisal (\$12,459.40) plus Attorney fees - property owner feels mistreated and wishes to be left alone. Commissioner Ford suggested that a written request would be appropriate and all dealings in this matter should be routed through Patsy Greiner, Administrative Coordinator. Judge Rains spoke of appraisal - why pay for trees if the County will own the property or pay for trees if property

owner retains the property. Discussion was had on when the damages occurred. Patsy Greiner stated that the Contractor had worked within the R-O-W outside of the fence line and was then approached by Mr. Blaschke - State was not aware that the property owners own to the centerline of the roadway. Commissioner Ford stated that the State hired the Contractor and they are responsible for their actions - the County only obtains the R-O-W - legal action should be pursued against the State Highway Department for damages. Mr. Blaschke stated that Mr. Cooner of the State Hwy. Dept. was cooperative - Contractor stated they had permission from the State and the State said they had permission from the County. Commissioner Payne spoke of property owner threatening lawsuit against the contractor for trespassing - stated that he will support implementing condemnation proceedings on Parcel #5 if offer of \$1,459 (land appraisal & fence damages) is not accepted. Commissioner Ford spoke in opposition to condemnation - State is responsible for damages. Patsy Greiner stated that the County needs to make an official offer to property owners and if the offer is rejected they can then initiate condemnation proceedings.

#### 9-1-1 PROGRESS REPORT

Administrative Coordinator Patsy Greiner - spoke of CAPCO's plan for 9-1-1 - address and street names are being verified with assistance from SWTSU - equipment contracts have been approved by CAPCO - system should be on line by January 1992 - primary answering point will be at the LEC or the City Police Department depending on how the City's bond election goes.

#### FY91 BUDGET WORKSHOP

Veteran's Service Officer - Ruben Ruiz (former County Commissioner Pct. #1) spoke in support of the Veteran's Service Officer - Veterans of World War II need this officer very much now and the Korean War Vets will be needing assistance - there will be an increase need for this service. Commissioner Gonzales spoke in support of the VA program and Tom Tvrdik - the county van has helped tremendously.

County Auditor Bill Herzog spoke of proposal for County Employees: \$129 per person for insurance (FY90 was \$84) plus a 2.5% salary increase.

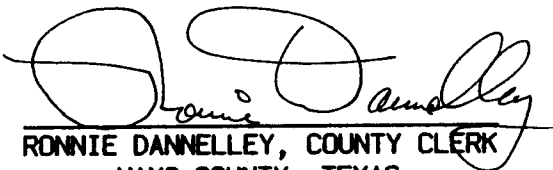
Commissioner Wayne Ford spoke of Precinct budgets - continue to go back to original amounts funded and disregard re-occurring expenses - need additional funds for roads - 90% of his calls are on roads - need to continue preventative maintenance on the roads - \$150,000 from Reserves should be used for roads not for offsetting maintenance & operation costs - request increasing R&B Tax by 1/3 cent (\$65,000).


Constable Pct. 1 - Commissioner Gonzales spoke of need for a fulltime Deputy Constable to assist Lupe Cruz in serving papers in the evenings - Lupe is currently using Pct. 1 Secretary and telephone. Judge Rains spoke of trend towards private paper servers - opposed to adding personnel - other Constables will ask for additional personnel. Commissioner Ford spoke of fulltime Deputy would help to generate additional revenues. Judge Rains, Commissioner Payne and Commissioner Rippey voted to leave Constable Pct. 1 budget as is.

Discussion was had on raising the R&B Tax and decreasing the General Fund Tax. court agreed at this time for a 3% tax increase for FY91.

County Auditor will send notice to the County Departments of their respective budgets as proposed by the Court and they will be given a chance to address the issue on Friday August 31st at a Special Meeting.

Court was recessed until August 31, 1990 at 10:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*AUGUST 31, 1990\*

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 31ST DAY OF AUGUST , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10396 FISCHER STORE ROAD BRIDGE PROJECT - PARCEL #5 - AUTHORIZE OFFER FOR RIGHT-OF-WAY (BLASCHKE)

Patsy Greiner, Admin. Coord., spoke of Attorney Gene Majors researching prescriptive easements and will get back with the Court on this matter. Commissioner Payne suggested that the County proceed to purchase property at this time. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to offer property owner of Parcel #5 Fischer Store Road Bridge Project \$1,459.00 for right-of-way needed for this project. All voting "Aye".

**FY91 BUDGET WORKSHOP**

Tax Assessor-Collector - Ruth Clayton appeared before the Court - spoke of computer equipment that is needed - can purchase equipment from Hays CISD - requested \$2,900 to purchase - spoke of personnel Mary Velasquez that is retiring January 1st - she has already hired Mrs. Velasquez replacement from the HCISD. court advised that the \$2,900 had been budgeted for equipment.

Constable Pct. #1 - Lupe Cruz appeared before the Court - concerned about Deputy Constable position not being approved in the FY91 budget - spoke of papers that are being served and need for assistance to keep up - requested Deputy Constable position at \$1,350 per month/\$16,200 per year. Commissioner Ford spoke in support. Commissioner Payne spoke of Officer that was given to the Sheriff's Dept instead of to the constable.

Constable Pct. #4 - Ed Bankston appeared before the Court - spoke of his budget being less than last year - uniform allowance was left off and insurance put in - fuel request was \$2,000 and \$1,200 was budgeted - travel was cut from \$900 to -0- and continuing education was cut from \$500 to \$250 - spoke of using his private vehicle to pick up dead animals off the roads - spoke of need for a mobile telephone Court agreed to put \$740 for uniform allowance and take out insurance.

J.P. Pct. #1 Place #2 - Becky Sierra appeared - concerned about office supplies being reduced - office equipment needed is a file cabinet and 2 desks (presently borrowing 2 desks from other departments).

Sheriff's Dept./Jail - Sheriff Hastings appeared - spoke of adjustments made on various line items in the Jail leaving the bottom line the same - changes are:

|                               |          |               |
|-------------------------------|----------|---------------|
| 5214 Photographic supplies    | \$ 9,875 | was \$ 11,875 |
| 5221 data processing supplies | \$ 900   | was \$ 1,900  |
| 5234 Inmate Personal Items    | \$ 5,325 | was \$ 3,325  |
| 5241 Bldg. Mtc. Supplies      | \$16,000 | was \$ 15,000 |
| 5331 Continuing Education     | \$ 500   | was \$ 2,000  |
| 5364 New Employee Expense     | \$ 1,500 | was \$ -0-    |
| 5411 Ofc Equip Mtc & Rep      | \$ 2,200 | was \$ -0-    |

Court agreed to allow 2 part-time Medical Officers @ \$800 per month (to be considered full time employees with benefits)  
 Sheriff's Dept. line item adjustments approved as follows:

|                                |          |              |
|--------------------------------|----------|--------------|
| 5234 Inmate Personal Items     | Deleted  | was \$ 3,000 |
| 5411 Ofc Equip Mtc & Rep       | \$ 1,700 | was \$ -0-   |
| 5415 Communication Eqp M&R     | \$ 3,050 | was \$ 4,750 |
| 5717 Law Enforcement Equipment | \$ -0-   | was \$ 3,000 |

\*AUGUST 31, 1990\*

Constable Pct. #3 - Don Amerson appeared before the Court - spoke of having a telephone put in his office due to congestion in the J.P. office - \$750 was approved for vehicle mtc. & rep - spoke of fuel expenses/tries to keep mileage down and cannot patrol because of funding restraints - spoke of office supplies needs - presently using JP3 stationary and envelopes and has been paying for postage out of his own pocket - spoke of reduction in his salary from \$21,500 to \$20,000 - request that salary not be reduced. Commissioner Payne spoke of revenues being \$3,000 VS \$60,000 budget for JP3 & Constable 3.

Health Dept. - Terry Ewald appeared before the Court - spoke of deletion of one Sanitarian and requested the Court to reconsider this action. Commissioner Payne spoke of things being slow and did not feel like there is a need for this position. Discussion was had on the Junkyard Ordinance - Commissioner Ford felt like complaints are not being addressed properly and problems are being allowed to exist urged improvements in this area. Court added Sanitarian position back into the budget.

County Auditor Bill Herzog spoke of FY90 vs FY91 budget.

Constable Pct. #1 - Commissioner Gonzales, Commissioner Rippy and Judge Rains supported Deputy constable position @ \$16,200 per year - ADDED.

Umland VFD - \$2,000 was added/to come out of Civic Center Contract Mtc. line item

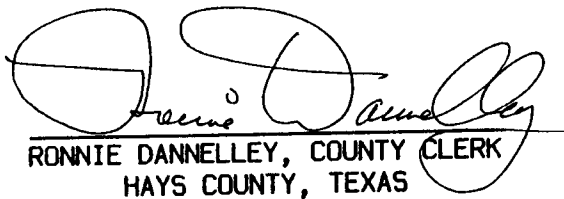
Civic Center - Judge Rains spoke of County losing money every year at the Civic Center - need to pursue contracting out the facility. Commissioner Gonzales spoke of operating the civic center on a part-time basis rather than a fulltime. Commissioner Ford spoke of accountability - request an audit - need to establish rates and receive reports - need to expand the Civic Center Board - need to promote the facility countywide.

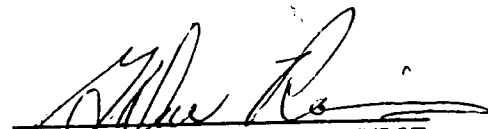
Constable Pct. 3 - Court agreed to telephone exp \$600 office supp \$100 misc \$300 and veh mtc. & rep \$1,000.

J.P. Pct. #1 Place #2 - Court agreed to office equip \$800.

V.A. Officer - Commissioner Ford spoke of increasing salary to \$21,600 with no 2.5% increase (Comm #1 supported/unable to get 3 votes)

Court was adjourned.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS



\*SEPTEMBER 4, 1990\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 4th DAY OF September, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN Special MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10398 APPROVE TREASURER'S REPORTS FOR MAY, JUNE AND JULY 1990

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve County Treasurer's Reports for May, June and July 1990. All present voting "Aye".

10399 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$77,661.42. All present voting "Aye".

|                  |             |                   |              |
|------------------|-------------|-------------------|--------------|
| Auditor          | \$ 267.44   | Extension Ofc     | \$ 125.26    |
| Judicial & Law   | \$ 7,216.93 | Juv Prob Ofc      | \$ 2.33      |
| Election Admin   | \$ 1,924.85 | Indigent Care     | \$ 1,958.81  |
| Transfer Sta     | \$ 2.60     | Bldg Maint Dept   | \$ 266.29    |
| Health Dept.     | \$ 66.08    | Countywide Misc   | \$ 13,995.17 |
| Tax A/C          | \$ 1,208.31 | District Clerk    | \$ 422.60    |
| County Clerk     | \$ 1,819.10 | Sheriff's Ofc     | \$ 1,226.97  |
| Jail Operations  | \$ 9,933.72 | County Judge      | \$ 27.70     |
| Admin Coord      | \$ 46.40    | District Atty     | \$ 47.34     |
| J.P. 2           | \$ 1,283.27 | J.P. 3            | \$ 300.00    |
| J.P. 4           | \$ 250.00   | J.P. 5            | \$ 100.00    |
| Constable 1      | \$ 230.98   | Data Proc Admin   | \$ 133.56    |
| TDH Sanitarian   | \$ 279.00   | TDH Mat & Child   | \$ 500.00    |
| TJPC Div Plcmt   | \$ 1,240.00 | *Gen Fund Credit  | \$ 338.78*** |
| Dist Court Oper  | \$ 344.74   | County Court Oper | \$ 1,685.28  |
| Dist Court Rep   | \$ 11.17    | Precinct 1        | \$ 48.00     |
| Precinct 3       | \$ 1,360.15 | Precinct 4        | \$ 991.35    |
| Self Insurance   | \$ 7,877.71 | Hot Check Fee     | \$ 259.95    |
| Law Library Fund | \$ 45.00    | Public Works      | \$ 19,580.00 |
| Sheriff's Drug   | \$ 316.00   | Adult Prob Oper   | \$ 131.84    |
| Adult Prob Fac   | \$ 474.30   |                   |              |

10400 AUTHORIZE PURCHASE OF A USED 1 TON FLATBED TRUCK FOR PRECINCT #1

Commissioner Gonzales spoke of need for a used 1-ton flatbed truck for his precinct - request that purchase be made out of R&B General funds. Bill Herzog, County Auditor, stated that an advertisement needs to be run if financing is required. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize purchase of a 1-Ton Flatbed Truck for Precinct #1 not to exceed \$4,000. All present voting "Aye".

10401 ACCEPT ROADS FOR COUNTY MAINTENANCE IN PRECINCT #4 AS PETITIONED BY RESIDENTS: SORRELL LANE (.4 MI) AND O'NEIL RANCH ROAD (.75 MI)

Commissioner Rippy presented petitions from residents of Sorrell Lane and O'Neil Ranch Road requesting County take over road maintenance - Commissioner Rippy stated that maintenance would be very limited. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept roads for County maintenance in Precinct #4 as petitioned by residents - those roads being Sorrell Lane (.4 mi) and O'Neil Ranch Road (.75 mi). All present voting "Aye".

\*SEPTEMBER 4, 1990\*

10402 ADOPT SHERIFF & CONSTABLES FEE SCHEDULE TO BE EFFECTIVE JANUARY 1, 1991

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt Sheriff & Constables fee schedule to be effective January 1, 1991. All present voting "Aye".

STATE OF TEXAS \* IN THE COMMISSIONERS' COURT
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

ORDER AND NOTICE SETTING FEES CHARGED BY THE SHERIFF AND CONSTABLES OF HAYS COUNTY, TEXAS EFFECTIVE JANUARY 1, 1991

WHEREAS, Section 118.131 of the Local Government Code authorizes the Commissioners' court of each county to set reasonable fees to be charged for services by the Offices of the Sheriff and Constables; and

WHEREAS, the Commissioners' Court of Hays County, Texas is of the opinion that the following fees are reasonable and should be established for services provided by the sheriff and Constables of Hays County, Texas, to be effective January 1, 1991, and to remain in effect until further order of the Court:

NOW, THEREFORE, the Commissioners' Court of Hays County, Texas, does hereby order and set the following fees to be charged to each person, corporation, or legal entity for whom service of any of the hereinafter listed process is performed or attempted and return made:

Table listing fees: Citations (\$40.00), Forcible Detainer (\$40.00), Injunction (\$40.00), Notice by Publication (\$40.00), Notice of Trustees Sale (\$40.00), Subpoena (\$40.00), Summons (\$40.00), Order of Sale (\$45.00), Precept (\$45.00), Show Cause Order (\$45.00), Temporary Restraining Order (\$45.00), Writs (All) (\$45.00), Executing Bill of Sale (\$25.00), Executing Deed (\$25.00), Posting - public posting of written notices (\$10.00 each loc).

Commission for collecting money on an Execution or Order of Sale, when the same is made by a sale:

Table showing commission rates: \$0 - \$5,000 (10%), \$5,000 - \$ UP (5%)

When the money is collected without a sale, the fee shall be 1/2 of the above rates.

ADOPTED IN OPEN COURT this the 4th day of September, 1990.

HAYS COUNTY COMMISSIONERS' COURT

s/ G. Don Rains
G. DON RAINS, COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley
RONNIE DANNELLEY
HAYS COUNTY CLERK

(SEAL)

\*SEPTEMBER 4, 1990\*

10403 APPROVE APPOINTMENTS TO THE HAYS COUNTY HISTORICAL COMMISSION

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve appointment of Mr. Scott Burton, Mrs. Stanley Bonner and Mrs. Bob Van Gundy to the Hays County Historical Commission. All present voting "Aye".

JUVENILE DETENTION CENTER - ARCHITECT REPORT AND SITE SELECTION

Architect Norris Fletcher appeared before the Court - spoke of schematic drawings and presented survey map of the site - Court selected the northeast side of the property for placement of the Juvenile Detention Center.

10404 JUSTICE OF THE PEACE PCT. #1 PLACE #2 - LINE ITEM TRANSFER


A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve budget amendment for Justice of the Peace Pct. #1 Place #2 by transferring \$30.00 from Misc. line item to the Continuing Education line item. All present voting "Aye".


10405 YOUTH SERVICES BUREAU - APPROVE PAYMENT FOR VAN INSURANCE

Margie Hernandez, YSB Director, appeared before the Court with new figures on van insurance - A. M. Ramsay Insurance = \$2,295.50 - City of San Marcos has allocated \$1,000 for purchase of the insurance and request from the County \$1,000 - \$295.50 difference will come out of an upgrading grant. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of \$1,000 for Youth Services Bureau van insurance with funds coming out of the Countywide Misc. line item. All present voting "Aye".

10406 TIMMERON SECTION 1 LOT 1 - VACATE 8 FOOT PUBLIC UTILITY EASEMENT ON NORTH SIDE

Patsy Greiner, Administrative Coordinator, spoke of request from CTX Mortgage Company/John & Cynthia Conley, owners of lots 1 & 2 block 6 Timmeron Section 1 subdivision, to release the 8-foot public utility easement along the North lot line of Lot 1 - homestead was constructed over the easement in July of 1976 - releases have been obtained from PEC and GTE. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to vacate the 8-foot public utility easement along the north lot line of Lot 1 Block 6 Timmeron Section 1 subdivision. All present voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 10th DAY OF SEPTEMBER, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

\*SEPTEMBER 10, 1990\*

10407 APPROVE INTERLOCAL AGREEMENT WITH CITY OF SAN MARCOS FOR CHILD ABUSE INVESTIGATION SERVICES

Sheriff Paul Hastings spoke of 5-year grant for Child Abuse Investigator that has been obtained - an interlocal agreement with the City of San Marcos is proposed - City of SM will provide the vehicle, fuel & veh mtc. and the Hays County will provide the Officer, office space and administrative support - City of San Marcos and Hays County will pay 1/2 of funds needed during the 5-year grant. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Interlocal Agreement with the City of San Marcos

FUNDING AGREEMENT FOR CHILD ABUSE INVESTIGATION SERVICES

STATE OF TEXAS

KNOW ALL PERSONS BY THESE PRESENTS

COUNTY OF HAYS

1. Parties: This agreement is between the City of San Marcos, a Texas municipal corporation ("City") and Hays County, Texas ("County"), each acting through its duly authorized officials.

2. Statutory Authority: This agreement is entered into pursuant to the Interlocal Cooperation Act., art. 4413 (32c), V.T.C.S.

3. Connection to State Grant: Funding for the services to be provided by the County under this agreement is to be partially provided under a grant from the office of the Governor, Criminal Justice Division.

4. County's Agreements:

A. The County will employ a full-time child abuse investigator for use by both the City and the County in the detection, apprehension and prosecution of perpetrators of child abuse and other offenses against children. The County will, subject to payments from the State under the grant described above, and payments from the City described below, pay the salary and usual employee benefits to the person employed.

B. The County will provide office space and administrative support for the child abuse investigator.

C. The County Sheriff will be responsible for supervision of the child abuse investigator. The investigator's responsibilities shall include appropriate investigation of all reports of child abuse and other offenses against children referred to the investigator by the City Police Department.

5. City's Agreements:

A. The City will provide a vehicle equipped with a two-way police band radio for use by the child abuse investigator. The City will be responsible for the costs associated with the maintenance and operation of the investigator's vehicle.

B. The City agrees to pay to the County the following portions of the salary and benefits of the child abuse investigator during the respective years of this agreement as defined in Section 7 below:

- Year 2: 10%
- Year 3: 20%
- Year 4: 30%
- Year 5: 40%

The County agrees to provide information to the City not later than July 15th of each year of this agreement substantiating the salary and benefits to be paid to the investigator during the following year. The City will make payments to the County on a quarterly basis.

6. Availability of Funding: Funding by each party to meet its obligation under this agreement is understood to be from current revenues, and subject to annual appropriation by the governing body of each party.

7. Term: The term of this agreement is five years from October 1, 1990.

\*SEPTEMBER 10, 1990\*

For funding purposes, each year of this agreement is numbered consecutively with Year 1 beginning on October 1, 1990.

8. Designation of Responsible Officials: The City designates its Police Chief, and the County designates the County Sheriff, as the persons responsible for implementing this agreement. The Police Chief and Sheriff shall cooperate to the greatest extent reasonably possible in the fulfillment of the purposes of this agreement.

EXECUTED this 10th day of September, 1990.

COUNTY OF HAYS

BY: s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

s/ Paul Hastings  
PAUL HASTINGS, SHERIFF

#### 10408 HELPING HAND PROGRAM - PRESENTATION AND APPROVAL FOR THE COUNTY

Larry Soward, Sheriff's Dept. Juvenile Officer, appeared before the Court and spoke of the "Helping Hand" Program - children are instructed through the program to seek out a service vehicle displaying the "Helping Hand" emblem if they are in need of help - responsibilities are to administer any basic emergency first aid that is needed, to remove the child from any immediate danger or simply to comfort the child until appropriate personnel arrive on the scene - emblem is placed on vehicles that have radio communications - current participants are: San Marcos Telecom, San Marcos Police Dept., City of San Marcos, San Marcos Electric Utility, San Marcos/Hays Co. EMS, San Marcos Fire Dept., Hays County Sheriff's Dept., Entex Gas Co., Karnack Cable TV and San Marcos CISD - would like to see all the County participating in this program - training will be provided to personnel. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve the "Helping Hand" program for Hays County. All voting "Aye".

#### 10409 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR MAINTENANCE TRUCK AND TRANSPORTATION VAN FOR THE JAIL

Sheriff Hastings appeared before the Court and requested authorization for the County Auditor to bid for a maintenance truck and transportation van for the Jail - bid specs have been prepared. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to authorize the County Auditor to advertise for bids for a maintenance truck and a transportation van for the Jail. Commissioner Gonzales asked about funding the purchase. Commissioner Ford suggested using bond funds. Commissioner Payne spoke of county vehicle purchases - suggested buying all vehicles for the county at the same time in a package deal once a year. Sheriff Hastings spoke of need for a transportation van as soon as possible. Commissioner Gonzales, Commissioner Ford, Commissioner Rippey and Judge Rains voting "Aye". Commissioner Payne voting "No".

#### 10410 AUTHORIZE PRECINCT 2 TO ADVERTISE FOR BIDS ON VIBRATORY PAD FOOT ROLLER

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize Precinct 2 to advertise for bids on a new or used vibratory pad foot roller. All voting "Aye".

#### HAYS COUNTY ANIMAL CONTROL POLICY DISCUSSION

Commissioner Ford spoke of need to adopt an animal control policy - proposed ordinance will be different as far as restraint of dogs on private property. Commissioner Payne asked who will oversee and enforce the ordinance. Commissioner Ford stated that the Sheriff's Dept. would oversee - explained the Animal Control Officer's duties.

\*SEPTEMBER 10, 1990\*

10411 APPROVE REQUEST BY LEGAL AID TO UTILIZE AN OFFICE ON THE 3RD FLOOR COURTHOUSE ANNEX

Ofelia Vasquez appeared representing the Community Action Agency Legal Aid Program - request a small office be provided at the Courthouse Annex - funding restraints make it difficult to rent office space and provide services needed. Maintenance Supervisor Bryan Hoot spoke of third floor courthouse annex office space - building materials, etc. are being stored in some of the space and it will be necessary to find a place to store this property - cost to get an office space ready would be approximately \$800. Commissioner Ford spoke of need to open the stairway up to the third floor. Judge Rains stated that funding will be considered at budget workshop session. A motion was made by Commisisoner Ford, seconded by Commissioner Gonzales to provide office space at the Courthouse Annex - 3rd floor - for the Legal Aid Program. Commissioner Gonzales, Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "No".

10412 PROCLAMATION - VOLUNTEER FIRE FIGHTERS APPRECIATION DAY

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to adopt Proclamation designating the second Monday of September as "Volunteer Fire Fighters Appreciation Day". All voting "Aye".

P R O C L A M A T I O N

STATE OF TEXAS  
COUNTY OF HAYS

WHEREAS, the Volunteer Fire Fighters of Hays County provide assistance to all of the citizens of Hays County through their efforts in preventing and fighting fires throughout the County; and

WHEREAS, the Volunteer Fire Fighters of Hays County give so unselfishly of their time and energies to protect lives and property of Hays County residents; and

WHEREAS, the Volunteer Fire Fighters of Hays County often risk personal injury and endure discomforts and hardships at all hours of the day and night; and

WHEREAS, the citizens and businesses of Hays County rest more secure in their knowledge that the Volunteer Fire Fighters are always prepared and ready to respond when these emergenicies arise; and

WHEREAS, the Volunteer Fire Fighters of Hays County never expect anything other than a "Thank You" for their actions, it is only proper and fitting that everyone in the communities should make known their support and appreciation to these individuals;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that the Second Monday of each September hereinafter is designated as

"VOLUNTEER FIRE FIGHTERS APPRECIATION DAY"

s/ G. Don Rains  
G. DON RAINS  
County Judge

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk

(SEAL)

10413 COUNTY EXTENSION AGENT - BUDGET AMENDMENT/LINE ITEM TRANSFER

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve budget amendment of \$246.11 to purchase office equipment and allow line item transfer. All voting "Aye".

\*SEPTEMBER 10, 1990\*

FOSTER CHILD CARE - CLARIFICATION OF EXPENDITURES

Karen Cook, Foster Child Care, spoke of \$1,900 that was budgeted - request clarification of what is acceptable for payment - is clothing expenditures authorized - State pays for housing and medical assistance - spoke of increase in abuse. Judge Rains stated that the Court will rely upon the Child Welfare Board and Ms. Cook's discretion on expenditures.

10414 APPROVE TRANSFER OF GARLAND STEAMER FROM THE JAIL TO COMMUNITY ACTION OF HAYS COUNTY

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve transfer of the Garland Steamer from the Jail to the Community Action of Hays County. All voting "Aye".

INVESTMENT POLICY FOR HAYS COUNTY - DISCUSSION

County Auditor Bill Herzog spoke of need for an Investment Policy for Hays County - he will supply a generic policy for consideration.

10415 APPROVE PAYMENT OF ELECTRICAL WORK COMPLETED IN DISTRICT CLERKS OFFICE AND APPROVE BUDGET AMENDMENT

County Auditor Bill Herzog stated that there is an invoice in the amount of \$387.40 for electrical work completed in the District Clerk's office - there is no money in building maintenance to pay for this work - District Clerk W. H. Moore had the work done independently. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve payment for electrical work in the amount of \$387.40 out of the Countywide Misc. line item. All voting "Aye".

10416 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$108,241.51. All voting "Aye".

|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Auditor          | \$ 596.59    | Treasurer         | \$ 78.10     |
| Extension Ofc    | \$ 233.41    | Juv Prob Ofc      | \$ 172.41    |
| Election Admin   | \$ 29.14     | Indigent Care     | \$ 11,943.50 |
| Transfer Sta     | \$ 58.00     | Bldg Maint.       | \$ 6,055.83  |
| Health Dept.     | \$ 529.06    | Civic Center      | \$ 3,541.50  |
| Countywide Misc  | \$ 22,783.54 | Tax A/C           | \$ 496.15    |
| District Clerk   | \$ 135.66    | County Clerk      | \$ 88.44     |
| Sheriff's Dept.  | \$ 1,723.70  | Jail              | \$ 30,559.44 |
| County Judge     | \$ 144.40    | Admin. Coord.     | \$ 91.40     |
| Co Crt @ Law #1  | \$ 71.54     | Dist. Atty.       | \$ 751.35    |
| J.P. 1-1         | \$ 62.29     | J.P. 1-2          | \$ 99.29     |
| J.P. 2           | \$ 73.38     | J.P. 3            | \$ 25.00     |
| DPS              | \$ 677.41    | Constable 1       | \$ 90.28     |
| Constable 2      | \$ 105.88    | Constable 5       | \$ 108.27    |
| Veterans Adm     | \$ 39.93     | Data Proc Adm     | \$ 917.34    |
| Co Crt @ Law #2  | \$ 36.29     | TDH M&C Care      | \$ 41.16     |
| Fire Marsha/EMC  | \$ 107.98    | TABC              | \$ 71.84     |
| Dist. Court Oper | \$ 487.36    | County Court Oper | \$ 1,550.00  |
| Dist Court Rep   | \$ 51.07     | R&B General       | \$ 6,215.66  |
| Precinct 1       | \$ 877.04    | Precinct 2        | \$ 1,452.32  |
| Precinct 3       | \$ 2,105.58  | Precinct 4        | \$ 3,737.47  |
| Self Ins. Fund   | \$ 700.00    | Hot Check Fee     | \$ 100.00    |
| Public Works     | \$ 4,741.04  | D.A. Drug Forf    | \$ 2.49      |
| Adult Prob Oper  | \$ 3,548.86  | Adult Prob Fac    | \$ 539.28    |
| *Gen Fund Credit | \$ 406.02*** | *Jury Fund Credit | \$ .14*****  |

FY91 BUDGET WORKSHOP

Uhland VFD - \$2,000 was put in. Sheriff's Dept. - add \$10,000 to fuel from line item #5271 Vehicle Supp. Commissioner Ford spoke of vehicle registration being down

\*SEPTEMBER 10, 1990\*

and suggested bumping up the road tax - requested rollover on park maintenance funds of \$5,000 because improvements are made in the winter season when his crews cannot work on roads.

Discussion was had on 2.5% increase for employees - Commissioner Gonzales and Commissioner Payne support increase be given at Department Heads discretion. Commissioner Payne spoke of need to establish positions for precincts.

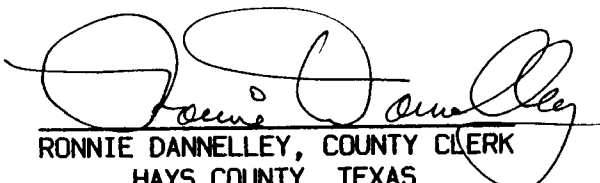
Lee Swift appeared before the Court and spoke of demolition of Carroll Hall at SWTSU to begin - contract has been awarded - request that the County become a party for a Temporary Restraining Order/Injunction to stop demolition on the grounds that Carroll Hall is a public asset of irreplaceable value and as a landmark - there will be no cost to the County for the lawsuit - private donations will fund. Frances Stovall, Hays County Historical Commissioner Chairperson, spoke of meeting with the Board of Regents - University System is ignoring the community's request and financial advise. Judge Rains called an Emergency Meeting for 2:00 P.M. to consider Hays County become a party to litigation preventing the destruction of Carroll Hall at SWTSU.

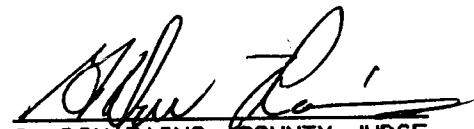
Commissioner Gonales spoke of employees salaries - spoke of loyal employees that work overtime and do not get paid for it. Court voted to authorize 2.5% salary merit increases for all Departments to be given at the discretion of the Department Head (Commissioners Gonzales & Rippy and Judge Rains voted for - Commissioners Ford & Payne supported an across the board for all employees) - Commissioner Ford suggested that the 2.5% for Department Heads be placed all together and that the Court decide which ones get 2.5%.

Commissioner Gonzales spoke of building a Juvenile Detention Center, Records Storage facility and Mechanics shop - if we build it ourselves we can build all three with funds available for the Juv Det Center.

10417 RESOLUTION AUTHORIZING HAYS COUNTY AND THE HAYS COUNTY HISTORICAL COMMISSION TO BECOME PARTIES TO LITIGATION PREVENTING THE DESTRUCTION OF CARROLL HALL AT SWTSU

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize the Hays County Commissioners' Court to participate as a Litigant Party to cause of action seeking to enjoin temporarily and permanently the destruction of Carroll Hall by the Board of Regents of the State University System and furthermore authorize the Hays County Historical Commission to participate and be a party litigant in the same cause of action with the understanding that Hays County will not be responsible for any funding of the lawsuit. All voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 17TH DAY OF SEPTEMBER, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:



\*SEPTEMBER 17, 1990\*

## 10418 ORDER OF ELECTION FOR THE NOVEMBER GENERAL ELECTION

Joyce Cowan, Election Administrator, spoke of need to Order Election to be held November 6, 1990. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to order General Election to be held November 6, 1990 for county and precinct officers. All voting "Aye".

## ORDER OF ELECTION FOR THE NOVEMBER GENERAL ELECTION

An election is hereby ordered to be held on November 6th, 1990, in Hays County, Texas for the purpose of electing the following county and precinct officers as required by Article XVI, Section 65 of the Texas Constitution.

|                                     |  |             |
|-------------------------------------|--|-------------|
| Criminal District Attorney          |  |             |
| Mark E. Cusack                      |  | Republican  |
| Marcos Hernandez, Jr.               |  | Democratic  |
| County Judge                        |  |             |
| Eddy Etheredge                      |  | Democratic  |
| Judge, County Court at Law No. 1    |  |             |
| Howard Warner                       |  | Democratic  |
| Judge, County Court at Law No. 2    |  |             |
| Linda Rodriguez                     |  | Democratic  |
| District Clerk                      |  |             |
| W. H. Moore                         |  | Democratic  |
| County Clerk                        |  |             |
| Ronnie Dannelley                    |  | Democratic  |
| County Treasurer                    |  |             |
| Dorothy P. (Dottie) Sim             |  | Democratic  |
| County Surveyor                     |  |             |
| James E. Byrn                       |  | Republican  |
| Kelly Kilber                        |  | Democratic  |
| County Commissioner Pct. 2          |  |             |
| Wayne Ford                          |  | Democratic  |
| Dan Campos                          |  | Independent |
| County Commissioner Pct. 4          |  |             |
| Howard W. Mittel                    |  | Republican  |
| Oran Hill "Pug" Rippy               |  | Democratic  |
| Justice of the Peace Pct. 1 Place 2 |  |             |
| Becky Y. Sierra                     |  | Democratic  |
| Justice of the Peace Pct. 2         |  |             |
| James A. Holt, Sr.                  |  | Democratic  |
| Justice of the Peace Pct. 3         |  |             |
| J. A. "Jim" Stowe                   |  | Republican  |
| Clarence "Sonny" Gold               |  | Democratic  |
| Justice of the Peace Pct. 4         |  |             |
| John P. Burke, Jr.                  |  | Democratic  |
| Justice of the Peace Pct. 5         |  |             |
| Orlena G. Hehl                      |  | Democratic  |

Absentee Voting by personal appearance will be conducted each weekday at 401-B Broadway, San Marcos, Tx. 78666. Applications for ballot by mail shall be mailed to: Joyce A. Cowan, Elections Administrator, 401-C Broadway, San Marcos, Tx. 78666. Applications for ballot by mail must be received no later than the close of business on October 30, 1990.

Issued this the 17th day of September, 1990.

s/ G. Don Rains  
Signature of County Judge

## 10419 SET NUMBER OF CLERKS FOR THE NOVEMBER 6, 1990 GENERAL ELECTION

Joyce Cowan spoke of need to set the number of clerks for each precinct - recommended a maximum of 6 clerks - precincts can have from 2 to 6 clerks. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to set the maximum number of Clerks per precinct at six. All voting "Aye".

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10420 SET TEMPORARY ABSENTEE VOTING PLACES FOR THE NOVEMBER 6, 1990 GENERAL ELECTION

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve temporary absentee voting places and hours as recommended by the Election Administrator. All voting "Aye".

FOR IMMEDIATE RELEASE

TO THE REGISTERED VOTERS OF HAYS COUNTY, TEXAS

Qualified, registered voters may vote absentee by personal appearance Wednesday, October 17th through Friday, November 2nd at the County Extensions office meeting room, 401-B Broadway in San Marcos. The week day hours will be from 8 a.m. to 5 p.m. October 17th through October 26th & from 7 a.m. to 7 p.m. October 29th through November 2nd, with additional voting on Saturday October 29th and October 27th from 11 a.m. to 7 p.m.

TEMPORARY ABSENTEE VOTING TO BE CONDUCTED:

| PLACE                       | DATE                | PRECINCTS           |
|-----------------------------|---------------------|---------------------|
| Kyle City Hall              | Oct. 22, 27 & 29    | 23,25,27 & 29       |
| Dripping Sprgs City Ofc     | Oct. 23, 27 & 30    | 40,41,42,43,48 & 49 |
| Wimberly Sr. Citizens Bldg. | Oct. 24, 27 7 31    | 35 & 37             |
| Buda City Hall              | Oct. 25, 27 & Nov 1 | 24,26, & 27         |

\*Hours to be conducted at the temporary branches will be same as stated above on those dates set.

CONSTABLE PCT. 1 - REQUEST TO PURCHASE A PC COMPUTER, MONITOR & PRINTER

Commissioner Gonzales spoke of request by Constable Pct. #1 Lupe Cruz to purchase a personal computer and printer for his office. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to approve purchase and line item transfers necessary for same. Judge Rains asked why the computer is needed. Constable Cruz spoke to the Court - computer would make it easier to keep track of his records. Danny Dever, Data Processing Administrator, spoke of problem with Constable Pct. 1 being at the Courthouse Annex with no access to the main justice system computer system unless data communication lines are hooked up - if Court decides to hook the Annex into the main system funding should come out of the DP budget. Commissioner Rippy withdrew his second to the original motion. Court decided to provide a data line hookup to Constable Pct. 1 at the Courthouse Annex.

10421 COURTHOUSE ANNEX 3RD FLOOR REPAIRS APPROVED

Ed Cooper, Juvenile Probation Officer, appeared before the Court and spoke of request by him to Bryan Hoot, Maintenance Supervisor, for repairs needed at the courthouse annex third floor (1) remove debris from stairwell to enable traffic from 1st to 3rd floor by utilizing front stairs (2) 3rd floor back door needs to have the lock fixed [there is no security on this floor] (3) bathroom commode needs to be repaired so that it is usable (4) air conditioner ducts and windows leak when it rains (5) doors and floor trim in our office needs to be finished - the only item on his request that was corrected was the bathroom commode repairs - spoke of stairwell that is closed off being a fire hazard. Judge Rains spoke in support of Bryan Hoot. Commissioner Ford spoke - Bryan Hoot works for the Commissioners' Court and that they need to make a decision and instruct Mr. Hoot to proceed. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to direct the Maintenance Department to open the stairwell so that it is accessible and to have the lock fixed on the back door of the courthouse annex third floor. Commissioner Gonzales, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Rains voting "Nay".

SAN MARCOS/HAYS COUNTY EMERGENCY MEDICAL SERVICES INC. - CONTRACT

Judge Rains spoke of having received a copy of an Agreement concerning provisions of Emergency Medical Services as adopted by the City Council of the City of San Marcos. Commissioner Ford spoke of concerns about funding: equal to fifty percent of the

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difference between the reasonable operating expenses and capital needs of EMS and the net patient revenues received by EMS - would like to tie down an exact amount (amount budgeted for FY91) - spoke of NE Hays County EMS taking care of their area and reducing coverage needed by the SM-HC EMS. Commissioner Gonzales spoke of the fact that the county is providing gasoline service and prisoner keep for the City at no cost and that the City should provide EMS service. Commissioner Ford spoke of 2/3 of the EMS budget is for salaries and fringes - they need to cut back on costs. Commissioner Payne spoke of need to negotiate the contract. No action taken this date.

10422 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog spoke of invoices for third floor annex restroom will make the maintenance department budget go over. Commissioner Rippy spoke of invoice for chip spreader repairs (\$1,102.78) should come out of Road & Bridge General Fund and not Precinct #4 funds. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$123,884.75. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Treasurer         | \$ 225.00    | Extension Ofc    | \$ 254.79    |
| Juv Probation     | \$ 62.60     | Election Admin   | \$ 1,054.00  |
| Indigent Care     | \$ 199.95    | Transfer Sta     | \$ 4,909.50  |
| Bldg. Maint.      | \$ 572.87    | Civic Center     | \$ 223.69    |
| Countywide Misc.  | \$ 39,081.85 | District Clerk   | \$ 459.85    |
| County Clerk      | \$ 230.00    | Sheriff's Dept.  | \$ 859.30    |
| Jail Operations   | \$ 10,801.21 | County Judge     | \$ 133.05    |
| District Atty     | \$ 562.69    | J.P. 1-1         | \$ 36.80     |
| J.P. 1-2          | \$ 52.50     | J.P. 2           | \$ 129.71    |
| J.P. 5            | \$ 47.97     | DPS              | \$ 439.37    |
| Constable 1       | \$ 43.47     | Constable 2      | \$ 500.00    |
| Constable 5       | \$ 37.95     | Veterans Adm     | \$ 79.45     |
| Dat Proc Admin    | \$ 67.35     | TDH TB Grant     | \$ 39.00     |
| Foster Child Care | \$ 5,580.00  | Fire Marshal/EMC | \$ 70.51     |
| TJPC ISP Grant    | \$ 12.25     | District Court   | \$ 403.06    |
| County Court      | \$ 1,809.32  | R&B General      | \$ 7,654.74  |
| Precinct 1        | \$ 988.10    | Precinct 2       | \$ 8,615.18  |
| Precinct 3        | \$ 5,215.52  | Precinct 4       | \$ 11,346.30 |
| Hot Check Fee     | \$ 33.03     | Springlake Rd    | \$ 277.92    |
| Public Works      | \$ 12,667.73 | Public Works     | \$ 1,915.20  |
| Pioneer Rd Dist   | \$ 35.39     | DA's Drug Forf   | \$ 1,635.51  |
| Adult Prob Oper   | \$ 4,125.25  | Adult Prob Fac   | \$ 345.82    |

10423 BAIL BOND FORFEITURES - AUTHORIZE PAYMENT OF LEGAL FEES

Invoice has been received from Fitzgerald, Majors & Stevens for legal fees in connection with Bail Bond Forfeiture cases in the amount of \$1,484.09. Commissioner Gonzales spoke of bondsmen not paying up because bonds are defective. Gene Majors, Attorney for the County, spoke of judgments and monies that have been collected - Mr. Roberts has appealed his cases for defective bonds - the Sheriff's Department has revised their procedure so that bondsmen will sign the front and back of the bond - spoke of need to keep the bonding program effective - bondsmen are fighting the cases but we are getting their attention - spoke of County Court at Law Judges are reluctant to notify bondsmen of court dates - stated that he will follow up with a written report to the court. A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize payment of legal fees to Fitzgerald, Majors & Stevens in the amount of \$1,484.09. All voting "Aye".

10424 PCT. 1 OFFICE BUILDING - AUTHORIZE PURCHASE AND INSTALLATION OF GARAGE DOOR WITH STEEL BARS

Commissioner Gonzales spoke of need to keep the back door of the Precinct 1 office building open for circulation to help keep temperature down - cost to purchase and install a garage door with steel bars will be \$400-450 - request that funds come out of building maintenance department. County Auditor Bill Herzog stated that the maintenance department budget has already been overspent. Judge Rains spoke of the South Hays County Fire Dept. is housed in this building and they are collecting funds from taxes - need to pay rent. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to authorize purchase and installation of garage door with steel bars for the precinct #1 office building not to exceed \$450.00 and to be paid out of the building maintenance budget. All voting "Aye".

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10425 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR OFFICE SUPPLIES NOT CURRENTLY AVAILABLE THROUGH THE CO-OP

A motion was made by Commissioner Payne, seconded by Commissioner Gonzales to authorize the County Auditor to advertise for bids for office supplies not currently available through the Co-op. All voting "Aye".

TRANSFER OF FUNDS FROM GENERAL FUND TO R&B PRECINCTS TO COVER SHORTAGES OF REVENUE IN AUTO REGISTRATION

County Auditor Bill Herzog spoke of shortages in revenue in auto registration fees. Authorization was postponed until the next meeting.

10426 FOUR ACES SUBDIVISION LOTS 1-4 (PCT. 2) - APPROVE ON 1ST & 2ND READINGS

Mary Bustamonte presented the "Four Aces Subdivision" - located next to Green Pastures subdivision. Patsy Greiner, Admin. Coord., stated that tax certificates and review fees are due. Commissioner Payne stated that cul-de-sac radius and letter of credit or needed. Mrs. Bustamonte stated that this is a family development and they are building the road to county specs. Commissioner Payne stated that a homeowners association is needed to maintain the private road and they could request a variance on letter of credit. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve "Four Aces Subdivision" on first and second readings. All voting "Aye".

10427 DATA PROCESSING DEPARTMENT - BUDGET AMENDMENT/LINE ITEM TRANSFER (OFFICE FURNITURE)

Danny Dever, DP Administrator, spoke of need for a file cabinet and chairs for his office. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Data Processing Department budget amendment by transferring \$421.40 from Software Maint. line item #5429 to Office Equipment line item #5711. All voting "Aye".

FY91 BUDGET WORKSHOP

County Auditor Bill Herzog presented an itemized tax rate for FY91 budget:

|                     |             |
|---------------------|-------------|
| General M & O       | 20.10 cents |
| Jury M & O          | 1.90 cents  |
| Jail I & S          | 4.52 cents  |
| Jail Add I & S      | 1.05 cents  |
| Machinery Warrants  | .82 cents   |
| R&B M & O           | 4.75 cents  |
| R&B Mach Warr       | .77 cents   |
| Public Works        | 1.97 cents  |
| =====               |             |
| Total Tax County    | 35.88 cents |
| Springlake Rd Dist. | 75.03 cents |
| Pioneer Trial Rd.   | 62.06 cents |

Mr. Herzog spoke of adjustments made moving departments: Judicial & Law moved to Jury Fund Soil Conservation Service funding moved to R&B General - \$5,000 park maintenance rolled over - \$100,000 appropriated for Jail van, truck, fence and misc. - \$900,000 for juvenile detention center construction costs - revenues increased \$124,000 - spoke of Hays County Historical Commission needs to process their funds through the County - salary increase for V.A. Officer to \$19,900 + 2.5% merit (Commissioners Gonzales, Ford and Rippy voted For). Judge Rains proposed a salary increase for Danny Dever (\$1500) and Marilyn Blackwell (\$1000) - approved by Commissioners Ford & Rippy. Commissioners Gonzales and Ford recommended delaying construction of juvenile detention center until new land appraisal come out. Commissioner Gonzales spoke of the District Attorney's budget overspent in travel, continuing education and salaries. Commissioner Ford spoke of park improvements to be made: restrooms and securing the perimeters so that the park can be closed every night by the Sheriff's Department patrol.

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HEALTH & DENTAL INSURANCE - REPORT (NOT ON THE AGENDA)

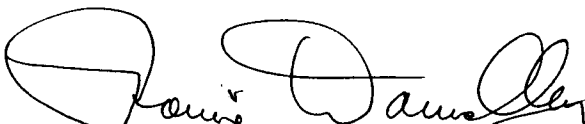
Jim Rotan spoke of Transport Life Insurance contract - there appears to be a problem with the number of people that are required to sign up - 150 signed up for PCA (HMO) 188 signed up for Transport Life Insurance (traditional) - Hays County has four options:


1. go totally with self insured program w/no stop loss (unlawful)
2. try to find a low rated carrier (not financially sound)
3. go totally with PCA (HMO) (problem with outside service area)
4. go totally with Transport Life (traditional plan)

Transport Life may decide not to cover Hays County employees that have signed up - they would like to review a claims run to see if the healthy employees have chosen the HMO and the high risk employees have stayed with the traditional plan - need to recalculate.

Judge Rains spoke of HMO's are not a guarantee like a traditional plan - unsure of the County's liability if the HMO went under.

Court recessed until September 24, 1990.

  
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 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
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 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
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 COUNTY OF HAYS \*

ON THIS THE 24TH DAY OF SEPTEMBER, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10427 APPROVE USE OF COURTHOUSE LAWN FOR "SIGHTS AND SOUNDS OF CHRISTMAS" - NOVEMBER 29 & 30, AND DECEMBER 1, 1990

Request was made to allow use of courthouse restrooms - Court decided against this request.

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve use of courthouse lawn for "Sights and Sounds of Christmas" to be held November 29, 30 and December 1, 1990. All voting "Aye".

10428 APPROVE USE OF COURTHOUSE LAWN FOR DEVEREAUX'S WOODSTOCK LIVES - WHEELS ACROSS AMERICA - SEPTEMBER 30, 1990

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve use of Courthouse lawn for Devereaux's Woodstock Lives - Wheels Across America - to be held September 30, 1990. All voting "Aye".

VETERAN SERVICE OFFICER OF THE YEAR AWARD

Judge Rains spoke of Hays County's Veteran Service Officer Tom Tvrdik having received a placque as "Service Officer of the Year for 1990". Tom Tvrdik thanked the Court for their support.

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## 10429 ADOPTION OF THE HAYS COUNTY ANIMAL CONTROL ORDINANCE

Commissioner Ford spoke of basic needs of the County for an enforceable animal control ordinance being his main concern - one with public recourse, restraint laws and enforcement. Sheriff Hastings spoke of having reviewed the ordinance and he will do whatever is necessary. Commissioner Ford stated that the ordinance appoints the Sheriff as the Local Health Authority which would allow the Sheriff Deputies to respond to complaints and use their discretion to handle the situation - there would be an Animal Control Officer. Carol Hapley, mother of 3 year old child that was bitten in the neck by a vicious dog, spoke of need for an ordinance - the dog owner is responsible to prove that his dog has had shots, however, without an ordinance he cannot be forced to do so - they had difficulty in getting the dog owner to quarantine his dog. Nancy Cowart spoke of dogs that come on to her property and have attacked her and her Mother-in-Law - concerned that nothing in the ordinance allows property owners to shoot dogs on their property. Commissioner Ford stated that we cannot allow use of firearms for safety reasons - State Law can be adopted by a majority of the voters which does allow for such measures. Gail Field, P.A.W.S., spoke of calls that are received concerning inhumane restraint - suggested that the Court add wording to the ordinance concerning restraint: must have 150 square feet of unimpeded mobility - this would enable the dog to move around without getting tangled up - felt like dogs being tied inappropriately will increase with adoption of the ordinance. Charles Busey, resident of Cedar Oaks Mesa, spoke of residents walking in their subdivision have to carry golf clubs to protect themselves for dogs. Gail Field spoke of funding - breeders should be permitted and pay an annual fee. Commissioner Ford spoke of registration fees that would create funding - ordinance is not intended to regulate breeders or to address animal rights it is intended to address the protection of people out in the county - spoke of ordinance addressing restraint of animals. Gail Field urged the court to add humane restraint and breeder registration to the ordinance. Commissioner Ford stated that he would like the ordinance to take affect January 1, 1991 which would allow time to notify the public, allow time to vaccinate/register animals, have tags printed and contract with vets. Constable Pct. 5 Billy Reeves spoke of his most frequent calls are concerning dog problems - the ordinance is a long time overdue. W. H. Moore stated that he was opposed to registration fees but not opposed to the ordinance. Commissioner Ford stated that registration allows identification of the animal and removes the liability of the ACO in picking up stray animals which will be disposed of after 72 hours. Former Commissioner B. R. Wranitzky spoke of enforcement being difficult - felt like cities need to adopt their own ordinance - it will be very difficult to catch strays. Commissioner Ford stated that more people are living outside the city limits in subdivisions where it is especially dangerous to shoot firearms - the ACO can set traps & use tranquilizer gun to catch strays - violations of the ordinance are a Class "C" Misdemeanor offense with a fine of \$0-200 - first offense fine can be set by the Commissioners Court (recommendation is \$25) - impoundment fee will have to be negotiated with the animal shelter - an Animal Control Officer will have to be hired and will be an employee of the Sheriff - ACO could use a pickup supplied by the Sheriff's Dept., however, cages to go on the back will be necessary. Commissioner Gonzales stated that he was concerned about funding - did not feel that one Officer could handle this job - opposed to adding more responsibility to the Sheriff - suggested creating a new department. Commissioner Ford stated that a Sheriff Deputy would respond to complaints and decide whether the ACO is required to pick up the animal - ACO does not have to be a Deputy. Commissioner Payne spoke of his concerns about entering private property. Asst. Dist. Attorney John Costello spoke of reservation about vague wording re: threat to public safety and health - Deputy will need to have permission or a warrant to enter private property unless he is in pursuit - spoke of definition of public nuisance. Judge Rains recommended approving the ordinance and iron out the wording problems and constitutional questions prior to January 1st. Commissioner Ford proposed adoption of the Animal Control Ordinance with effective date of January 1, 1991, creating the ACO position in the Sheriff's Dept. and creating a line item in the amount of \$40,000 - fees to be addressed at a later date. Commissioner Payne felt like the funding request is excessive and not all problems will be solved by the ordinance - has reservations about large compliance. Commissioner Ford spoke of concerns about spread of rabies by cats - there will be large amount of animals to be registered in the beginning. Judge Rains spoke of growth out in the County - commended Commissioner Ford on his efforts - felt like \$40,000 is not enough - will create selective enforcement - there is a need for authority to impound animals. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt the Hays County Animal Control Ordinance to be effective January 1, 1991, creating the Animal Control Officer position in the Sheriff's Department and creating a new line item in the amount of \$40,000 for funding - all fees and fines will be put in a special designated fund and public notice will be given. Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Gonzales and Commissioner Payne abstained.

STATE OF TEXAS

COUNTY OF HAYS

ANIMAL CONTROL ORDINANCE

NO. 10429

IT IS THE DECISION OF THE HAYS COUNTY COMMISSIONERS' COURT TO ENACT AN ORDINANCE DESIGNED TO PROTECT PUBLIC HEALTH AND SAFETY; DESIGNATE A LOCAL HEALTH AUTHORITY; REQUIRE VACCINATION FOR RABIES; ADMINISTER RABIES CONTROL PROGRAM; REPORTING OF HUMAN EXPOSURE TO SUSPECTED RABIES; QUARANTINE/TESTING AND RELEASE OF ANIMALS; REGISTRATION AND LICENSING OF DOGS AND CATS; RESTRAINT OF ANIMAL BY OWNER; IMPOUNDMENT AND/OR DETENTION OF ANIMALS; PROHIBITION OF ANIMALS RUNNING AT LARGE; REDUCTION OF STRAY ANIMALS; SET FORTH PENALTIES FOR VIOLATION OF PROVISIONS IN ACCORDANCE WITH AND PURSUANT TO CHAPTER 826, RABIES, OF THE HEALTH AND SAFETY CODE, TITLE 10, OTHERWISE CITED AS THE RABIES CONTROL ACT OF 1981 (V.A.C.S. ART. 4477-a ACTS 1989, 71st LEG., CH 678 1, EFF. SEPT. 1, 1989).

THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, THAT: Chapter 826 of the Health and Safety Code, Title 10, and the rules of the board be, as though laid out in full along with the following provisions set forth in this document be adopted, this 24th day of September 1990.

SECTION I. DEFINITIONS

- 1.1 ANIMAL - Any live or dead non-human mammal.
- 1.2 ANIMAL-AT-LARGE - Any animal not under the restraint of a person capable of controlling the animal off the premises of the owner.
- 1.3 ANIMAL SHELTER - A licensed facility operated for the purpose of impounding animals under the authority of this ordinance or State law for care, confinement, return to owner, adoption or euthanasia.
- 1.4 BITE - Puncturing, tearing or bruising of the skin by an animal.
- 1.5 CAT - Any live or dead Felis Catus.
- 1.6 CURRENTLY VACCINATED - An animal inoculated against rabies with an approved vaccine and satisfying the following criteria:
  - a. The animal must have reached at least four months of age at the time of vaccination.
  - b. Not more than twelve months have elapsed since the most recent vaccination.
- 1.7 DOG - Any live or dead Canis Familiaris.
- 1.8 OWNER - Any person, partnership, or corporation that owns, keeps or harbors, has custody or control of one or more animals. An animal shall be deemed to be owned if it is fed or sheltered on three separate days.
- 1.9 PUBLIC NUISANCE - Any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or persons, or substantially interfere with the rights of citizens, other than their owners, to the enjoyment of life or property. The term public nuisance animal shall mean and include, but not limited to, any animal that:
  - a. Repeatedly is at large or stray.
  - b. Damages the property of anyone other than its owner.
  - c. Molests or intimidates pedestrians or passersby.
  - d. Chases vehicles or bicycles.
  - e. Excessively and repeatedly makes unprovoked disturbing noises including, but not limited to, continuous and repeated howling, barking, whining or other utterances causing unreasonable annoyance, disturbance or discomfort to the neighbors or others in close proximity to the premises where the animal is kept or harbored.
  - f. Attacks other domestic animals.
  - g. Is a vicious animal.
- 1.10 RESTRAINT - Secured by a leash or lead and under the control of a responsible person or obedient to that persons command.
- 1.11 SCRATCH - A scrape left by the claws, nails or teeth of an animal and of sufficient severity to break the skin and draw blood.
- 1.12 STRAY - An animal running at large.
- 1.13 UNOWNED ANIMAL - Any animal for which an owner can not be identified.
- 1.14 VICIOUS ANIMAL - An animal that initiates an unprovoked attack upon a person or another animal, maintaining continuous physical contact and fails to retreat. The attack must result in bodily injury to the victim.

SECTION 2. LOCAL HEALTH AUTHORITY

- 2.1 The Commissioners' Court of Hays County, Texas, hereby designates the Hays County Sheriff as the local health authority and creates the position of Animal Control Officer within the Sheriff's Department to assist with the:
- a. Formulation of rules and procedures to be approved by Commissioner's Court for the enforcement of this order.
  - b. Supervising the implementation, administration and enforcement of this order.
- 2.2 DUTIES OF LOCAL HEALTH AUTHORITY (LHA) - or authorized designee will be responsible for, but not limited to, the following duties as set forth in this ordinance and to carry out provisions of the State laws pertaining to control and eradication of rabies.
- a. Animal bites - Receive and investigate reports of animal bites within Hays County in a timely manner. Bites occurring within municipalities having animal control ordinances will be referred to the proper municipal authority.
  - b. Quarantine - Perform immediate and proper quarantine procedures for animals suspected of having rabies. Animals may be placed in approved animal shelters, approved veterinary hospitals or owners' approved premises.
  - c. Impoundment - LHA or designee will humanely capture and transport an animal to an approved animal shelter or kennel for violations set forth in this ordinance.
  - d. Destruction - Perform immediate, if warranted, proper and humane destruction of certain animals described in this ordinance.
  - e. Citations - Issuance of citations for various violations and offenses set forth.
  - f. Records - Provide necessary data and reports on a periodic basis as required by Commissioners' Court
- 2.3 MUNICIPAL ORDINANCES - The governing body of a municipality within Hays County may adopt ordinances or rules that establish a local rabies and animal control program and set local standards that are compatible with, equal to, or more stringent than the ordinances or rules adopted by the County. Municipal ordinances or rules supersede ordinances or rules adopted by the County so that multiple enforcement will not occur. Hays County municipalities may enter into separate contracts with the County to provide animal control requirements of this ordinance within their respective municipalities.
- 2.4 ANIMAL FACILITIES - Hays County Commissioners' Court may enter into contracts or agreements with public, private entities, or animal shelters to carry out the activities required or authorized by this ordinance.

SECTION 3. LICENSING

- 3.1 A dog or cat over the age of 120 days will be required to be licensed by its owner. A license is required for each dog or cat within Hays County except as follows:
- a. Those with a valid license from municipality within Hays County in which the animal resides.
  - b. Non-resident dog or cat remaining within the County for less than sixty days.
- 3.2 The owner must make written application for each animal to be licensed. The application must include the owner's name, address, phone number, description of animal, and indication of whether the animal is neutered or not. The application will be sequentially numbered.
- 3.3 A licensed veterinarian may enter into a separate contract with the County to accept applications and issue the license. All properly executed applications, along with the appropriate fees will be transmitted on a regular basis to the LHA for deposit of monies and filing of applications. No application may be accepted without a valid (unexpired) rabies vaccination certificate.
- 3.4 After acceptance of the license application, appropriate fee and proof of vaccination, there shall be issued a durable tag stamped with the same number imprinted on the application along with a four digit year date.
- 3.5 Each dog or cat must wear the license tag and vaccination tag attached to a properly fitted collar at any time when it is not on the premises of the owner or on private property with permission of the property owner or property owners agent.
- 3.6 No person may use a license for any animal other than the animal for which it was issued.
- 3.7 The LHA will maintain a record of the identifying numbers of all tags issued and shall make this record available to the public during the normal business hours.
- 3.8 It shall be the duty of the owner of any dog or cat to procure a duplicate tag from the LHA office in the event the original tag is lost or destroyed.



3.9 The license will be an annual issuance and will remain in effect unless revoked.

LICENSING FEES: Original or duplicate.  
Neutered dog or cat \$3.00  
dog or cat \$5.00

3.10 An offense or violation of this provision is a Class C misdemeanor with a penalty of \$ \_\_\_\_\_ for first offense.

SECTION 4. RESTRAINT

- 4.1 RESTRAINT - It shall be unlawful for the owner of any dog whether vaccinated, licensed or not to let such animal run at large, all dogs shall be restrained when they are not on the owners property or on private property with permission of the property owner or property owners agent.
- 4.2 Although cats shall be exempt from the leash requirement, any cat straying on the property of anyone except its owner shall be deemed a public nuisance and can be subject to impoundment.
- 4.3 A dog or cat within an automobile or other vehicle of its owner shall not be considered unrestrained or at large.
- 4.4 An offense or violation of this provision is a Class C misdemeanor with penalty of \$ \_\_\_\_\_ for first offense.
- 4.5 PUBLIC NUISANCE - Any animal running at large (stray) is to be considered a public nuisance and may be impounded. The LHA, or designee, may receive a complaint from any responsible person concerning an animal running at large (stray). The complainant must file a written sworn statement attesting to the facts.
- 4.6 VICIOUS ANIMAL - Any animal within Hays County that shall bite, scratch, or otherwise attack a person who is not trespassing, nor provoking, nor teasing the animal shall be deemed vicious or dangerous to persons or other animals. The LHA or designee may receive a complaint from any responsible person concerning a vicious animal. The complainant must file a written sworn statement attesting to the facts.
- 4.7 COMPLAINT - A complainant filing a sworn statement for either a public nuisance or vicious animal complaint must include in the statement the following information as applicable:
- a. Name, address, and telephone number of complainant.
  - b. Date, time and location of the incident.
  - c. Description of the animal.
  - d. Name, address and telephone number of the animal's owner if known.
  - e. A statement that the animal attacked or bit a human being.
  - f. A statement that the animal attacked and/or killed another animal.
  - g. A statement that the animal has exhibited vicious propensities in past conduct (if known).
  - h. Other facts or circumstances of the incident.
- 4.8 After a sworn complaint is filed, the LHA or designee will immediately investigate the complaint and if there be sufficient evidence may impound the animal at the owner's expense.
- 4.9 IMPOUNDMENT - The LHA or designee may impound public nuisance or vicious animals in an approved animal facility. The Commissioners Court may enter into separate contracts with private entities, or animal shelters for the impoundment of animals.
- 4.10 Any animal that poses a threat to the public safety and health, shall be impounded. For the purposes of this ordinance the LHA or designee may enter upon private property to the full extent necessary, which shall include, but not limited to, entry upon private, fenced or unfenced property when in pursuit of any animal which is subject to impoundment under the provisions of this ordinance or other applicable law.
- 4.11 If, by a license tag or other means, the owner of an impounded animal can be identified, the LHA or designee shall notify the owner by direct contact, telephone, mail, or other reasonable means that the animal has been impounded, who to contact to obtain the animal's release and a general statement describing the conditions that must be met to obtain the animal's release. If an owner fails to claim an animal within seventy-two hours after notification the animal may then be disposed of.

- 4.12 An owner reclaiming an impounded animal shall pay all impounding, boarding, licensing (if applicable) and vaccination (if applicable) fees prior to the release of the animal.
- 4.13 Owners failing to reclaim an animal shall still be responsible for all costs incurred including, but not limited to the cost for; impounding, boarding, disposing of, fines and fees.
- 4.14 If any animal found in violation of this ordinance cannot be safely taken up and impounded, such animal may, if deemed necessary, be field euthanized by the LHA or designee.
- 4.15 Any impounded animal not claimed by the owner at the expiration of seventy-two hours impoundment period shall become the property of the County or designee.

**IMPOUNDMENT FEES**

An impoundment fee must be paid for each animal captured:  
 First twenty-four hour period.....\$ \_\_\_\_\_  
 Each additional twenty-four hour period.....\$ \_\_\_\_\_

- 4.16 It shall be unlawful for any person or persons to prevent the LHA or designee from fulfilling the duties of their office or the provisions of this ordinance. An offense under this section is a Class C misdemeanor with penalty of \$ \_\_\_\_\_ for first offense.

**SECTION 5. ANIMAL CARE**

- 5.1 No person or persons shall abandon an animal. If an unowned animal has been impounded by the LHA, no owner shall allow the animal to remain in the animal facility for the purpose of adopting the animal at a lower cost than the fine fee(s). Unclaimed, abandoned animals may be humanely killed or adopted.
- 5.2 An offense or violation under the provisions of this section is a Class C misdemeanor with penalty of \$ \_\_\_\_\_ for first offense.

**SECTION 6. FEES AND PENALTIES**

- 6.1 Monies accrued to Hays County shall be deposited in a special fund set aside for the enforcing agency. The fees may be used only to help defray the cost of administering this ordinance within its jurisdiction.

**SECTION 7. SEVERABILITY CLAUSE**

- 7.1 If any provision of this ordinance shall be held invalid or unconstitutional, it is hereby provided that all other parts of the ordinance which are not held invalid or unconstitutional shall remain in full force and effect.

**SECTION 8. EFFECTIVE DATE**

- 8.1 This ordinance shall take and be in effect on and after the 1st day of January, 1991.
- 8.2 PASSED and APPROVED this 24<sup>th</sup> day of September, 1990.

\_\_\_\_\_  
 G. Don Rains  
 County Judge

\_\_\_\_\_  
 Rafael Gonzales  
 Commissioner, Pct. 1

\_\_\_\_\_  
 Wayne Ford  
 Commissioner, Pct. 2

\_\_\_\_\_  
 Craig Payne  
 Commissioner, Pct. 3

\_\_\_\_\_  
 Oran Rippy  
 Commissioner, Pct. 4

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## PUBLIC HEARING - HAYS COUNTY FISCAL YEAR 1991 BUDGET

County Auditor Bill Herzog spoke of FY91 budget being \$17,918,247 - tax rate of 35.88 cents which is 3% above the effective tax rate. Commissioner Gonzales spoke of increases in gasoline prices, parts, shipping and insurance rates - other issues also need to be addressed - next year we may find ourselves in a bind. Judge Rains called the public hearing open. Cliff Caskey, County Extension Agent, spoke of need for an additional staff member - they have to lock the door if their secretary is on vacation, sick leave or attending training - they are unable to handle the workload in their office. Susan Schramm stated that any help would be appreciated - they use volunteers whenever possible. Former County Commissioner B. R. Wranitzky asked about the proposed Juvenile Detention Center - asked what it is costing now for juvenile detention. County Auditor Bill Herzog stated that \$27,000 was spent for detention. Mr. Wranitzky suggested delaying or doing away with the Juvenile Detention Center and use the money allocated to retire the jail debt - would cost ten times more to fund a JDC than what is currently being spent. Commissioner Ford spoke of property reappraisals - no action will be taken on the JDC until the Court sees what is going to happen with appraisals, however, a JDC is needed. Eddy Etheredge (County Judge Elect) expressed his appreciation for being kept informed - spoke of the struggle for a "bare bones" budget - felt like cost of incarcerating prisoners is high (costing a great deal more than anticipated) - felt like the jail is a major problem. Judge Rains disagreed with this observation of the jail - stated that they are operating a 358 person jail for the cost of a 42 person jail. Public hearing was closed.

## AUTHORIZE CHANGES IN THE FY91 BUDGET

County Auditor Bill Herzog spoke of changes in the FY91 budget: Jail mattresses \$2,830 added, J.P. 1-2 office supplies \$2,500 aprvd, Extension Office combined travel and continuing education line items, jail paramedic positions - 2 part-time positions approved, Child Welfare Board - foster child care \$1,300 funding rolled over. Commissioner Payne spoke of Pct. 2 budget - would like to see more in roads than in salaries. Commissioner Ford spoke of unique problems in Pct. 2 which requires personnel to constantly be on shredders and patching roads and cleaning culvert pipes and a fulltime mechanic. Judge Rains spoke of Commissioners being responsible in operating within his budget. Changes were approved by the Court.

## 10430 ADOPT PROPOSED BUDGET, SET THE TAX RATE AND LEVY THE TAXES FOR FY91

Commissioner Payne suggested giving the County Extension Service a fulltime employee at \$12,000 and take a position from the Health Department. A motion was made by Commissioner Payne, seconded by Commissioner Ford to adopt the proposed budget with changes this date an adding fulltime employee for County Extension Service and eliminating one position from the Health Department. Commissioner Gonzales spoke in support of the Health Department personnel. Commissioner Ford and Commissioner Payne voting "Aye". Commissioner Gonzales, Commissioner Rippy and Judge Rains voting "Nay" - Resolution FAILED. Court agreed to add \$8,000 for contract services or part-time employee for the County Extension Service out of Reserves. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to adopt the FY91 budget for Hays County with changes made this date. Commissioner Gonzales, Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "Nay". A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to set the tax rate at 35.88 cents and levy the taxes for FY91. All voting "Aye".

## 10431 HEALTH &amp; DENTAL INSURANCE - DISCUSS INSURANCE ENROLLMENT &amp; TERMINATE CONTRACT WITH PCS (HMO)

Judge Rains spoke of insurance enrollment figures - only 56% of the county employees enrolled with Transport Life Insurance - premiums had to be refigured and the new rates are unacceptable for the county - 230 w/TLI 146 w/PCA. Debra Spellings, Regional Manager for Transport Life read a letter to the Court explaining their analysis of the claims paid from Oct. 1, 1989 to Sep. 17, 1990 and the resulting recalculation - if the county considers eliminating the HMO, the underwriters have agreed to implement a \$5.00 physician office visit copay that would apply to the office visit and not incidental services. Assistant District Attorney John Costello spoke of Court having awarded the bid to both insurance companies which is awarding the contract. Judge Rains asked the PCA Representatives about their financial statement and are HMO's guaranteed. Judy Cheatham, PCA Rep, stated that HMO's are

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heavily regulated by the State Board of Insurance. Jacque Jordan, Hays County Insurance Representative, spoke of PCA coverage exclusions - employees with established physicians may have to change to PCA physicians. Judge Rains suggested that the Court consider terminating the contract with PCA - there is a 60 day notice of termination. Debra Spellings, TLI, stated that if Court agrees to eliminate the HMO in 60 days that Transport Life Insurance Co. will go with premiums submitted in original contract. Judge Rains spoke of responsibility that the Court has to the employees that do not qualify for the HMO and that live outside of PCA's area. Asst. D.A. John Costello reviewed the Insurance Bid Specs and stated that when the bid proposals were awarded the contract was accepted - Court could terminate contract with 60 days notice.

A motion was made by Judge Rains, seconded by Commissioner Ford to terminate the Health & Dental contract with PCA Health Plans of Texas, Inc. to be effective November 30, 1990. All voting "Aye".

A motion was made by Commissioner Ford, seconded by Judge Rains to have the County Treasurer notify all county employees of the change in insurance when they receive their paychecks at the end of the month. All voting "Aye".

10432 DRIPPING SPRINGS CHAMBER OF COMMERCE - PERMISSION TO PUT AN ELECTRIC POLE ON COUNTY PROPERTY IN PCT. #4 FOR DECORATIVE LIGHTING

A motion was made by Commissioner Rippey, seconded by Commissioner Ford approved placement of an electric pole on county property in Pct. #4 for decorative lighting as requested by the Dripping Springs Chamber of Commerce. All voting "Aye".

10433 APPROVE SAN MARCOS-HAYS COUNTY EMS CONTRACT

A motion was made by Commissioner Payne, seconded by Commissioner Rippey to approve the San Marcos/Hays County Emergency Medical Services contract. All voting "Aye".

AN AGREEMENT CONCERNING PROVISIONS OF EMERGENCY MEDICAL SERVICES

STATE OF TEXAS  
COUNTY OF HAYS

This Agreement is made by and between the CITY OF SAN MARCOS, TEXAS (City), a Texas Municipal Corporation, the COUNTY OF HAYS, TEXAS (County), and the SAN MARCOS/HAYS COUNTY EMERGENCY MEDICAL SERVICES, INCORPORATED (EMS), a Texas non profit corporation, pursuant to the authority and terms of Vernon's Annotated Texas Statutes article 4413 (32c) (Interlocal Cooperation Act).

I.

The purpose of this Agreement is to provide high quality emergency medical services at reasonable costs for the residents of City and County.

II.

EMS and City agree to furnish equipment and personnel as necessary to provide first class emergency medical services for the residents of County and City. At no time, however, shall service hereunder include fewer than two properly functioning and fully equipped emergency medical service vehicles supplied by EMS, one of which shall be staffed by EMS with one paramedic and one emergency medical technician, and the other staffed by EMS with one "on call" paramedic and by City with one emergency medical technician, all trained and certified in accordance with the laws of the State of Texas.

EMS agrees that it shall use its best efforts at all times to maintain its status as a tax exempt non profit corporation pursuant to the laws of the State of Texas and regulations of the Internal Revenue Service governing such organizations and that it shall be governed by a seven member Board of Directors with the following composition:

- a. three members to be appointed by the City Council of the City of San Marcos to serve two year terms;
- b. three members appointed by the Hays County Commissioners Court to serve two year terms; and

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- c. one member to be designated by the Board of Directors upon recommendation by the Chief of the Medical Staff of CTMC to serve a one year term.

Members of the Board of Directors as of the effective date of this Agreement shall continue to serve until the expiration of their current term of officc.

The following shall serve as ex-officio members of the Board of Directors:

- a. one member appointed by the President of CTMC;
- b. the Executive Director of EMS; and
- c. the Medical Director appointed by EMS to provide professional direction relative to protocols, training requirements and other matters relating to the quality of service of the emergency medical service system.
- d. the Fire Chief of the City.

### III.

City agrees to appoint three persons to the Board of Director so EMS at such times as shall be required in accordance with this agreement who shall be requested by City to work with other persons likewise appointed. City agrees that no person so appointed by City shall be a member of City's governing body. County agrees to appoint three persons to the EMS Board of Directors at such times as shall be required in accordance with this Agreement who shall be requested by County to work with other persons likewise appointed. County agrees that no person appointed by county shall be a member of County's governing body.

### IV.

County agrees to provide EMS an office and headquarters facility for operation in a suitable location for good response to all areas served.

### V.

City shall allow one ambulance owned by EMS to be located at a City fire station to be designated by City. City shall provide environmentally controlled quarters for the stationed ambulance. The City shall not use the stationed ambulance as a utility vehicle at any time. The fire department stationed ambulance will make no routine transfers. City shall provide first response by the nearest fire apparatus to all in-City life-threatening medical emergencies.

City shall maintain a sufficient number of its fire department members as trained emergency medical technicians to insure that an on-duty fire department employee with EMT training is available at all times to act as a member of the backup crew for the provision of emergency medical services.

The City shall have the responsibility of inspecting to insure that the fire department stationed ambulance is mechanically able to respond. City shall promptly notify EMS of any maintenance or repair work needed on this ambulance. EMS, and not City, shall be responsible for actual maintenance and mechanical repairs needed for the fire department stationed ambulance. EMS shall be responsible for insuring the medical capability of the ambulance to respond. EMS, and not City, shall be responsible for any medical equipment or supplies stored on the ambulance.

### VI.

City shall provide EMS dispatcher services at all times. City dispatchers shall lot all emergency calls as required by the Texas Department of Health.

### VII.

City and County agree to provide funding to EMS in increments no less frequently than quarterly in an amount payable by both City and County equal to fifty percent of the difference between the reasonable operating expenses and capital needs of EMS, as determined by City and County, and the net patient revenues received by EMS. EMS agrees that all of its records, business, financial and otherwise not deemed confidential by law, shall be available at all times for inspection by City and County.

VIII.

To the full extent permitted by law, EMS shall and does hereby agree to indemnify, protect, defend, and hold harmless City and County, their officers, agents and employees, for, from and against all claims, demands, liabilities, damages, costs, suits, losses, liens, expenses, causes of action, suits, judgments, and fees (including court costs, attorney's fees, and costs of investigation), of any nature, kind, or description by, through, or of any person or entity whomsoever arising out of, or alleged to have arisen out of, (in whole or in part) the provision of emergency medical services hereunder. This obligation does not apply, however, to liabilities resulting solely from the gross negligence or willful misconduct of an indemnitee. City and County shall promptly advise EMS in writing of any action, administrative or legal proceeding or investigation as to which this indemnification may apply, and EMS shall assume the defense thereof with counsel satisfactory to City and County; provided, however, that City and County shall have the right, at their option, to be represented therein by advisory counsel of their own selection and at their own expense. This indemnity shall not be limited to damages, compensation, or benefits payable under insurance policies, worker's compensation disability benefit acts, or other employee benefit acts which are required to be carried by EMS hereunder.

IX.

EMS shall at all times during the term of this agreement maintain public liability insurance for its general and medical operations in a form and with a carrier acceptable to City and County. Said liability insurance shall name the City and County as co-insureds and shall be in a coverage amount of not less than \$500,000.00 for injuries to any one person, \$1,000,000.00 for injuries arising out of any one accident, and not less than \$50,000.00 property damage. EMS shall furnish to City and County written evidence satisfactory to City and County of coverages as required herein.

X.

EMS agrees at all times during the term of this Agreement to adopt and maintain by-laws conforming to the requirements of this Agreement and to comply at all times with all City and County ordinances and laws of the State of Texas both as they relate to emergency medical services and otherwise.

XI.

The term of this Agreement shall be three (3) years from the effective date hereof.

Effective this 24th day of April, 1990.

10434 AUTHORIZE TRANSFER OF FUNDS FROM GENERAL FUND TO ROAD & BRIDGE PRECINCTS TO COVER SHORTAGES OF REVENUE IN AUTO REGISTRATION

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to authorize transfer of funds from the General Fund to the Road & Bridge Precinct to cover shortages of revenue in Auto Registration as follows: Pct. #1 = \$32,028 Pct. #2 = \$32,906 Pct. #3 = \$35,954 Pct. #4 = \$38,604. All voting "Aye".

10435 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve payment of county invoices as presented by the County Auditor in the amount of \$129,985.12. All voting "Aye".

|                 |    |          |                |    |           |
|-----------------|----|----------|----------------|----|-----------|
| Accounts Recvbl | \$ | 3.24     | Auditor        | \$ | 228.07    |
| Treasurer       | \$ | 83.42    | Extension Ofc. | \$ | 418.60    |
| Jud & Law       | \$ | 294.50   | Juv. Probation | \$ | 2,121.30  |
| Election Admin  | \$ | 1,294.29 | Indigent Care  | \$ | 26,409.09 |
| Transfer Sta    | \$ | 300.00   | Bldg. Maint.   | \$ | 867.42    |
| Health Dept.    | \$ | 9.75     | Civic Center   | \$ | 1,916.43  |

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|                       |              |                   |              |
|-----------------------|--------------|-------------------|--------------|
| Countywide Misc.      | \$ 14,953.77 | Tax A/C           | \$ 150.39    |
| District Clerk        | \$ 449.13    | County Clerk      | \$ 4,615.93  |
| Sheriff               | \$ 5,790.74  | Jail              | \$ 21,722.29 |
| Co Crt @ Law #1       | \$ 100.26    | District Atty.    | \$ 29.20     |
| J.P. 1-1              | \$ 30.95     | J.P. 1-2          | \$ 241.00    |
| J.P. 3                | \$ 12.75     | DPS               | \$ 665.19    |
| Constable 1           | \$ 30.89     | Constable 4       | \$ 1,771.70  |
| Constable 5           | \$ 84.52     | Veterans Admin    | \$ 22.95     |
| Data Proc Admin       | \$ 1,861.92  | Co Crt @ Law #2   | \$ 100.26    |
| TDH Sanitarian        | \$ 620.00    | Foster Child Care | \$ 99.84     |
| Fire Marshal/EMC      | \$ 66.79     | TJPC Divers PI    | \$ 1,920.00  |
| **General Fund Credit | \$17.27*     | District Court    | \$ 287.06    |
| County Court          | \$ 1,067.34  | Dist Crt Reprtr   | \$ 19.95     |
| R&B General           | \$ 1,590.25  | Precinct 1        | \$ 3,479.53  |
| Precinct 2            | \$ 10,226.14 | Precinct 3        | \$ 4,179.30  |
| Precinct 4            | \$ 12,728.94 | Self Insurance    | \$ 99.20     |
| Hot Check Fee         | \$ 122.35    | Law Library       | \$ 114.25    |
| Jail Construction     | \$ 2,229.53  | Public Works      | \$ 1,247.34  |
| D.A. Drug Forf        | \$ 45.32     | Adult Prob Oper   | \$ 2,273.36  |
| Adult Prob Fac        | \$ 1,005.95  |                   |              |

10436 APPROVE AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES RE: HAYS CONSOLIDATED I.S.D. (TAX COLLECTION BY HAYS COUNTY TAX ASSESSOR-COLLECTOR)

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve Agreement for Assessment and Collection Services between Hays County and the Hays Consolidated Independent School District. All voting "Aye".

STATE OF TEXAS \*  
COUNTY OF HAYS \*

AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES

THIS AGREEMENT made and entered into this 20th day of August, 1990, by and between the County of Hays (hereinafter called "County"), a political subdivision of the State of Texas, and the Hays Consolidated Independent School District, duly organized and existing under the laws of the State of Texas (hereinafter called "School"), each acting herein by and through its duly authorized officials;

WITNESSETH:

WHEREAS, the parties to this Agreement wish to consolidate the assessment and collection of property taxes into one agency, i.e., the tax Assessor-Collector of the County of Hays; and

WHEREAS, the parties enter into this Agreement in order to eliminate the duplication of the existing system for collection of taxes and to promote governmental efficiency; and

WHEREAS, the parties enter into this Agreement pursuant to the authority granted by Sections 6.23, 6.24, and 6.30, TEXAS PROPERTY TAX COE (Vernon 1981), and TEXAS REVISED CIVIL STATUTES ANNOTATED article 4413 (32c) (Vernon 1979), known as the Interlocal Cooperation Act;

NOW THEREFORE, in consideration of the premises and of the terms, provisions, and mutual promises herein contained, it is mutually agreed as follows:

PERFORMANCE

Performance by the County of the assessment and collection of each year's property taxes shall commence not earlier than July 1 of the current tax year and shall be completed not later than September 30 of the following tax year unless the County finds extension to be necessary.

SERVICES TO BE PERFORMED

(1) The County shall collect the current ad valorem property taxes owing to the School. The County shall also collect the delinquent taxes owing to the School as hereinafter provided in this Agreement. The County further agrees

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to perform for the School all the duties relating to the assessment and collection of taxes for the School provided by the laws of the State of Texas for the collection of said taxes.

(2) The County shall perform all the functions set out in the Definitions section of this Agreement. Specifically, the County agrees to prepare consolidated tax statements for each taxpayer. The tax statement shall include taxes owed to all taxing units to which the taxpayer owes taxes, except those units which have not contracted with the County for the assessment and collection of its taxes. The County shall mail said tax statements to each taxpayer or authorized agent on property within the School.

(3) The School hereby designates the Tax Assessor-Collector of the County of Hays as its tax assessor and tax collector for all purposes under the Texas Property Tax Code.

(4) The County shall provide the governing body of the School with a copy of the tax roll each year that this Agreement is in effect.

#### PAYMENT

##### Amount of Payment

The School agrees to pay the County the cost of performing the services specified in the subject Agreement. In this regard, it is agreed that the School shall pay \$1.25 per parcel annually for all parcels on the School's tax roll that are located in Hays County and \$4.28 annually per parcel for all parcels on the School's tax roll that are located outside of Hays County for assessment and collection services.

##### Method of Payment

The County shall withhold from the remittances to the School the amount of money necessary to pay for the cost of assessing and collecting current taxes for the School, until the amount of payment mentioned in the paragraph above has been received by the County.

#### REMITTANCE OF COLLECTIONS

Ninety-eight percent (98%) of the taxes collected for the School shall be remitted to the School within 48 hours, after the proper amount of payment mentioned above or taxpayer refunds has been withheld. Taxes collected shall be remitted to the School on the next day after they are processed and credited by the County Tax Office but no later than when the taxes collected for the County have been remitted to the County Treasurer.

#### ADMINISTRATIVE PROVISIONS

(1) The School requires the County to obtain a surety bond for the Tax Assessor-Collector acting in her capacity as assessor-collector for the School, and the School agrees to pay the premium for such bond.

(2) In the cases that the School's tax rate is rolled back or otherwise changed after the County begins collections for the School in any given year, the County will continue to act for the School in providing refunds to taxpayers or sending corrected billings only if the School assumes all additional costs of collection. This cost shall be the actual cost of providing those extra services required by the roll-back or change in the tax rate and such cost shall be withheld in a similar manner as hereinabove set out.

#### MISCELLANEOUS PROVISIONS

(1) The School agrees to transfer to the possession and control of the County, without charge, copies of all records necessary for the performance of the duties and responsibilities of the County pursuant to this Agreement. These records shall include all tax records, including tax rolls or records available to the School. Any expense for the initial conversion of data shall be paid by the School.



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(2) The County shall not be liable to the School for any failure to collect taxes nor shall the County Tax Assessor-Collector be liable unless the failure to collect taxes results from some failure on her part to perform the duties imposed upon her by law and by this Agreement.

(3) Payments by the parties for services under this Agreement shall be made from current revenues available to the parties.

(4) If the School has not established that tax rate as required by law for that School within thirty-five (35) days after the Central Appraisal District Appraisal Review board has certified to the School the assessed values on the property in the School but in no event earlier than the first regularly scheduled meeting of the School in September, then this Agreement become voidable by action of the county. The County may then declare this Agreement null and void by written notice from the Tax Assessor-Collector.

(5) Hays County has adopted a partial payment program on delinquent taxes and the School hereby authorizes the County to offer the same payment program in collecting school taxes. The School will not offer a split payment option.

(6) Authorized refunds to property owners will be made on the same check for all taxing units contracting for assessment and collection services. Such changes include, but are not limited to, late exemption claims, clerical errors, overpayments, etc. The amount of the School's refund shall be deducted from collections withheld or, if none are available, shall be remitted by the School to the County within seven (7) days of notification of such sums due.

#### DELINQUENT TAXES

Pursuant to Section 6.24 of the Texas Property Tax Code, the School hereby authorizes the County by and through the County's Tax Assessor-Collector to collect delinquent taxes for the School as the County deems necessary. The School further agrees that such fee as is allowed by law and provided in the contract with private legal counsel will be paid from the delinquent taxes, penalty and interest collected for the School by such private legal counsel.

#### DEFINITIONS

For the purposes of this Agreement the terms "assessment" and "collection" shall include the following: calculation of tax, preparation of tax rolls, proration of taxes, correction of clerical errors in tax rolls, collection of tax liabilities, issuance of refunds and calculation of an effective tax rate required by Section 26.04 of the Texas Property Tax Code, for the years as provided above. The term "assessment" shall not include those functions defined as "appraisal" by the Texas Property Tax Code. The County shall bear all expenses incurred in performing such services.

For the purpose of this Agreement, the term "current taxes" shall include only those taxes legally due and payable without penalty and interest. "Delinquent taxes" is defined as any taxes which have not been received by the County on or before January 31st of any and which given tax year and on which penalty and interest are due.

#### REGULATIONS AND LAWS

This Agreement shall be subject to all valid rules, regulations and laws applicable thereto passed or promulgated by the United States of America, State of Texas, or any governmental body or agency having lawful jurisdiction or any authorized representative or agency of them.

#### SOVEREIGN IMMUNITY

It is expressly understood and agreed that, in the execution of this Agreement, neither the County nor School waives or shall be deemed hereby to waive any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

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TERMINATION

This Agreement shall continue in full force and effect from year to year until such time as either party hereto, by written notice to the other, may terminate the same, such termination to be effective only if provided to the other party on or before July 1, of the year in which the party intends for the Agreement to terminate.

AMENDMENTS

Any admendments, alterations, deletions or waiver of the provision of this Agreement shall be valid only when expressed in writing and agreed to by official action of the governing bodies of both parties, and will be effective only if they do not adversely affect the prompt fulfillment of contract obligations. All amendments concerning or affecting an increase in the amount of payment or costs under this Agreement shall be effective only if they are agreed upon on or before July 1 of the year in which they are to become effective.

GENERAL PROVISIONS

Notices

Except as otherwise provided in this Agreement all notices required or permitted herein shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, to the party's office or usual mailing address.

Parties Bound

This Agreement shall be binding upon the parties, their legal representative, successors and assigns.

Copies

This Agreement is executed in multiple copies, any one of which or a true copy thereof, shall have the same evidentiary value.

Integration

It is understood and agreed that the entire agreement of the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between the parties relating to the subject matter hereof.

Severability

The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause or phrase of this Agreement is for any reason held to be contrary to law or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the remaining portions of the Agreement. However, upon the occurrence of such event, either party may terminate this Agreement, forthwith upon the delivery of written notice of termination to the other party.

EXECUTED on the day and year first written above, Hays County, Texas.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

By: s/Rosalio Tobias Jr.  
Rosalio Tobias, President, Board of Trustees

ATTEST:

s/ Richard M. Simpson  
Richard Simpson  
Board Secretary

\*SEPTEMBER 24, 1990\*

HAYS COUNTY, TEXAS

By: s/ G. Don Rains  
G. Don Rains, Hays County Judge

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley  
Hays County Clerk

10437 APPROVE MINUTES OF AUGUST 1990

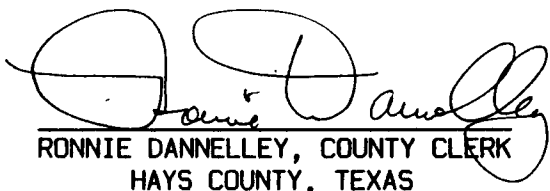
A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to approve minutes of August 1990. All voting "Aye".

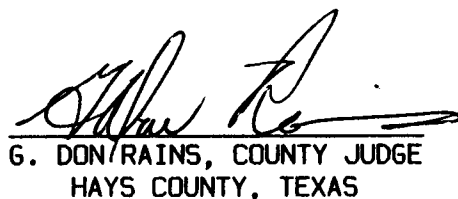
10438 ACCEPT ROADS FOR COUNTY MAINTENANCE - AMEND MINUTES OF SEPTEMBER 25, 1989

Commissioner Ford spoke of roads that should have been included in the minutes of September 25, 1989 Resolution #9910 - would like to have this resolution amended to include roads in the following subdivisions: Appaloosa Acres, Rolling Hills, Sunrise Acres, Brushy Creek and Windmill Way. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accepts road for county maintenance and amend the minutes of September 25, 1989 Resolution #9910 to include the following roads: Appaloosa Acres Subd (Appaloosa Drive and Bridle Path), Rolling Hills Subd (Howard Lane), Sunrise Acres Subd (Sunrise Drive and Sunrise Circle), Brushy Creek Subd (Calderon Street, Meyers Road and Lanes Lane) and Windmill Way Subd (Windmill Way Drive). All voting "Aye".

10439 APPROVE PAYMENT OF \$2,229.53 TO PRO-TECH ENGINEERING FOR PREPARATION OF MAP SHOWING IMPROVEMENTS AT HAYS COUNTY LAW ENFORCEMENT CENTER

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of \$2,229.53 to Pro-Tech Engineering for preparation of map showing improvements at the Hays County Law Enforcement Center. All voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON/RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 28TH DAY OF SEPTEMBER, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10440 AMEND THE FY90 BUDGET FOR VARIOUS DEPARTMENTS

County Auditor Bill Herzog spoke of line item amendments that are needed to end out FY 90 Hays County Budget - the Jail had \$386,000.00 left over - Auditor's office moved \$500 from salaries to office equipment for purchase of a shredder for FY91.

\*SEPTEMBER 28, 1990\*

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to amend the FY 90 Hays County Budget by transferring line item amounts for various departments as proposed by the County Auditor. All voting "Aye".

## GENERAL FUND

## Auditor

Decrease: Staff Salaries \$3,645.00  
 Increase: Postage \$575 DP Supp \$900 Travel \$250 Cont Ed \$600  
 Temp Personnel \$520 Telephone \$300 Ofc Equip \$500

## Treasurer:

Decrease: Ofc Supp \$187 Ofc Equip M&R \$100 DP M&R \$40  
 Increase: Staff Salaries \$5,500 FICA \$500 Retirement \$650 Ins \$600  
 Dental \$35 DP Supp \$60 Cont Ed \$28 Misc \$30 Tele \$169

## Extension Ofc:

Decrease: DP Supp \$100 Fuel/Lub \$406 Veh M&R \$200 DP M&R \$200  
 Telephone \$100  
 Increase: Ofc Supp \$150 Cont Ed \$300 Ofc Equip M&R \$500 Temp Pers \$56

## Judicial &amp; Law

Decrease: Misc Exp \$300 Transcription Svc \$10,000  
 Increase: Trial Exp \$13,700 Appointed Atty Exp \$12,700

## Juvenile Probation

Decrease: Travel \$580 Cont Ed \$180 Other Oper Exp \$180 Med/Dental \$500  
 Phychos Exams \$395 Tel \$50 Transportn \$450 Ofc Furn \$900  
 Increase: Ofc Supp \$400 Postage \$75 Clothing \$30 Fuel/lub \$10  
 Veh M&R \$230 Misc Exp \$45 Detention \$4,230 Resid \$38  
 Ofc Equip \$900 Tel Equip \$4

## Election Adminis.

Decrease: Election Workers Fees \$408  
 Increase: DP Sup \$400 Misc. Exp \$8

## Indigent Care

Decrease: Medical Suplies \$675  
 Increase: Pauper Burial Exp \$675

## Transfer Station

Decrease: Trad Ins. \$200 Trash Hauling \$609  
 Increase: HMO Ins. \$200 Dirt \$414 Cont Ed \$125 Utilities \$70

## Building Maintenance

Decrease: FICA \$215 Colonial Ins \$35 Ground Mtc Supp \$740 Tele \$980  
 Janitorial Supp \$3,089 Misc Equip M&R \$240 Util Annex \$400  
 Increase: HMO Ins \$215 Bldg. Mtc Supp \$1,117 Fuel & Lub \$200 Misc Exp \$77  
 Contract Bldg M&R \$1,853 Janitorial Supp \$300 Util Broadway \$600  
 Util Courthouse \$3,762 Util Kyle Bldg \$457 Util Smith Bldg \$1,058  
 Util Mechanic \$56 Misc Equip \$1,038

## Health Dept.

Decrease: FICA \$250 Retirement \$100 Trad Ins \$950 Colonial Ins \$70  
 Nurses Travel \$300 Misc Exp \$250 DP M&R \$815  
 Increase: HMO Ins \$1,017 Fuel/Lub \$1,213 Truck M&R \$535 Tele \$1,111

## CARTS

Decrease: Reimbursement \$1,000  
 Increase: Operating Exp \$1,395

## Civic Center

Decrease: Staff Salaries \$2,000 Trad Ins \$400 Colonial Ins \$20  
 Truck Supp \$250 Contract Labor \$2,000 Contract Labor \$3,000  
 Utilites \$500 Misc Equip \$300  
 Increase: HMO Ins \$400 Life Ins \$10 Fuel/Lub \$600 Misc Supp \$2,150  
 Truck M&R \$260 Bldg/Imprv \$1,400

## Countywide Misc.

Decrease: Cost of Living \$8,000 Postage Meter \$9,816 Misc. Oper Exp \$2,000  
 Tax Assessor Fee \$32,700 Central Appraisal Dist \$24,000  
 Increase: Fuel Storage \$27,650 Amdro \$2,500 Insurance \$37,800 Old  
 Hosp Demolition \$916 Contingencies \$244 Adult Probation \$3,475  
 Autopsy & Inquest \$4,887 Legal Fees \$1,484 Old Hosp Asbestos  
 Abatement \$75 Telephone \$1,678 Committal Exp \$124  
 Mapping Project \$1,220 Annex 3rd Floor Remod \$2,492 Tax Assessor  
 Fee Reimb \$32,700

## Tax Assessor/Collector

Decrease: Staff Salaries \$1,926 Ofc Supplies \$1,500  
 Increase: Postage \$1,979 DP Supp \$910 Ofc Equip \$652

## District Clerk

Decrease: Software \$2,200 Ofc Equip M&R \$528  
 Increase: Staff Salaries \$1,000 Ofc Sup \$815 Postage \$367 Perm Rec \$514  
 Misc Exp \$41

\*september 28, 1990\*

## County Clerk

Decrease: Office Supplies \$527  
 Increase: Cont. Ed \$527

## Sheriff's Office

Decrease: Trad Ins \$4,406 Veh Supp \$4,000 Travel \$475 Radio/TTY R&M \$2,400  
 Public Notice Exp \$1,425 Software \$6,955  
 Increase: HMO Ins \$4,406 Ofc Supp \$1,444 Publications \$409 Fuel/Lub \$13,000  
 Cont Ed \$34 Prisoner Trf Exp \$3,989 Misc Exp \$388  
 Ofc Equip M&R \$765 Veh M&R \$6,585 Util \$678 Data Lines \$19  
 Telephone \$16,658 Vehicles \$1,929 Comm Equip \$10,930  
 Law Enfr. Equip \$10,410

## Jail

Decrease: Trad Ins \$35,000 Ed & Rehab Supp \$5,000 Prisoner Meal Exp \$50,000  
 Janitorial Supp \$20,000 Med Svcs \$30,000 Bldg M&R \$30,000  
 Ofc Equip \$2,800 Communication Equip \$500 Telephone \$8,800  
 Increase: HMO Ins \$15,000 Books & Periodicals \$700 Medical Supp \$10,647  
 Inmates Personal Items \$5,124 Cont Ed \$360 Misc Exp \$5,126  
 Ofc Equip M&R \$1,415 Misc Equip M&R \$2,385 BOP Med Svc/Rmb \$9,251  
 Printing \$888 Utilities \$37,146 Misc. Equip \$164

## County Judge

Decrease: Cont Ed \$350 Misc Exp \$200 Ofc Equip M&R \$275  
 Increase: Ofc Supp \$426 Postage \$416 Telephone \$328 Retirement \$3,160

## Administrative Coord.

Decrease: Colonial Ins 421 Misc Exp \$85  
 Increase: Postage \$75 Telephone \$31

## County Court at Law #1

Decrease: Telephone \$88  
 Increase: Misc Exp \$51 Ofc Equip M&R \$37

## District Attorney

Decrease: Trad Ins \$9,000 Staff Travel \$1,700  
 Increase: HMO Ins \$6,000 Fuel/Lub \$1,525 Cont Ed \$1,000 Misc Exp \$34  
 Ofc Equip M&R \$449 Veh M&R \$22 Witness Exp \$93 Tele \$1,655  
 Postage \$484

## J.P. 1-1

Decrease: Telephone \$25  
 Increase: Staff Salaries \$5,000 Misc. Exp \$25

## J.P. 1-2

Decrease: Staff Salaries \$802 FICA \$300 Retirement \$300 Trad Ins \$300  
 Ofc Furniture \$68  
 Increase: Office Supp \$712 Telephone \$302 Ofc Equip \$756

## J.P. 2

Decrease: Ofc Equip M&R \$25  
 Increase: Postage \$25

## J.P. 3

Decrease: Telephone \$108  
 Increase: Misc Exp \$108

## J.P. 4

Decrease: Telephone \$65  
 Increase: Postage \$65

## J.P. 5

Decrease: Postage \$125 Misc Exp \$135 Contract Cleaning \$100 Colonial \$16  
 Increase: Staff Sal \$2,000 FICA \$200 Retirement \$200 Trad Ins \$508 Dental  
 Ins \$40 Ofc Supp \$61 Telephone \$85

## Dept. Public Safety

Decrease: DP Supp \$1,500 DP M&R \$700 Contract Programming \$900 Tel \$3,200  
 DP Equip \$1,000 Radar Equip \$600  
 Increase: Ofc. Supp \$95 Law Enfr Equip M&R \$925 Data Lines \$3,960  
 Communications Equip \$328

## Constable Pct. #2

Decrease: Cont Ed \$125  
 Increase: Telephone \$125

## Constable Pct. #3

Decrease: Fuel/Lub \$1,300 Telephone \$500  
 Increase: Misc Exp \$15

## Constable Pct. #4

Decrease: Fuel/Lub \$340 Misc Exp \$200 Law Enfr Equip \$800  
 Increase: Uniform Allowance \$501 Ofc Supp \$8

## Constable Pct. #5

Decrease: Fuel/Lub \$532  
 Increase: FICA \$25 Misc Exp \$25 Ofc Equip M&R \$165 Veh M&R \$189  
 Law Enfr Equip M&R \$128

\*SEPTEMBER 28, 1990\*

## Veterans Admin.

Decrease: Travel Allowance \$1,995 Travel \$175  
 Increase: Fuel/Lb \$1,300 Veh Supp \$95 Cont Ed \$275 Veh M&R \$500

## DP Administration

Decrease: Software M&R \$638  
 Increase: FICA \$32 Life Ins \$3 DP Supp \$100 Ofc Equip \$422 DP Sftwr \$81

## County Court at Law #2

Decrease: Ofc Supp \$200 Postage \$200 Telephone \$231  
 Increase: FICA \$16 Cont Ed \$280 Misc Exp \$335

## TJPC Salaries

Decrease: Reimbursement \$7,000  
 Increase: Staff Salaries \$1,000 FICA \$200 Trad Ins \$1,670 Dental \$114  
 Life Ins \$15

## TB Grant

Decrease: Travel \$50 Reimbursement \$5,754  
 Increase: Nurses Salary \$5,328 Medicare Co. Portion \$87 Cont Ed \$50  
 Medical Svcs \$57

## TDH Sanitarian Grant

Decrease: Trad Ins \$1,017  
 Increase: Staff Sal \$1,900 HMO Ins \$1,017 Contract Svcs \$2,723 DP Eqp \$5

## Foster Child Care

Decrease: Prior Year Reimbursement \$19,782 Reimbursement \$4,200  
 Increase: Foster Care Expense \$6,900

## Inhome Specialist

Decrease: Trad Ins \$1,017  
 Increase: HMO Ins \$1,017

## TDH Maternal &amp; Child Care

Decrease: Reimbursement \$30,500 Prior Year Reimbursement \$27,500  
 Increase: Staff Salaries \$36,000 FICA \$2,500 Retirement \$2,600  
 Trad Ins \$1,100 HMO Ins \$1,200 Dental Ins \$150 Life Ins \$30  
 Medical Supplies \$480 Travel \$350 Cont Ed \$20 Clinic Drs \$3,500

## Juvenile Law Enforcement Grant

Decrease: Prior Year Reimbursement \$5,000  
 Increase: Salaries \$2,000 FICA \$50 Retirement \$150

## Anti Drug Task Force Grant

Decrease: Reimbursement \$750  
 Increase: Salaries \$3,700 FICA \$350 Retirement \$250

## Drug Canine/Master Program

Decrease: Reimbursement \$9,267  
 Increase: Salaries \$7,509 FICA \$540 Retirement \$248 Trad Ins \$339 Col Ins \$3  
 Dental Ins \$27 Life Ins \$6 Uniform Allowance \$80

## Director of Nursing Grant

Decrease: Life Ins \$27,782 Prior Year Reimbursement \$3,000  
 Increase: Salary \$31,500 FICA \$2,350 Retirement \$2,150 Trad Ins \$1,050  
 Dental Ins \$18

## TJPC ISP Grant

Decrease: Reimbursement \$30,000  
 Increase: Staff Sal \$13,000 FICA \$1,000 Retirement \$1,000 Trad Ins \$650  
 Dental Ins \$100 Life Ins \$15 Travel \$100 Cont Ed \$500 Tele \$150

## Heat Stress Grant

Decrease: Reimbursement \$1,500 Prior Year Reimbursement \$380  
 Increase: Operating Exp \$344

## TJPC Diversionary Placement

Decrease: Reimbursement \$3,160  
 Increase: Residential Expense \$3,160

## JURY FUNDS

## District Court Operations

Decrease: Jury Expense \$1,500  
 Increase: Staff Sal \$500 Ofc Supp \$100 Books \$200 Ofc Equip M&R \$100  
 Remodeling \$600

## County Court Operations

Decrease: Appointed Atty Expense \$690  
 Increase: Temp Personnel \$175 Data Proc Equip \$515

## District Court Reporters

Decrease: Office Supplies \$20  
 Increase: Life Ins. \$20

## ROAD &amp; BRIDGE GENERAL

## Road &amp; Bridge General

Decrease: Trad Ins \$800 Road Equip Upkeep \$1,570  
 Increase: HMO Ins \$1,000 Truck Fuel/Lubs \$700 Truck Supp \$670  
 Lime Kiln Road Project \$30,000

\*SEPTEMBER 28, 1990\*

Precinct #1

Decrease: Staff Sal \$5,000 FICA \$1,500 Retirement \$1,000 Trad Ins \$6,000  
 Ofc Supp \$157 Ofc Equip \$500  
 Increase: HMO Ins \$6,000 Colonial Ins \$50 Signs & Barr \$1,551  
 Fuel/Lubs \$2,602 Road Veh/Equip Exp \$2,910 Misc Exp \$911  
 Telephone \$23 Telephone Equip \$110

Precinct #2

Decrease: Road & Bridge Exp \$22,945  
 Increase: Staff Sal \$1,500 FICA \$1,900 Retirement \$2,000 Trad Ins \$2,700  
 Dental Ins \$402 Life Ins \$12 Fuel/Lubs \$7,208 Road  
 Road Veh/Equip Exp \$5,427 Ofc Equip M&R \$180 Uniform Exp \$90  
 Misc Equip \$1,526

Precinct #3

Decrease: Trad Ins \$1,000 R & B Exp \$4,810 Contract Labor \$3,000  
 Increase: FICA \$250 HMO Ins \$1,000 Life Ins \$15 Signs/Barr \$1,935  
 Fuel/Lubs \$2,381 Cont Ed \$201 Road Veh/Equip Exp \$3,000  
 Misc. Equip \$28

Precinct #4

Decrease: Trad Ins \$6,000 R & B Expense \$10,390  
 Increase: Staff Sal \$7,000 HMO Ins \$7,500 Signs/Barr \$980 Fuel/Lbs \$410  
 Misc Exp \$125 Utilities \$160 Telephone \$215

HOT CHECK FEE FUND

Decrease: Misc. Expense \$23,086  
 Increase: Staff Sal \$13,000 FICA \$900 Retirement \$850 Trad Ins \$350  
 Colonial Ins \$6 Dental Ins. \$25 Life Ins \$5 Ofc Supp \$200  
 Books, Periodicals \$2,250 Travel \$400 Dues \$250 Ofc Equip M&R \$3,800  
 Office Equip \$1,050

LAW LIBRARY

Decrease: Library Mtc Svcs \$1,400 Law Library Revenue \$1,000  
 Increase: Books, Periodicals \$2,400

JAIL CONSTRUCTION

Jail Construction

Increase: Construction Cost \$31,798

Juvenile Detention

Increase: Misc. \$2,500 Architect Fees \$10,500 Construction \$1,830,202

JUVENILE DETENTION CENTLX

Decrease: Construction \$1,815,000 Architect Fees \$60,000

PIONEER TRAIL ROAD DIST I&S

Decrease: Principal on Bond \$1,069  
 Increase: CAD \$65 Interest on Bond \$1,004

MEDICAL & DENTAL INS.

Medical & Dental Insurance

Increase: Admin Fees \$50,000 Claims \$500,000 Med/Den/Life Ins Cost \$75,000

Revenues

Decrease: Depository Interest \$1,500 Actual Deposits \$4,766  
 Payroll Deposits \$565,000 Misc Deposits \$1,622  
 Self Ins reinsurance refund \$52,112

SHERIFF'S DRUG FORFEITURE

Decrease: Staff Salaries \$1,850 Telephone \$3,000  
 Increase: Communication Equip \$4,850


D.A.'S DRUG FORFEITURE

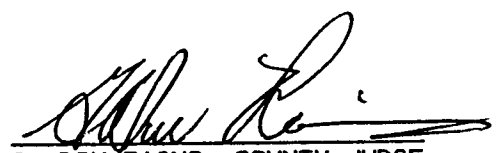
DA's Drug Forfeiture

Decrease: Travel \$600  
 Increase: Staff Sal \$20,357 FICA \$1,600 Retirement \$1,550 Trad Ins \$750  
 Col Ins \$16 Dental Ins \$55 Life Ins \$12 Cont Ed \$3,350  
 Misc Exp \$475 Ofc Equip M&R \$560 Law Enf Equip M&R \$350  
 Ofc Equip \$525 Comm Equip \$1,000 Vehicle \$5,103

Revenue

Decrease: Drug Forfeitures \$30,000 Auction \$5,103

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 1ST DAY OF OCTOBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- G. DON RAINS
RAFAEL GONZALES
WAYNE FORD
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY
COUNTY JUDGE
COMMISSIONER, PRECINCT #1
COMMISSIONER, PRECINCT #2
COMMISSIONER, PRECINCT #3
COMMISSIONER, PRECINCT #4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10441 HAYS COUNTY CHILD WELFARE BOARD - APPOINTMENT

Anna Farr appeared before the Court and requested that Mike Vimott (San Marcos) be appointed to replace Leon Breeden. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to appoint Mike Vimott to the Hays County Child Welfare Board to replace Leon Breeden. All voting "Aye".

JUVENILE DETENTION CENTER - CITIZENS ADVISORY COUNCIL RECOMMENDATION

Ed Cooper, Chief Juvenile Probation Officer, spoke of Citizen Advisory Council that is required by Law - Board Members are: Bibb Underwood, Martin Juel, Frances Emery, David Williams, Bea Flores and Roger Fernandez. Bibb Underwood, Board Member, submitted a letter from the Citizen Advisory Council stating their concerns that the plans for the Juvenile Detention Center did not include space dedicated exclusively to classroom use - education should be a primary goal of this facility - education is central to crime prevention and must receive priority in planning any project of this type for juveniles - it was unanimously agreed by members of the council that a classroom is a fundamental need in a facility of this type - the council recognizes and appreciates the court's desire to economize and to use resources most efficiently - council respectfully ask that the court reconsider their earlier decisions and allow planning for dedicated classroom space to be included in the plans for the juvenile facility - to get professional teachers you need to supply a space that is permanent and professional. David Williams, CAD Board Member and JPO Instructor at SWSU, spoke of need for an adequate facility. Commissioner Gonzales spoke of his main concern being operational costs of the facility - education will be supplied regardless. Ed Cooper, Chief JPO, stated that he will notify the Architect of possible change in plans for the facility and they will get back with the Court.

10442 ADOPT PROCLAMATION DESIGNATING THE MONTH OF OCTOBER AS "FOSTERING FOSTER HOMES MONTH"

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to adopt Proclamation designating the Month of October as "Fostering Foster Homes Month". Commissioner Ford spoke of need to encourage the media to publicize this type of action. All voting "Aye".

PROCLAMATION

STATE OF TEXAS
COUNTY OF HAYS

WHEREAS, the Hays County Area does not have a sufficient number of FOSTER HOMES to serve the needs of the neglected or abused children of the county; and

WHEREAS, there is a special need for caring, nurturing, FOSTER HOMES of various ethnic backgrounds; and

WHEREAS, Hays County is a community in which there are many caring and nurturing families who could and would provide a stable, loving environment for a needy child if they were aware of the need; and



WHEREAS, the citizens of this county need to be made aware that there is a need for excellent FOSTER HOMES in the county;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' court that the Month of October in the year 1990 is declared

"FOSTERING FOSTER HOMES MONTH"

and be it further proclaimed that the aforesaid Commissioners do hereby encourage the citizens of Hays County, Texas to inform themselves of the need of such homes and if qualified, make their homes available to the needy children of the community by contacting the Texas Department of Human Services and applying for the privilege of becoming a temporary or permanent family to such children.

Hereto we have set our hands this 1st day of October, 1990.

s/ G. Don Rains  
G. DON RAINS  
County Judge

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANDELLEY  
County Clerk

**10443 APPROVE RECORDS MANAGEMENT PROGRAMS FOR ELECTED OFFICIALS**

Ronnie Dannelley, County Clerk, presented Records Management Programs for the County Clerk, District Clerk, County Tax Assessor Collector and the County Treasurer - records management programs must be adopted for all elected offices. The County Auditor is the Records Management Officer for Appointed Offices. A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to approve the Records Management Programs as presented for all Elected Officials. All voting "Aye".  
(See originals in file)

**CONSIDER FUNDING TO PAINT, REFINISH PODIUM FLOOR AND RE-CARPETING THE COMMISSIONERS' COURTROOM**

Judge Rains spoke of tears in the carpet that cause people to trip. Patsy Greiner, Admin. Coord., received an estimate for installation of carpet @ \$1,862 - would like to repaint the yellow trim and re-do the podium floor. Commissioner Payne spoke of the tile floor on the second floor of the courthouse is a higher priority. No action taken.

**10444 APPROVE PURCHASE OF TELEPHONE/DISPATCH RECORDER BACK-UP FOR SHERIFF'S OFFICE TO BE PAID OUT OF CONSTRUCTION FUNDS**

Sheriff Paul Hastings spoke of need for a voice recording system for the Sheriff's office before the 9-1-1 program is put into place - the equipment is expensive and should already be on-line. County Auditor Bill Herzog spoke of \$100,000 that was budgeted for jail construction (transportation van, maintenance truck, fence & misc) Sheriff Hastings spoke of 30% discount if we enter into an Interlocal Agreement with the Houston-Galveston Area Government Contracting. A motion was made by Judge Rains, seconded by Commissioner Gonzales to approve purchase of telephone/dispatch recorder back-up for the Sheriff's office to come out of fence allocation of Jail Construction funds. All voting "Aye".

**10445 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A USED BACKHOE FOR PRECINCT #3**

Commissioner Craig Payne spoke of currently leasing a backhoe - has spent \$7,000 - would like to purchase a used backhoe. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize the County Auditor to advertise for bids for a used backhoe for Precinct #3. All voting "Aye".

**REQUEST BY ED COOPER TO HAVE THE FULL COURT GO TO THE PRESENT JAIL SITE TO LOOK AT SITE SELECTION FOR THE JUVENILE DETENTION FACILITY**

Commissioner Payne spoke of request by Chief Juvenile Probation Officer Ed Cooper for the full Court to look at the site selection for the Juvenile Detention Facility. There is a question as to whether the site selected is the best location.

**10446 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of County Invoices as presented by the County Auditor in the amount of \$169,099.46. All voting "Aye".

|                   |     |           |                   |    |           |
|-------------------|-----|-----------|-------------------|----|-----------|
| Auditor           | \$  | 245.00    | Extension Ofc     | \$ | 50.00     |
| Juv Prob Ofc      | \$  | 6.55      | Community Serv    | \$ | 21,375.00 |
| Transfer Station  | \$  | 60.05     | Bldg. Maintenance | \$ | 1,502.20  |
| Civic Center      | \$  | 1,734.50  | Countywide Misc   | \$ | 91,836.21 |
| Tax A/C           | \$  | 360.32    | District Clerk    | \$ | 1,932.23  |
| Sheriff's Ofc     | \$  | 201.45    | Jail Operations   | \$ | 6,920.65  |
| Admin Coord       | \$  | 132.26    | District Atty     | \$ | 280.75    |
| J.P. 1-2          | \$  | 188.50    | J.P. 2            | \$ | 350.00    |
| J.P. 3            | \$  | 390.26    | J.P. 4            | \$ | 906.55    |
| J.P. 5            | \$  | 197.09    | DPS               | \$ | 249.96    |
| Constable 3       | \$  | 153.21    | Constable 5       | \$ | 56.78     |
| Social Services   | \$  | 27,807.75 | Veterans Admin    | \$ | 297.79    |
| Data Proc Admin   | \$  | 47.63     | TDH TB Grant      | \$ | 316.00    |
| TDH Sanitarian    | \$  | 305.00    | TDH M&C Care      | \$ | 700.00    |
| *GEN FUND CREDIT  | \$- | 22.90***  | Dist Court Oper   | \$ | 4,443.71  |
| County Court Oper | \$  | 2,182.01  | Dist Court Rep    | \$ | 38.16     |
| Precinct 2        | \$  | 126.50    | Precinct 3        | \$ | 146.71    |
| Precinct 4        | \$  | 710.20    | Self Insurance    | \$ | 572.70    |
| Law Library       | \$  | 1,034.47  | Adult Prob Oper   | \$ | 721.96    |
| Adult Prob Fac    | \$  | 542.25    |                   |    |           |

**10447 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR PROPOSALS FOR VENDING MACHINE SERVICE COUNTYWIDE**

Cheryl Pantermeuhl, Auditor's Ofc., spoke of proposal received from AVS Food Services for vending services at the Courthouse and Annex - she felt like the present situation is not acceptable - County can make a commission off vending machines or go with lower prices. Judge Rains stated that we need to go out for proposals for vending machines countywide and survey the various offices for needs. A motion was made by Commissioner Gonzales, seconded by Commissioner Payne to authorize the County Auditor to go out for proposals for vending machine services countywide. All voting "Aye".

**10448 APPROVE RESOLUTION AGREEMENT WITH BICKERSTAFF, HEATH AND SMILEY FOR LEGAL SERVICES**

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve resolution agreement with Bickerstaff, Heath and Smiley for legal services. All voting "Aye".

THE STATE OF TEXAS \*  
 \* ORDER  
 THE COUNTY OF HAYS \*

WHEREAS, many legal issues arise in conducting the affairs of Hays County;

WHEREAS, it is necessary for the efficient and proper conduct of county affairs to have legal questions addressed and answered, and resolved reasonable promptly;

WHEREAS, the law firm of Bickerstaff, Heath & Smiley located in Austin, Texas, has had experience in providing legal advice to counties and has made available to Hays County a legal consultation call-in service, through which it will provide up to twenty (20) hours of legal advice annually for which

Hays County will pay an initial payment of Seventy-five Dollars (\$75.00) to be applied against the cost of call-in consultation services actually used and billed monthly at Seventy-five Dollars (\$75.00) per hour, in addition to expenses such as postage, copying, express mail, messenger service, long distance calls, and any other out-of-pocket expenses incurred;

THEREFORE, IT IS ORDERED: That this Commissioners Court on behalf of this County hereby acts pursuant to its authority under state law to retain the law firm of Bickerstaff, Heath & Smiley to be available to provide up to twenty (20) hours of legal consultation services to this County over twelve (12) months from the signing of this order and Agreement.

That additional legal services beyond the scope of the consultation services or in excess of the twenty (20) hour limit may be undertaken pursuant to this order; provided that, however, any such additional services may be undertaken only upon specific request of the County Judge or his designee after a determination of applicable hourly rates and an estimate of the probable cost of such services.

BE IT SO ORDERED.

Adopted on this 1st day of October, 1990.

s/ G. Don Rains  
County Judge

s/ Rafael Gonzales  
Commissioner, Precinct 1

s/ W. R. Ford  
Commissioner, Precinct 2

s/ Craig Payne  
Commissioner, Precinct 3

s/ Oran Hill Rippey  
Commissioner, Precinct 4

ATTEST:

COUNTY CLERK  
Hays County, Texas  
By: s/ Ronnie Dannelley

CALL-IN AGREEMENT

Hays County (the "County"), a political subdivision of the State of Texas, acting by and through its County Judge, hereby employs the law firm of Bickerstaff, Heath & Smiley (the "Firm") to provide legal consultation services to the County.

The Firm agrees to provide legal consultation services to the County as needed. The legal consultation services are designed to provide legal advice on issues requested by the County. Primarily, the legal consultation service will be to provide prompt oral advice by telephone on reasonable uncomplicated legal questions posted by the County.

The cost of the service will be Seventy-Five Dollars (\$75.00) an hour for up to twenty (20) hours of legal consultation services over a twelve (12) month period commencing on the date on which the County's representative signs this Agreement. The county will be billed monthly for hours utilized.

In addition, the County will be billed monthly for expenses such as postage, copying, express mail, messenger service, long distance telephone calls, and other out-of-pocket expenses, if any, incurred. The County will pay monthly bills within thirty (30) days of their receipt. An initial payment of Seventy-Five Dollars (\$75.00) will be made by the County at the time its representative signs this Agreement. The initial \$75.00 payment is to assure that services are available when requested and that the County receives information on recent developments in the law which are provided by the Firm from time-to-time throughout the twelve (12) month period commencing on the date on which the County's representative signs this Agreement. The initial \$75.00 payment will be applied against the cost of services that are actually used by the County.

The minimum billing per call or request will be two-tenths of an hour. The Firm will provide a monthly statement showing how much of the twenty hours had been utilized. The statement will reflect the date of the calls or requests made during that billing period, subject matter involved, and time spent in receiving and replying to the calls. The twenty (20) hours may be used at the County's convenience but must be used within twelve (12) months of the effective date of the contract.

If the County requests additional services beyond the twenty (20) hours provided under the contract, the Firm agrees to provide additional legal services at the Firm's regular rates for counties. The Firm will discuss with the County the amount of time involved for such additional legal service and the hourly rates to be charged prior to undertaking such additional legal service in excess of the twenty (20) hours provided under this Agreement. Examples of such additional legal services include opinion letters, research, contracts, legal advice in adversarial matters, and representation in court.

The Firm agrees that it will only accept requests for legal advice from the County if made by the County Judge or individuals designated in writing by the County Judge or Commissioners Court as authorized to make requests.

Upon execution of this Agreement, the County will enjoy an attorney-client relationship with the Firm. It is possible that certain issues may pose a conflict of interest. If it appears that a conflict exists, the Firm will bring the potential conflict to the attention of the County Judge or his or her designee and the Firm and the County Judge or designee will determine what action is appropriate.

This Agreement shall be for a term of one year beginning with the date of execution hereof.

Executed this 1st day of October, 1990.

BY: s/ G. Don Rains  
Don Rains, County Judge  
Hays County, Texas

ATTEST:

COUNTY CLERK  
Hays County Clerk

BY: s/ Ronnie Dannelley

PERSON OR PERSONS AUTHORIZED  
TO MAKE REQUESTS IN ADDITION  
TO COUNTY JUDGE, IF ANY

Bill Herzog, County Auditor  
All County Commissioners  
Paul Hastings, Sheriff

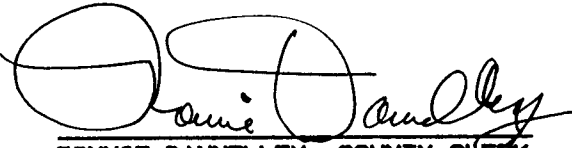
10449 APPROVAL TO HIRE SURVEYOR TO SURVEY PROPERTY DONATED BY CENTEX ON FM 1626

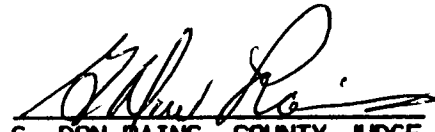
Commissioner Ford spoke of historical cemetery - needs a buffer zone - surveyor it needed. Commissioner Payne stated that the most reasonable surveyor that he has found is Charles Swart - recommended that the county use him for surveys. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve hiring of a surveyor to survey the property donated by Centex located on FM 1626. All voting "Aye".

ROADS IN "RYAN'S WOODS" SUBD.

Commissioner Ford stated that roads have not been inspected and action needs to be postponed. Commissioner Payne stated that acceptance of these roads were taken from a tickler list - more data is needed before acceptance. No action taken.

Court called open meeting closed and Court went into Executive Session to discuss pending litigation with Attorney (Bickerstaff, Health & Smiley). Executive Session was closed. Court recessed until Tuesday October 9, 1990 at 9:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

~~~~~o0o~~~~~

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 9TH DAY OF OCTOBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**10450 AUTHORIZATION POLICY FOR MAINTENANCE DEPARTMENT BUDGET**

Maintenance Supervisor Bryan Hoot spoke of problem with other Department Heads charging items to the Maintenance Department budget - he needs to be aware of purchases against his budget - would like Court to adopt a policy on who is authorized to charge purchases against the maintenance department budget. Commissioner Ford spoke of need for a policy that allows only Bryan Hoot to sign off on purchases or the Court's approval for projects to be paid out of the maintenance department budget. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt a policy that only Bryan Hoot, Maintenance Supervisor, be allowed to approve invoices to be paid out of the maintenance department budget or the Commissioners' Court approval for payment and that no expenditure is to be allowed without authorization prior to purchase. All present voting "Aye".

**10451 AUTHORIZE PURCHASE OF A USED PICKUP FOR THE MAINTENANCE DEPARTMENT**

Bryan Hoot, Maintenance Supervisor, spoke of the 1965 pickup that is now being used by the maintenance department - it will not pass inspection - request authority to purchase a used 1983 GMC (V6 w/no air cond) pickup for \$2,900. Discussion was had on whether to finance or pay out of maintenance department budget. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize purchase of a used pickup truck for the Maintenance Department not to exceed \$3,000 out of contingencies. All present voting "Aye".

**10452 APPROVE APPOINTMENTS TO THE HAYS COUNTY HISTORICAL COMMISSION**

Frances Stovall, Chairman of the Hays County Historical Commission requested appointment of three additional members: DeeAnn Storey of Wimberley, Mrs. James (Claire) Smullen of Wimberley and Mrs. Catherine Cannon of Dripping Springs - spoke of designation as Certified Local Government which allows you to apply for grant money. Commissioner Rippy stated that he had visited with Mrs. Cannon and that she did not wish to be appointed to the HCHC - she is currently active in the Pound House. Mrs. Stovall spoke of appointments - DeeAnn Storey is an Archeologist and Claire Smullen restored the Dobie House and her husband is a Lawyer. A motion was made by Commissioner Payne, seconded by Commissioner Ford to appoint DeeAnn Storey and Mrs. James Smullen to the Hays County Historical Commission. All present voting "Aye".

10453 AWARD BIDS ON PICKUP AND VAN FOR THE JAIL

Cheryl Pantermuehl, Purchasing Agent, passed out bid tabulation:

Opening Date: October 1, 1990 at 2:00 P.M.

|                                        |             |                     |
|----------------------------------------|-------------|---------------------|
| Bid Title: 3/4 Ton Chassis Cab Pick Up |             |                     |
| Red Simon Ford                         | \$16,050.00 | 60-75 days delivery |
| Bill Munday Pontiac                    | \$15,580.00 | 60-75 days delivery |
| Bid Title: 1-Ton Single Axle Van       |             |                     |
| Red Simon Ford                         | \$19,545.00 | 60-75 days delivery |
| Bill Munday Pontiac                    | \$18,700.00 | 60-75 days delivery |

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award bid for pickup for Jail Maintenance to Red Simon Ford in the amount of \$16,050.00 - truck meets specs and warranty work can be done locally. Commissioner Ford spoke of preference for local bidders because of convenience for maintenance and travel cost. Commissioner Payne stated that he felt we could get a better deal on a 1990 model - low bidder should have the opportunity to appear before the Court since he was not awarded the bid. Commissioner Ford and Commissioner Rippy voting "Aye", and Commissioner Payne voting "Nay".

A motion was made by Commissioner Payne, seconded by Commissioner Ford to award bid for Jail Transportation Van to Bill Munday Pontiac in the amount of \$18,700.00. Commissioner Ford and Commissioner Rippy voting "Aye", and Commissioner Payne voting "Nay". Purchase of the pickup and van are to come out of jail construction funds.

10454 APPROVE INTERLOCAL AGREEMENT JOINING THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS FOR PURCHASING

Cheryl Pantermuehl, Purchasing Agent, spoke of new price that was quoted for Sheriff's Dept. voice recorder system (\$20,939.99) - 2% of the purchase price (\$418.78) is to be paid to the Houston-Galveston Area Council of Governments - there is a tremendous savings if we purchase items through this agreement. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Interlocal Agreement joining the Houston-Galveston Area Council of Governments for purchasing. All present voting "Aye".

HOUSTON-GALVESTON AREA COUNCIL  
INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT ("Agreement"), made and entered into pursuant to the Interlocal Cooperation Act. (Article 4413(32c) V.T.C.S.) by and between the Houston-Galveston Area Council hereinafter referred to as H-GAC, having its principal place of business at 3555 Timmons Lane, Suite 500, Houston, Texas 77027 and Hays County, hereinafter referred to as the local government having its principal place of business at San Marcos, Texas.

WITNESSETH:

WHEREAS, H-GAC, is a regional planning commission created under Acts of the 59th Legislature, Regular Session, 1965, recodified as Chapter 391 Texas Local Government Code; and

WHEREAS, H-GAC had entered into an agreement with the local government on the 9th day of October, 1990; and

WHEREAS, the local government desires to purchase certain governmental administrative functions, goods or services; and

WHEREAS, H-GAC hereby agrees to perform the scope of services outline in Article 5 as hereinafter specified in accordance with the Agreement, and

NOW, THEREFORE, H-GAC and the local government do hereby agree as follows:

ARTICLE 1 LEGAL AUTHORITY

The local government warrants and assures H-GAC that it possesses adequate legal authority to enter into this Agreement, The local government's governing body had authorized the signatory official(s) to enter into this Agreement and bind the local government to the terms of this Agreement and any subsequent amendments hereto.

ARTICLE 2 APPLICABLE LAWS

H-GAC and the local government agree to conduct all activities under this Agreement in accordance with all applicable rules, regulations, ordinances and laws in effect or promulgated during the term of this Agreement.

ARTICLE 3 WHOLE AGREEMENT

The Interlocal Agreement and Attachments, as provided herein, constitute the complete Agreement between the parties hereto, and supersedes any and all oral and written agreements between the parties relating to matters herein. Except as otherwise provided herein, this Agreement cannot be modified without written consent of the parties.

ARTICLE 4 PERFORMANCE PERIOD

The period of this Interlocal Agreement shall be for the (balance of) fiscal year of the local government which begins October 1, 1990 and ends September 31, 1991. This contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the local government may make any payment due H-GAC beyond the fiscal year in which such obligation was incurred under this Agreement.

H-GAC or the local government may cancel this Agreement at any time upon 30 days written notice to the other party to this Agreement. The obligations of the local government, including its obligation to pay H-GAC for all costs incurred under this Agreement prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Agreement, until performed or discharged by the local government.

ARTICLE 5 SCOPE OF SERVICES

The local government appoint H-GAC its true and lawful purchasing agent for the purchase of certain materials and services through the Council's Cooperative Purchasing Program, as enumerated through the submission of a duly executed purchase order, order form or resolution. All material purchases hereunder shall be in accordance with specifications established by H-GAC.

The materials and services shall be procured in accordance with procedures governing competitive bidding by H-GAC; and at the unit prices and administrative fee as indicated in the current H-GAC Order Form and Price Lists.

Ownership (title) of material purchased shall transfer directly from the vendor to the local government. The local government agrees to provide H-GAC with documentation of receipt and acceptance of material within five (5) days of acceptance of same.

ARTICLE 6 PAYMENTS

The local government agrees that, upon the presentation by H-GAC of a properly documented, verified proof of performance and a statement of costs H-GAC has incurred in accordance with the terms of this Agreement, it shall pay H-GAC, from current revenues available to the local government during the current fiscal year, on or before the date of the delivery of materials and services to be provided under this agreement.

ARTICLE 7 CHANGES AND AMENDMENTS

Any alterations, additions, or deletions to the terms of this Agreement which are required by changes in Federal and State law or regulations are automatically incorporated into this Agreement without written amendment hereto, and shall become effective on the date designated by such law or regulation.

H-GAC may, from time to time, require changes in the scope of the services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8 TERMINATION PROCEDURES

Either H-GAC or the local government may cancel or terminate this Agreement upon thirty (30) days written notice by certified mail to the other party. In the event of such termination prior to completion of any purchase provided for herein, the local government agrees to pay for services on a prorated basis for materials and services actually provided and invoiced in accordance with the terms of this Agreement, including penalties, less payment of any compensation previously paid.

ARTICLE 9 SEVERABILITY

All parties agree that should any provision of this Agreement be determined to be invalid or unenforceable, such determination shall not effect any other term of this Agreement, which shall continue in full force and effect.

ARTICLE 10 FORCE MAJEURE

To the extent that either party to this Agreement shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, judgement, act of God, or specific cause reasonable beyond the parties' control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11 VENUE

Venue and jurisdiction of any suit, or cause of action arising under or in connection with the Agreement shall lie exclusively in Harris County, Texas.

**10455 RESOLUTION PARTICIPATING IN THE SOUTH TEXAS COOPERATIVE PURCHASING ORGANIZATION - REGION 20**

Cheryl Pantermuehl, Purchasing Agent, spoke in support of renewing membership in the South Texas Cooperative Purchasing Organization - annual fee is \$200 (budgeted) - our biggest savings is in paper products. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution participating in the South Texas Cooperative Purchasing Organization - Region 20. All present voting "Aye".

## RESOLUTION

WHEREAS, it is the intent of the County of Hays to joining and participate in the South Texas Cooperative Purchasing Organization being organized and administered by the Education Service Center, Region 20.

WHEREAS, authority for this commitment is authorized under Article 4413 (32c) of the Texas Education Code and would allow for substantial savings to be realized by volume purchasing of specific commodity items.

WHEREAS, an annual fee of \$200 shall be paid to the Cooperative for reimbursement of expenses incurred in the administration of the cooperative.

BE IT RESOLVED, that the County of Hays Commissioners' Court hereby joins in and elects to participate in the South Texas Cooperative being organized and administered by the Education Service Center, Region 20.

BE IT FURTHER RESOLVED, that the County of Hays Commissioners' Court authorized its Purchasing Agent to execute such documents as are appropriate and necessary to implement the Entity's participation in said South Texas Cooperative Purchasing Organization.

G. Don Rains, County Judge

Cheryl Pantermuehl, Purchasing Agent



**10456 INDIGENT HEALTH CARE - AUTHORIZE PURCHASE OF EYE GLASSES FOR INELIGIBLE APPLICANT**

Eva Cruz, Indigent Health Care Administrator, appeared before the Court - a 61 year old San Marcos resident on social security is in need of a pair of special glasses - she is diabetic and has glaucoma - Dr. Watson, Optometrist, has agreed to lower his fee for the glasses, however, the costs is \$240 - \$60 has been donated from the Lions Club - request authority to use \$120 from the indigent health care operating expense line item - can probably get the remainder from some other source. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize \$120.00 from Indigent Health Care Operating Expense to pay for eye glasses for an ineligible applicant. All present voting "Aye".

**10457 DISTRICT COURT BALIFF - SALARY INCREASE**

County Auditor Bill Herzog spoke of request from the District Judges - District Clerk Baliff to get same rate of pay as the County Court Baliff (\$71.85 per day) - no budget amendment necessary. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to raise District Court Baliff's salary to \$71.85 per day. All present voting "Aye".

**RECONSIDER CLASSROOM FOR JUVENILE DETENTION FACILITY**

Ed Cooper, Chief Juvenile Probation Officer, spoke of recommendation by the Citizens Advisory Council to put a classroom in the juvenile detention center - it will be expensive to revise the plans - suggested a portable classroom. Commissioner Ford suggested that a classroom be added to the juvenile detention center in the outside recreation area location of the building - this would be the easiest route - not in favor of a portable classroom. This item to be placed back on the agenda for the next meeting with Architect to be present.

**10458 AUTHORIZE BILLING AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE FOR RELOCATION OF EQUIPMENT CABINET ON RR12 PROJECT NORTH OF DRIPPING SPRINGS**

Patsy Greiner, Administrative Coordinator, spoke of relocation of equipment cabinet on private property - funding is available although this expense was not anticipated. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize billing agreement with Southwestern Bell Telephone for relocation of equipment cabinet on Ranch Road 12 Project north of Dripping Springs not to exceed \$24,650.57. All present voting "Aye".

**10459 DRIPPING SPRINGS LIONS CLUB REQUEST PERMISSION TO USE COUNTY PROPERTY FOR CHRISTMAS TREES SALES**

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to allow the Dripping Springs Lions Club use of county property for their christmas tree sales. All present voting "Aye".

**10460 REJECT ALL BIDS FOR FLATWHEEL ROLLER**

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to reject all bids for a flatwheel roller and to rebid with revised specs. All present voting "Aye".

**10461 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$67,378.15. All present voting "Aye".

|                  |    |        |                  |    |          |
|------------------|----|--------|------------------|----|----------|
| Wastewater Fee   | \$ | 240.00 | Sales Tax Permit | \$ | 25.00    |
| Auditor          | \$ | 392.68 | Treasurer        | \$ | 89.26    |
| Extension Ofc    | \$ | 273.91 | Juv Prob Ofc     | \$ | 332.25   |
| Election Admin   | \$ | 42.29  | Indigent Care    | \$ | 13.65    |
| Transfer Station | \$ | 74.70  | Bldg. Maint.     | \$ | 6,145.52 |
| Health Dept.     | \$ | 532.76 | Civic Center     | \$ | 2,639.01 |

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Countywide Misc.  | \$ 20,291.16 | Tax A/C          | \$ 341.11    |
| District Clerk    | \$ 147.48    | County Clerk     | \$ 247.92    |
| Sheriff's Dept.   | \$ 2,997.98  | Jail             | \$ 19,481.15 |
| County Judge      | \$ 101.26    | Admin. Coord.    | \$ 137.46    |
| Co Crt @ Law #1   | \$ 94.97     | Dist. Attorney   | \$ 560.77    |
| J.P. 1-1          | \$ 88.94     | J.P. 1-2         | \$ 112.84    |
| J.P. 2            | \$ 72.35     | D.P.S.           | \$ 975.79    |
| Constable 1       | \$ 99.36     | Constable 2      | \$ 89.80     |
| Veterans Adm      | \$ 37.99     | Data Proc Admin  | \$ 1,002.91  |
| Co Crt @ Law #2   | \$ 28.01     | TDH TB Grant     | \$ 30.00     |
| In Home Spec Grnt | \$ 165.04    | TDH M&C Care     | \$ 33.18     |
| Fire Marshal/EMC  | \$ 59.56     | TABC             | \$ 65.49     |
| TJPC ISP Grant    | \$ 23.68     | Dist Court Oper  | \$ 58.34     |
| Co Court Oper     | \$ 1,295.02  | Dist Court Reprt | \$ 79.38     |
| R&B General       | \$ 26.65     | Precinct 1       | \$ 114.97    |
| Precinct 2        | \$ 278.31    | Precinct 3       | \$ 847.28    |
| Precinct 4        | \$ 827.65    | Hot Check Fee    | \$ 120.30    |
| Law Library       | \$ 45.00     | Juv Detent Fac   | \$ 2,093.10  |
| Sheriff drug forf | \$ 346.03    | Adult Prob Oper  | \$ 2,876.71  |
| Adult Prob Fac    | \$ 282.18    |                  |              |

**10462 APPROVE PAYMENT TO PSA FOR ARCHITECTURAL SERVICES ON JUVENILE DETENTION CENTER**

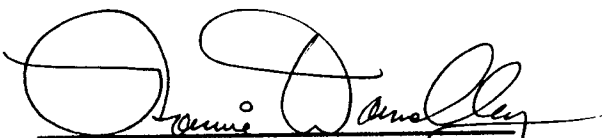
County Auditor Bill Herzog presented an invoice for professional services from PSA - amount due is \$2,063.10 for design development phase. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment to PSA in the amount of \$2,063.10 for architectural services on the juvenile detention center. All present voting "Aye".

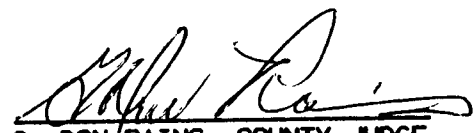
**10463 AUTHORIZE COUNTY AUDITOR TO NEGOTIATE A NEW CONTRACT WITH CITY OF SAN MARCOS FOR GASOLINE SERVICES**

County Auditor Bill Herzog spoke of gasoline services being provided to the City of San Marcos - currently getting \$100 per month for administrative fees - suggested raising monthly fee to \$300 per month or charging 3% of fuel useage - 59% of the gasoline being purchase is for the City of San Marcos. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to negotiate a new contract with the City of San Marcos for gasoline services at \$300 per month. All present voting "Aye".

**10464 ALLEN TRACT SUBDIVISION SECTION 2 (PCT. 4)**

Cotton Johnson presented "Allen Tract Section 2" subdivision on first, second and third readings. Patsy Greiner, Admin. Coord., stated that the access easement is only 30 feet wide and a water statement is needed on the plat. Commissioner Payne spoke of the easement - minimum requirement for an easement is 40' and a variance must be requested in writing. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Allen Tract Section 2 Subdivision" on first, second and third readings contingent on 40 foot easement with variance request in writing and water statement certificate on the plat. All present voting "Aye".

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 HAYS COUNTY, TEXAS

  
**G. DON RAINS, COUNTY JUDGE**  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 15TH DAY OF OCTOBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                   |                           |
|-------------------|---------------------------|
| G. DON RAINS      | COUNTY JUDGE              |
| WAYNE FORD        | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY     | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRTISCHE | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**10465 EXEMPT CIVIC CENTER USE FEE FOR FUNDRAISING BENEFIT FOR "BABY AMANDA BENEFIT FUND"**

Barrie Breed appeared before the Court and requested Civic Center Use Fee exemption for a fundraising benefit for "Baby Amanda" - the baby is terminally ill and in need of a liver transplant and bone marrow transplant - her parents do not have insurance Benefit is scheduled for December 15, 1990 and waiver of the fee would help. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to waive the Civic Center Use Fee for the "Baby Amanda" fundraising benefit to be held December 15, 1990. All present voting "Aye".

**10466 PROCLAMATION - RED RIBBON WEEK FOR DRUG FREE SAN MARCOS/HAYS COUNTY**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to Proclaim week of October 20 - October 27, 1990 as "Red Ribbon Week for Drug Free San Marcos/Hays County". All present voting "Aye".

**10467 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$52,920.96. All present voting "Aye".

|                   |              |                  |             |
|-------------------|--------------|------------------|-------------|
| Permit Fee        | \$ 100.00    | Treasurer        | \$ 20.00    |
| Juv Probation     | \$ 345.72    | Election Admin   | \$ 1,060.50 |
| Indigent Care     | \$ 2,278.90  | Transfer Station | \$ 171.00   |
| Bldg. Maintenance | \$ 457.20    | Civic Center     | \$ 1,327.23 |
| Countywide Misc.  | \$ 18,822.38 | Tax A/C          | \$ 193.48   |
| Sheriff           | \$ 221.77    | Jail Operations  | \$ 4,710.85 |
| Co Crt @ Law 1    | \$ 10.00     | Dist. Atty.      | \$ 1,080.03 |
| J.P. 1-1          | \$ 5.67      | J.P. 1-2         | \$ 30.00    |
| J.P. 3            | \$ 350.00    | D.P.S.           | \$ 18.00    |
| Constable 1       | \$ 263.80    | Constable 5      | \$ 473.20   |
| DP Admin          | \$ 112.60    | Dist Court Oper  | \$ 2,083.49 |
| County Court Oper | \$ 260.00    | Precinct 1       | \$ 2,432.86 |
| Precinct 2        | \$ 1,787.87  | Precinct 3       | \$ 1,246.63 |
| Precinct 4        | \$ 10,508.66 | Hot Check Fee    | \$ 301.20   |
| Law Library       | \$ 69.50     | Public Works     | \$ 825.27   |
| Adult Prob Oper   | \$ 1,047.90  | Adult Prob Fac   | \$ 305.25   |

**10468 COURTHOUSE 3RD FLOOR RENOVATION OF OLD JUVENILE PROBATION OFFICE SPACE - PAYMENT FOR MATERIALS**

County Auditor Bill Herzog spoke of bid that was awarded to Herb Sanchez (\$1100) for this project to have come out of FY90 funds - there was a problem with contacting Mr. Sanchez and work is now being done by Adult Probation CSR workers. District Clerk W. H. Moore stated that Deputy Keith Jeffries with the Sheriff's Dept. had been unable to get a hold of Mr. Sanchez and after 30 days the Adult Probation Office was contacted and they provided CSR workers to do the work - cost will be for materials only . Judge Rains spoke of the contract having been awarded to Herb Sanchez and now work has been done by others - need to stop the job at this point until this matter can be resolved. Mr. Moore felt like Mr. Sanchez should have come

forward after bid was awarded - felt like Deputy Jeffries had made a diligent effort to contact Mr. Sanchez with the information that he had.

A motion was made by Judge Rains, seconded by Commissioner Rippy to authorize reimbursement for materials purchased by CSR worker to be paid out of contingencies. All present voting "Aye".

#### 10469 CONSTABLE PCT. 2 - AUTHORIZE CHANGE IN PAYMENT OF AUTO MILEAGE

County Auditor Bill Herzog stated that Constable Pct. 2 James Kohler would like to be paid for actual mileage up to \$7,000 and not up to \$583 per month. Commissioner Ford stated that Constable Kohler had spoken to him about mileage being different during certain times of the year (some months may exceed monthly allotment while others would be under). Commissioner Rippy stated that Constable Kohler is the only Constable that is paid for mileage, the others have County owned vehicles. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize payment to Constable Pct. #2 for auto mileage up to \$7,000. Judge Rains spoke of setting a precedent for others receiving auto mileage on a monthly basis. Commissioner Ford and Commissioner Rippy voting "Aye". Judge Rains voting "Nay".

#### RUTH CLAYTON - CERTIFICATE OF TITLE FEES

Tax Assessor-Collector Ruth Clayton spoke of this item not being worded on the agenda properly - explained that what she is requesting is a \$25.00 increase in her salary as prescribed by Certificates of Title Fees and as mandated by the State. She will not be able to attend the next Commissioners' Court meeting, however, she requested that they consider this item at that time.

#### 10470 APPROVE CHANGE IN INTERLOCAL AGREEMENT WITH HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS FOR PURCHASING

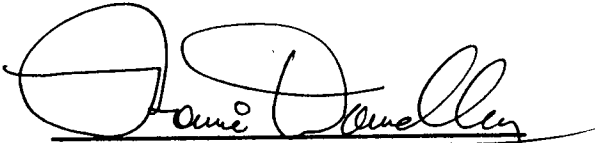
County Auditor Bill Herzog spoke of interlocal agreement that was approved at the last Commissioners' Court meeting - the HGACOG fee was quoted at 2% when in fact the fee is 3%. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve change in the Houston-Galveston Area Council of Governments Interlocal Agreement for purchasing from a 2% fee to a 3% fee. All present voting "Aye".

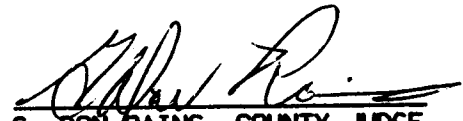
#### 10471 AWARD CONTRACT FOR 3/4 TON TRUCK FOR SHERIFF'S DEPARTMENT

County Auditor Bill Herzog presented a copy of a Memorandum from Charles Chapman District Attorney in reference to the County Purchasing Act and questions related thereto dated Oct. 12, 1990 - the memo states that the lower bidder has a legal right to appear before the Commissioners Court and demonstrate his responsibility before such contract can be awarded and the location by the vendor in the county can be considered but absolutely not as the sole factor. John Huggins, Representative of Bill Munday Pontiac, requested an explanation from the Court on why they did not accept the low bid. Commissioner Ford spoke of need for local service to keep overall cost incurred for down time at a minimum - felt like you would get better/faster warranty service from a Car Dealership that sells you the vehicle. Mr. Huggins disagreed with this concern - the local GMC Dealership did not even bid on the vehicles and you would have to prove that warranty service is affected - spoke of letters submitted by other vendors stating that they will not bid because the Commissioners Court does not go with low bidders. Mr. Herzog stated that bids cannot be awarded, except to the low bidder, without giving the low bidder a chance to appear. Cheryl Pantermuehl, Purchasing Agent, spoke of the competitive bidding process - we may lose our vendors if we continue awarding bids the way we have been. Commissioner Ford suggested rejecting the bids and re-bid with new specs that include servicing factors will be a consideration. Mr. Herzog stated that local service is not a justifiable reason - service can be obtained locally. Commissioner Ford made a motion to reject all bids and rebid with new specs - there are only two options to take: rebid or award bid to low bidder - motion died for lack of a second. A motion was made by Judge Rains, seconded by Commissioner Rippy to award bid for 3/4 ton pickup truck to Bill Munday Pontiac. Commissioner Rippy stated that we need to include in future specs that service will be a consideration. All present voting "Aye".

JUVENILE DETENTION CENTER - RECONSIDER CLASSROOM

Ed Cooper, Chief Juvenile Probation Officer, spoke of need for a classroom in the Juvenile Detention Center - he has sent a letter to Norris Fletcher of PSA requesting that he appear before the Court in regards to adding a classroom to the facility. Commissioner Ford spoke - the reason that the Court met today was to consider this item - Mr. Fletcher had indicated previously that he could be here upon a two hour notice, however, he is not here today as requested last Monday. Judge Rains stated that he felt like it is acceptable to use the dining room as a classroom - meals will not be prepared in the facility, they will be cooked at the jail. County Auditor Bill Herzog spoke of need for an alternate plan that would include a classroom. No action taken this date.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*\*\*\*\*00\*\*\*\*\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 22ND DAY OF OCTOBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10472 AUTHORIZE PURCHASE OF ADDITIONAL GREASE TRAPS FOR JAIL

Major Rod Ellis, Jail Admin., spoke of grease traps that are needed at the Jail - dye test was run and it was found that all the kitchens sinks and the waste disposers drain into the main sewer line by-passing the main grease traps - the City of San Marcos is having a problem with grease stopping up their sewer lift pumps - the cost for 3 portable grease traps and installation is \$1,500.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize purchase of additional grease traps at the jail with funding of \$1,500 to come out of Jail Construction Line Item. All present voting "Aye".

10473 SHERIFF'S FORFEITED DRUG FUNDS - NOTIFICATION TO THE COMMISSIONERS' COURT

Major Rod Ellis spoke of funds that were received by the Sheriff's Department from a District Court drug case in the amount of \$12,044.01 - funds to be broken down as presented to pay for established position on the drug task force organization.

|            |             |             |
|------------|-------------|-------------|
| Line Item: | 32-484-5020 | \$ 9,100.77 |
|            | 32-484-5110 | \$ 725.00   |
|            | 32-484-5120 | \$ 700.00   |
|            | 32-484-5160 | \$ 1,425.12 |
|            | 32-484-5170 | \$ 93.12    |
|            |             | =====       |
|            |             | \$12,044.01 |

County Auditor Bill Herzog stated that we need to amend the budget to reflect the distribution of these funds - he will place this on the agenda for the next meeting. A motion was made by Commissioner Payne, seconded by Commissioner Ford to accept notification by the Sheriff of forfeited drug funds in the amount of \$12,044.01. All present voting "Aye".

10474 APPROVE INCREASE OF \$25.00 PER MONTH FOR COUNTY TAX ASSESSOR-COLLECTOR AS PRESCRIBED BY CERTIFICATES OF TITLE FEES AND MANDATED BY THE STATE

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve increase of \$25.00 per month for County Tax Assessor-Collector as prescribed by Certificate of Title fees and mandated by the State. All present voting "Aye".

10475 NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #4 - APPOINT DAVE FIELDS TO REPLACE NILES SHEFIELD

Judge Rains stated that Commissioner Rippy had requested the Court take action on this appointment in his absence. A motion was made by Judge Rains, seconded by Commissioner Ford to appoint Dave Fields to replace Niles Sheffield as Fire Commissioner for the Northwest Hays County Rural Fire Prevention District #4. All present voting "Aye".

10476 APPROVE MINUTES OF SEPTEMBER 1990

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve the Minutes of September 1990 as presented by the County Clerk. All present voting "Aye".

PRE-AUTHORIZED CHECK ORDER FOR MEDICAL CLAIMS BANK ACCOUNT

Debra Spelling, Representative of Transport Life Insurance, spoke of check order needed to make payment to Transport Life Insurance. County Treasurer and County Auditor need to sign. No action taken.

10477 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$136,598.03. All present voting "Aye".

|                               |             |                 |              |
|-------------------------------|-------------|-----------------|--------------|
| Acct. Recvbl                  | \$ 3.11     | Auditor         | \$ 84.55     |
| Treasurer                     | \$ 100.00   | Extension Ofc   | \$ 74.55     |
| Community Serv                | \$20,937.75 | Indigent Care   | \$ 2,452.44  |
| Transfer Station              | \$ 4,774.55 | Bldg. Maint.    | \$ 584.59    |
| Health Dept.                  | \$ 222.44   | Civic Center    | \$ 1,285.75  |
| Countywide Misc.              | \$24,107.76 | Dist. Clerk     | \$ 398.10    |
| County Clerk                  | \$ 150.00   | Sheriff         | \$ 1,193.03  |
| Jail Operations               | \$13,943.81 | Admin Coord.    | \$ 16.23     |
| Dist. Attorney                | \$ 171.29   | J.P. 3          | \$ 10.69     |
| D.P.S.                        | \$ 25.20    | Constable 1     | \$ 10.87     |
| Constable 2                   | \$ 823.83   | Veterans Admin  | \$ 33.40     |
| Data Proc Adm                 | \$ 8,385.88 | TDH TB Grant    | \$ 45.13     |
| Foster Child Care             | \$ 5,263.04 | TDH M&C Care    | \$ 55.95     |
| *Gen Fund Credit=\$196.91**** |             | Dist Court Oper | \$ 10,404.96 |
| County Court Oper             | \$ 865.17   | R&B General     | \$ 49.95     |
| Precinct 1                    | \$ 6,129.93 | Precinct 2      | \$ 2,083.29  |
| Precinct 3                    | \$ 5,288.04 | Precinct 4      | \$ 14,018.13 |
| Hot Check Fee                 | \$ 88.07    | Public Works    | \$ 5,322.90  |
| Sheriff/Drug Forf             | \$ 75.00    | Adult Prob Oper | \$ 6,991.66  |
| Adult Prob Fac                | \$ 77.90    | Animal Control  | \$ 246.00    |

10478 AMEND BUDGET TO PAY FOR MATERIALS PURCHASED FOR RENOVATION WORK IN DISTRICT CLERK'S OFFICE

County Auditor Bill Herzog spoke of invoices approximately \$455 for third floor courthouse renovations - no line item to pay for materials - original contract was for \$1100 with Herb Sanchez - CSR workers have performed the work. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize payment of invoices for renovation work in the District Clerk's office in the amount of \$455.00 to be paid out of Misc. and Office Equipment line items of the District Clerk's budget. All present voting "Aye".

10479 AMEND BUDGET FROM CONTINGENCIES TO PAY FOR MAINTENANCE DEPARTMENT TRUCK

A motion was made by Commissioner Ford, seconded by Commissioner Payne to amend the budget by decreasing the Contingencies line item (01.414.5399) \$2,900 and increasing the Maintenance Vehicles line item (01.410.5713) \$2,900. All present voting "Aye".

10480 AMEND BUDGET - ADULT PROBATION - TO REFLECT "DAY REPORTING CENTER COMMUNITY CORRECTIONS ENHANCEMENT GRANT"

County Auditor Bill Herzog spoke of grant received by the Adult Probation Dept. - need to amend the budget to reflect this revenue. A motion was made by Commissioner Payne, seconded by Commissioner Ford to amend the budget to reflect revenues in the Adult Probation Operating budget for the "Day Reporting Center Community Corrections Enhancement Grant" in the amount of \$251,600.77. All present voting "Aye".

|                            |              |
|----------------------------|--------------|
| 34.495.5021 Salaries       | \$125,000.00 |
| 34.495.5110 FICA           | \$ 9,562.50  |
| 34.495.5120 Retirement     | \$ 8,750.00  |
| 34.495.5160 Med Ins        | \$ 8,100.27  |
| 34.495.5211 Ofc Supplies   | \$ 400.00    |
| 34.495.5219 Educ Supplies  | \$ 3,600.00  |
| 34.495.5271 Fuel & Lubes   | \$ 4,800.00  |
| 34.495.5311 Travel         | \$ 4,608.00  |
| 34.495.5331 Cont Ed        | \$ 4,200.00  |
| 34.495.5341 Vehicle Ins    | \$ 3,000.00  |
| 34.495.5413 Vehicle Maint  | \$ 700.00    |
| 34.495.5434 Couns/Pers Dev | \$ 32,000.00 |
| 34.495.5448 Food Service   | \$ 4,800.00  |
| 34.495.5471 Rent           | \$ 11,000.00 |
| 34.495.5489 Telephone      | \$ 2,600.00  |
| 34.495.5713 Vehicles       | \$ 20,350.00 |
| 34.495.5716 Ofc Furnishng  | \$ 6,000.00  |
| 34.495.5719 Misc. Equip    | \$ 2,130.00  |
|                            | =====        |
|                            | \$251,600.77 |

TEXAS ASSOCIATION OF CONCERNED CITIZENS - DISCUSS CONTRACT

County Auditor Bill Herzog stated that the last two funding checks for the Texas Association of Concerned Citizens has been returned by Mary Compton - she has stated that TACC is not operating at the present time. Judge Rains suggested contacting Zeal Stefanoff - he was the one that appeared before the Court requesting funding. Commissioner Ford suggested placing the funds in the Contingencies line item if it is not needed.

10481 APPROVE PROCEDURES FOR PROCESSING BID REQUESTS & SPECIFICATIONS

County Auditor Bill Herzog presented proposed policy for bidding procedures (\$10,000 and over). After going over the proposed procedures it was decided that Court needs to approve spec before authorization to go out for bids and change "Purchasing Agent" to "Purchasing Clerk". A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve Hays County Bidding Procedures (\$10,000 and over) with changes made this date. All present voting "Aye".

10482 APPROVE PURCHASE OF TEMPORARY CLERICAL SERVICE UNTIL POSITION IS FILLED IN HEALTH DEPARTMENT

Bill Herzog County Auditor spoke of need to move funds from salary line item into contract services for temporary clerical service at the Health Department. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve purchase of temporary clerical service by the Health Department on a contract basis. All present voting "Aye".

10483 APPROVE PAYMENT TO PRO-TECH ENGINEERING FOR SERVICES RENDERED IN REGARDS TO THE JUVENILE DETENTION CENTER

Invoice was received from Pro-Tech Engineering Group Inc. for survey to determine floodplain elevation and topographic survey of area proposed for location of juvenile detnetion facilities = \$2,542.50. A motion was made by Commissioner Payne, seconded by Judge Rains to approve payment (\$2,542.50) to Pro-Tech Engineering for services rendered in regards to the Juvenile Detention Center. All present voting "Aye".

10484 APPROVE CONTRACT FOR OFFICE SUPPLIES


Cheryl Pantermuehl, Purchasing Clerk, spoke of having received only one bid for office supplies - bid was received from Centex Office Center of New Braunfels w/25% discount and free delivery - the local suppliers did not want to bid - County is spending approximately \$2,000 per month for office supplies that is not supplied by the Coop. Commissioner Ford spoke of preferring to spend county money with local vendors - did not feel like the discount would be substantial. Judge Rains suggested rejecting the bids and re-bid with advertising countywide. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve contract for office supplies with Centex Office Center of New Braunfels. Commissioner Payne and Judge Rains voting "Aye". Commissioner Ford voting "Nay".


10485 SPRINGLAKE TRACTS 88A & 89A (PCT. 4)

Patsy Greiner, Admin. Coord., spoke of need to verify if this subdivision is in the Dripping Springs ETJ - this property is part of an unrecorded subdivision that is being platted lot by lot as the need for septic tank permits is required - there is an existing road easement - plat shows this subdivision as a resub of lot 88 - need to change name of subdivision. A motion was made by Commissioner Payne, seconded by Judge Rains to approve "Springlake Tracts 88A & 89A" subdivision on first, second, and third readings with plat title change and Dripping Springs ETJ note added. All present voting "Aye".

10486 6. DUPREE SUBDIVISION LOT 1 (PCT. 4)

Patsy Greiner, Admin. Coord., spoke of Dupree subdivision - no aquifer note - located in the San Marcos ETJ however it is exempt from platting according to the City staff - need a statement to that effect. Robbie Robbins appeared - stated that this subdivision is not located in the floodplain or over the aquifer - spoke of City staff stating that a new law exempts platting lots if the adjoining property owner purchases the property. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve "6. Dupree Subdivision Lot 1" subdivision on first, second and third readings contingent on adding aquifer note to plat and receiving a letter from the City of San Marcos regarding exemption. All present voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS



STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 29TH DAY OF OCTOBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10487 APPROVE COUNTY TREASURER'S REPORT FOR AUGUST & SEPTEMBER 1990

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve County Treasurer's Report for August & September 1990. All present voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 29th day of October, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Months of August & September 1990 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subseciton (c) have been met according to the Law.

s/ G. Don Rains  
COUNTY JUDGE

ABSENT  
COMMISSIONER, PRECINCT 1

s/ Wayne Ford  
COMMISSIONER, PRECINCT 2

s/ Craig Payne  
COMMISSIONER, PRECINCT 3

s/ Drah Hill Rippy  
COMMISSIONER, PRECINCT 4

ATTEST:  
s/ Ronnie Dannelley  
HAYS COUNTY CLERK

\*SEE SUMMARIES ON PAGES 502-505\*\*\*

10488 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$65,975.24. All present voting "Aye".

|               |             |                 |             |
|---------------|-------------|-----------------|-------------|
| Public Safety | \$ 12.00    | Extension Ofc   | \$ 213.88   |
| Juv Prob Ofc  | \$ 5,250.00 | Election Admin  | \$ 2,484.90 |
| Indigent Care | \$ 2,343.77 | Transfer Sta    | \$ 42.07    |
| Bldg. Maint   | \$ 894.55   | Health Dept.    | \$ 47.92    |
| Civic Center  | \$ 1,392.50 | Countywide Misc | \$ 8,726.01 |
| Tax A/C       | \$ 2,350.00 | District Clerk  | \$ 201.69   |

|                 |             |                 |             |
|-----------------|-------------|-----------------|-------------|
| Sheriff's Ofc   | \$ 1,511.54 | Jail Operations | \$ 5,551.84 |
| County Judge    | \$ 491.00   | Admin Coord.    | \$ 13.65    |
| Dist. Attorney  | \$ 325.55   | J.P. 1-2        | \$ 69.50    |
| J.P. 3          | \$ 73.59    | J.P. 4          | \$ 49.20    |
| DPS             | \$ 593.10   | Constable 1     | \$ 1,092.90 |
| Constable 2     | \$ 69.95    | Constable 3     | \$ 45.22    |
| Constable 5     | \$ 147.66   | Veterans Admin  | \$ 19.00    |
| Data Proc Admin | \$ 915.45   | CJD Residential | \$ 90.00    |
| TDH TB Grant    | \$ 150.00   | TDH M&C Grant   | \$ 994.75   |
| TJPC Divers     | \$ 2,400.00 | District Court  | \$ 7,502.20 |
| County Court    | \$ 2,333.25 | R&B General     | \$ 50.28    |
| Precinct 1      | \$ 4,468.72 | Precinct 2      | \$ 4,757.43 |
| Precinct 3      | \$ 2,212.32 | Precinct 4      | \$ 67.05    |
| Public Works    | \$ 580.00   | Adult Prob Oper | \$ 4,894.52 |
| Adult Prob Fac  | \$ 546.28   |                 |             |

**DISCUSS REPLACEMENT OF SHERIFF'S MECHANIC TOOLS**

Sheriff Hastings spoke of theft of mechanics tools from the Pct. #1 barn - most of the tools have been recovered (\$15,000 worth of total \$16,000) - asked about possibility of insuring the tools that belong to the mechanic - when he does not have tools the Sheriff's Dept. vehicles are not being maintained. Commissioner Ford spoke of County leasing the tools which would allow them to be covered by the County's insurance. County Auditor Bill Herzog spoke of \$5,000 deductible on insurance coverage. Commissioner Payne suggested increasing the mechanics salary so that he can purchase his own insurance or phase out his tools and County buy tools for vehicle maintenance. Options will be researched - no action taken.

**10489 BUILDING MAINTENANCE - BUDGET AMENDMENT TO PURCHASE EQUIPMENT**

County Auditor Bill Herzog spoke of Bryan Hoot having purchased a vacuum cleaner (\$139.19) and a water cooler (\$408.59). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of Building Maintenance Dept. by transferring \$1,500.00 from Maintenance Supplies line item to Maintenance Equipment line item. All present voting "Aye".

**10490 CONSTABLE PCT. 2 - BUDGET AMENDMENT TO PURCHASE EQUIPMENT**

County Auditor Bill Herzog spoke of Constable Pct. 2 equipment purchase = \$200 (binoculars) - his budget has no equipment line item. Commissioner Ford spoke of Constable Kohler replacing his old binoculars - uses this equipment to assist the Game Wardens, etc. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend Constable Pct. 2 budget by transferring \$200 from the Misc. line item to the Equipment line item. All present voting "Aye".

**10491 CLOSURE OF PARKING SPACES AT COURTHOUSE FOR SIGHTS AND SOUNDS EVENTS**

Kelly Franks (Sights & Sounds of Christmas Representative) requested permission to close parking spaces around the Courthouse so that they may begin building their booths on Tuesday instead of Wednesday - events to begin on Thursday. Commissioner Ford spoke of need for participation from the City of San Marcos to relieve the parking burden on county employees. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to allow closure of parking spaces at the Courthouse beginning November 27, 1990 through December 1, 1990 for "Sights & Sounds of Christmas" and to designate Patsy Greiner to speak to City of San Marcos concerning county employee parking during this time. All present voting "Aye".

**10492 RESOLUTION REQUESTING STATE LEGISLATURE TO ASSURE SUFFICIENT HIGHWAY CONSTRUCTION FUNDING FOR SDHPT**

Patsy Greiner, Admin. Coord., spoke of letter received from the Texas Good Roads/Transportation Association requesting support for transportation needs. Commissioner Payne stated that State money is needed for county projects. A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt resolution requesting the Legislature to take action to assure that sufficient funds are available for highway construction. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, REQUESTING THE 72ND TEXAS LEGISLATURE TO ADDRESS THE PROBLEM OF DIMINISHING HIGHWAY CONSTRUCTION FUNDS AND TAKE SUCH ACTION AS NECESSARY TO ASSURE THAT SUFFICIENT FUNDS ARE AVAILABLE OVER THE NEXT DECADE TO MEET THE MOBILITY NEEDS OF THE PEOPLE OF TEXAS

WHEREAS, the Texas Department of Highways and Public Transportation has reported that nearly 60 percent of the mobility needs of Texas cannot be met over the next 10 years; and

WHEREAS, this serious shortfall will cause many approved projects to be delayed or cancelled, critically affecting the safety and mobility of the motorists of Texas at a time when the state is recovering from its economic downturn and expecting a surge of new growth and tourism; and

WHEREAS, the Department has rightly placed its highest priority on maintaining and preserving our existing highway system, meaning that funds for added capacity will be in short supply unless the Legislature and other state leaders respond to this growing problem; and

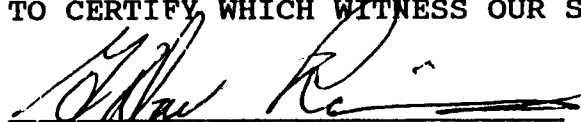
WHEREAS, the Legislature should especially consider the fact that only 9 1/4 cents of the 15-cents motor fuels tax goes to highway construction and maintenance, the remainder being transferred to the public school system, the Department of Public Safety, employee benefits, and other non-highway uses; and

WHEREAS, the Chairman and members of the Highway Commission have detailed the need for additional funding and made it clear that the impact of the shortfall will be felt in all parts of Texas, rural and urban;

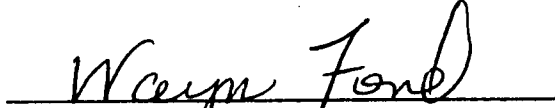
NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

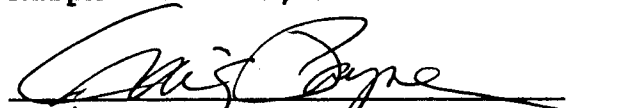
The Commissioners' Court of Hays County, Texas respectfully requests that the 72nd Legislature address the problem of diminishing highway construction funds and take such action as necessary to assure that sufficient funds are available over the next decade to meet the mobility needs of the people of Texas.

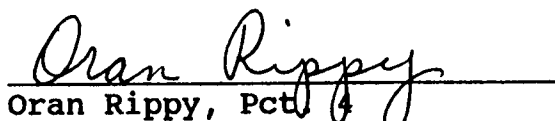
RESOLUTION PASSED AND ADOPTED ON THIS 29th DAY OF OCTOBER, 1990, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

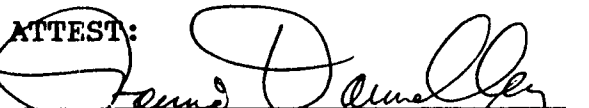
  
G. Don Rains, County Judge

ABSENT  
Ralph Gonzales, Pct. 1

  
Wayne Ford, Pct. 2

  
Craig Payne, Pct. 3

  
Oran Rippey, Pct. 4

ATTEST:  
  
Ronnie Dannelley, County Clerk

**County of Hays  
Summary of Receipts and Disbursements  
For the Period August 1990**

|                                                                              | General      | Jury      | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |  |
|------------------------------------------------------------------------------|--------------|-----------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|--|
| <b>Checking</b>                                                              |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 08/01/90                                                          | 238,119.52   | 15,247.32 | 15,458.01        | 1,082.70          | 11,659.29         | 824.26            | 4,430.41          | 286,521.51     |  |
| Money Market Interest                                                        | 1,617.19     |           |                  |                   |                   |                   |                   | 1,617.19       |  |
| Deposits (receipts)                                                          | 646,269.22   | 26,855.36 | 49,042.50        | 30,018.91         | 45,479.63         | 54,294.27         | 44,433.73         | 896,393.62     |  |
| Disbursements (Claims)                                                       | 772,936.25   | 20,687.76 | 17,919.36        | 24,734.49         | 49,699.65         | 41,539.43         | 26,362.75         | 953,879.69     |  |
| <b>Total</b>                                                                 | 113,069.68   | 21,414.92 | 46,281.15        | 6,367.12          | 7,439.27          | 12,579.10         | 22,501.39         | 230,652.63     |  |
| <b>Certificates of Deposit</b>                                               |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 08/01/90                                                          | 1,850,000.00 | 80,000.00 | 40,000.00        | -0-               | -0-               | 45,000.00         | 45,000.00         | 2,060,000.00   |  |
| <b>New C. D. 's</b>                                                          |              |           |                  |                   |                   |                   |                   |                |  |
| Matured C. D.'s transferred to Checking                                      | 50,000.00    | 25,000.00 | 20,000.00        | -0-               | -0-               | 20,000.00         | 45,000.00         | 115,000.00     |  |
| <b>Total</b>                                                                 | 1,800,000.00 | 55,000.00 | 20,000.00        | -0-               | -0-               | 25,000.00         | 45,000.00         | 1,945,000.00   |  |
| *****                                                                        |              |           |                  |                   |                   |                   |                   |                |  |
| <b>Checking</b>                                                              |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 08/01/90                                                          | 23,960.27    | 6,960.01  | 5,824.69         | 106.68            | 72,516.39         | 27,464.19         | 70,167.90         | 497.52         |  |
| Money Market Interest                                                        |              |           |                  |                   | 371.06            | 125.61            | 313.79            |                |  |
| Deposits (receipts)                                                          |              | 2,602.97  | 1,365.00         |                   | 16,045.67         | 943.86            | 2,359.66          |                |  |
| Disbursements (Claims)                                                       |              | 4,675.22  | 115.35           |                   | 10,275.00         | 28,533.66         | 4,004.00          |                |  |
| <b>Total</b>                                                                 | 23,960.27    | 4,887.76  | 7,074.34         | 106.68            | 78,658.12         | 28,533.66         | 68,837.35         | 497.52         |  |
| <b>Certificates of Deposit</b>                                               |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 08/01/80                                                          | 30,000.00    | -0-       | -0-              | -0-               | 1,200,000.00      | 100,000.00        | 250,000.00        | -0-            |  |
| <b>New C. D. 's</b>                                                          |              |           |                  |                   |                   |                   |                   |                |  |
| Matured C. D.'s transferred to Checking                                      |              |           |                  |                   |                   |                   |                   |                |  |
| <b>Total</b>                                                                 | 30,000.00    | -0-       | -0-              | -0-               | 1,200,000.00      | 100,000.00        | 250,000.00        | -0-            |  |
| <b>Temporary Transfers</b>                                                   |              |           |                  |                   |                   |                   |                   |                |  |
| #11-90 From General to Payroll advance to Medical and Dental Fund \$5,000.00 |              |           |                  |                   |                   |                   |                   |                |  |
| <b>Total</b>                                                                 | 30,000.00    | -0-       | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 250,000.00        | -0-            |  |

Dorothy P. Sims, County Treasurer

**County of Hays  
Summary of Receipts and Disbursements  
For the Period August 1990**

|                                                | County Jail<br>I & S | Jail Addition<br>I & S | Hays County<br>I & S | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>I & S |
|------------------------------------------------|----------------------|------------------------|----------------------|-----------------------|---------------------|-------------------------|
| Checking<br>Balance on 08/01/90                | 1,666.71             | 5,950.86               | 12,448.24            | 38,125.24             | 7,835.81            | 4,748.88                |
| Money Market Interest<br>Deposits (receipts)   | 553,259.32           | 120,694.68             | 612.09               | 448,764.29            | 81,017.02           | 127.61                  |
| Disbursements (Claims)                         | 530,725.00           | 118,125.00             | 1,303.14             | 360,381.38            | 50,175.00           | 4,876.49                |
| <b>Total</b>                                   | 24,201.03            | 8,520.54               | 11,809.85            | 126,508.15            | 38,677.83           | 4,876.49                |
| Certificates of Deposit<br>Balance on 08/01/90 | 625,000.00           | 140,000.00             | 70,000.00            | 430,000.00            | 85,000.00           | -0-                     |
| <b>New C. D. 's</b>                            |                      |                        |                      |                       |                     |                         |
| Matured C. D.'s transferred<br>to Checking     | 550,000.00           | 120,000.00             |                      | 430,000.00            | 90,000.00           | -0-                     |
| <b>Total</b>                                   | 75,000.00            | 20,000.00              | 70,000.00            | -0-                   | 5,000.00            | -0-                     |
| -----                                          |                      |                        |                      |                       |                     |                         |
| Checking<br>Balance on 08/01/90                | 98,573.99            | 30,344.04              | 43,185.58            | 1.00                  | 28,977.88           | 13,939.40               |
| Money Market Interest<br>Deposits (receipts)   | 75.56                | 128.07                 | 148.77               | 82,481.68             | 127.85              | 59.63                   |
| Disbursements (Claims)                         | 84,462.34            |                        | 53,294.66            | 82,476.68             | 5,071.53            | 3,840.35                |
| <b>Total</b>                                   | 95,028.41            | 4,164.73               | 91,961.44            | 6.00                  | 24,034.20           | 10,158.68               |
| Certificates of Deposit<br>Balance on 08/01/90 | 18,083.48            | 26,307.38              | 4,667.57             | -0-                   | -0-                 | -0-                     |
| <b>New C. D. 's</b>                            |                      |                        |                      |                       |                     |                         |
| Matured C. D.'s transferred<br>to Checking     | 100,000.00           | -0-                    | -0-                  | -0-                   | -0-                 | -0-                     |
| <b>Total</b>                                   | 50,000.00            | -0-                    | -0-                  | -0-                   | -0-                 | -0-                     |
| <b>Temporary Transfers:</b>                    | 50,000.00            | -0-                    | -0-                  | -0-                   | -0-                 | -0-                     |

**County of Hays  
Summary of Receipts and Disbursements  
For the Period September 1990**

|                                         | <u>General</u>      | <u>Jury</u>      | <u>R &amp; B<br/>General</u> | <u>R &amp; B<br/>Pct. # 1</u> | <u>R &amp; B<br/>Pct. # 2</u> | <u>R &amp; B<br/>Pct. # 3</u> | <u>R &amp; B<br/>Pct. # 4</u> | <u>Total<br/>Funds</u> |
|-----------------------------------------|---------------------|------------------|------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|------------------------|
| <b>Checking</b>                         |                     |                  |                              |                               |                               |                               |                               |                        |
| Balance on 9/1/90                       | 113,069.68          | 21,414.92        | 46,291.15                    | 6,367.12                      | 7,439.27                      | 13,579.10                     | 22,501.39                     | 230,652.63             |
| Money Market Interest                   | 798.27              |                  |                              |                               |                               |                               |                               | 798.27                 |
| Deposits (receipts)                     | 1,033,979.38        | 58,910.98        | 35,380.62                    | 21,394.90                     | 39,960.41                     | 67,360.73                     | 91,563.07                     | 1,349,550.59           |
| Disbursements (Claims)                  | 994,265.95          | 20,739.32        | 31,046.90                    | 22,371.79                     | 42,909.31                     | 24,848.62                     | 51,601.07                     | 1,187,783.46           |
| <b>Total</b>                            | <u>153,581.88</u>   | <u>59,586.08</u> | <u>51,114.87</u>             | <u>3,890.23</u>               | <u>4,490.37</u>               | <u>56,091.21</u>              | <u>62,463.39</u>              | <u>393,218.03</u>      |
| <b>Certificates of Deposit</b>          |                     |                  |                              |                               |                               |                               |                               |                        |
| Balance on 9/1/90                       | 1,900,000.00        | 55,000.00        | 20,000.00                    | -0-                           | -0-                           | 25,000.00                     | 45,000.00                     | 1,945,000.00           |
| <b>New C. D. 's</b>                     |                     |                  |                              |                               |                               |                               |                               |                        |
| Matured C. D.'s transferred to Checking | 400,000.00          | 55,000.00        | 20,000.00                    | -0-                           | -0-                           | 25,000.00                     | 45,000.00                     | 545,000.00             |
| <b>Total</b>                            | <u>1,400,000.00</u> | <u>-0-</u>       | <u>-0-</u>                   | <u>-0-</u>                    | <u>-0-</u>                    | <u>-0-</u>                    | <u>-0-</u>                    | <u>1,400,000.00</u>    |
| <hr/>                                   |                     |                  |                              |                               |                               |                               |                               |                        |
| <b>Checking</b>                         |                     |                  |                              |                               |                               |                               |                               |                        |
| Balance on 9/1/90                       | 23,960.27           | 4,887.76         | 7,074.34                     | 106.68                        | 78,658.12                     | 28,533.66                     | 68,837.35                     | 497.52                 |
| Money Market Interest                   |                     |                  |                              |                               | 330.10                        | 115.76                        | 182.84                        |                        |
| Deposits (receipts)                     | 301.81              | 959.79           |                              |                               | 9,024.44                      | 530.85                        | 4,155.79                      |                        |
| Disbursements (Claims)                  | 8,676.91            | 3,146.26         | 159.25                       |                               | 2,229.53                      | 29,180.27                     | 53,236.11                     | 497.52                 |
| <b>Total</b>                            | <u>15,585.17</u>    | <u>2,701.29</u>  | <u>6,915.09</u>              | <u>106.68</u>                 | <u>85,783.13</u>              | <u>29,180.27</u>              | <u>19,939.87</u>              | <u>497.52</u>          |
| <b>Certificates of Deposit</b>          |                     |                  |                              |                               |                               |                               |                               |                        |
| Balance on 9/1/90                       | 30,000.00           | -0-              | -0-                          | -0-                           | 1,700,000.00                  | 100,000.00                    | 250,000.00                    | -0-                    |
| <b>New C. D. 's</b>                     |                     |                  |                              |                               |                               |                               |                               |                        |
| Matured C. D.'s transferred to Checking |                     |                  |                              |                               | 1,700,000.00                  | 100,000.00                    | 250,000.00                    | -0-                    |
| <b>Total</b>                            | <u>30,000.00</u>    | <u>-0-</u>       | <u>-0-</u>                   | <u>-0-</u>                    | <u>1,700,000.00</u>           | <u>100,000.00</u>             | <u>250,000.00</u>             | <u>-0-</u>             |
| <b>Temporary Transfers:</b>             |                     |                  |                              |                               |                               |                               |                               |                        |
| Total                                   | 30,000.00           | -0-              | -0-                          | -0-                           | 1,700,000.00                  | 100,000.00                    | 250,000.00                    | -0-                    |

Dorothy P. Sims, County Treasurer

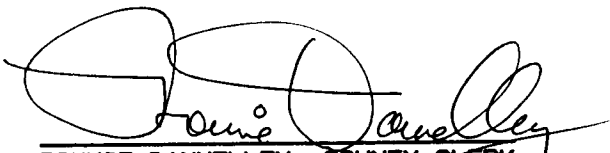
County of Hays  
Summary of Receipts and Disbursements  
For the Period September 1990

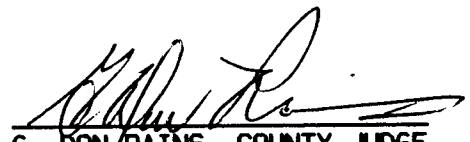
|                                                              | County Jail<br>I & S | Jail Addition<br>I & S | Hays County<br>I & S | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>I & S |
|--------------------------------------------------------------|----------------------|------------------------|----------------------|-----------------------|---------------------|-------------------------|
| Checking<br>Balance on 9/1/90                                | 24,201.03            | 8,520.54               | 11,809.85            | 126,508.15            | 38,677.83           | 4,876.49                |
| Money Market Interest<br>Deposits (receipts)                 | 12,951.39            | 2,760.42               | 47.04                | 14,017.85             | 5,128.85            | 152.45                  |
| Disbursements (Claims)                                       | 37,152.42            | 11,280.96              | 9,086.08             | 1,915.20              | 277.92              | 35.39                   |
| <b>Total</b><br>Certificates of Deposit<br>Balance on 9/1/90 | 75,000.00            | 20,000.00              | 70,000.00            | -0-                   | 5,000.00            | -0-                     |
| New C. D.'s                                                  |                      |                        |                      |                       |                     |                         |
| Matured C. D.'s transferred<br>to Checking                   |                      |                        | 10,000.00            |                       |                     |                         |
| <b>Total</b>                                                 | 75,000.00            | 20,000.00              | 50,000.00            | -0-                   | 5,000.00            | -0-                     |
| -----                                                        |                      |                        |                      |                       |                     |                         |
| Checking<br>Balance on 9/1/90                                | 18,083.48            | 26,307.38              | 4,667.57             | 5.00                  | 24,034.20           | 10,158.58               |
| Money Market Interest<br>Deposits (receipts)                 | 247.10               | 102.08                 | 102.05               | 71,578.13             | 95.04               | 38.66                   |
| 184,740.73                                                   |                      |                        | 43,730.34            |                       |                     | 1,500.00                |
| Disbursements (Claims)                                       | 101,741.01           | 2,365.35               | 48,141.20            | 71,578.13             | 5,278.95            | 10,020.72               |
| <b>Total</b><br>Certificates of Deposit<br>Balance on 9/1/90 | 101,330.30           | 24,044.11              | 358.76               | 5.00                  | 18,350.29           | 1,676.62                |
| 50,000.00                                                    | -0-                  | -0-                    | -0-                  | -0-                   | -0-                 | -0-                     |
| New C. D.'s                                                  |                      |                        |                      |                       |                     |                         |
| Matured C. D.'s transferred<br>to Checking                   |                      |                        |                      |                       |                     |                         |
| <b>Total</b>                                                 | 50,000.00            | -0-                    | -0-                  | -0-                   | -0-                 | -0-                     |
| Temporary Transfers                                          |                      |                        |                      |                       |                     |                         |

10493 RENOVATION WORK ON THIRD FLOOR COURTHOUSE (DISTRICT CLERK/SHERIFF'S DEPT. SPACE)

District Clerk W. H. Moore spoke of renovation project on third floor of Courthouse - unsure as to why the expenditures were taken out of his budget - willing to pay for 1/2 of cost if necessary - 1/2 should come from the Sheriff's Dept. - stated that he did not contract the CSR people. Sheriff Hastings stated that he did not know that there had been a problem - knew nothing of CSR workers being involved. Judge Rains spoke of original contract - no one had contacted the Contractor - CSR workers performed the work and were allowed to charge materials to the County - funds were taken out of the District Clerk's budget at the last Commissioners' Court meeting. A motion was made by Judge Rains, seconded by Commissioner Ford to rescind resolution # 10478 and restore that money back to the District Clerk's budget and authorize payment of renovation work out of the Contingencies line item. All present voting "Aye".

Court was adjourned until November 5, 1990 at 9:00 o'clock A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 5TH DAY OF NOVEMBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**10494 INDIGENT HEALTH CARE COORDINATOR - SALARY INCREASE/BUDGET AMENDMENT**

Commissioner Wayne Ford spoke of Eva Cruz, Indigent Health Care Coordinator, having been offered a job with the State with a salary increase (salary = \$19,600). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to increase the salary of Eva Cruz, Indigent Health Care Coordinator, up to \$19,600.00 and amend the budget out of contingencies. All present voting "Aye".

**10495 FM 1626 PROJECT - APPROVE \$10,000 SETTLEMENT AGREEMENT**

Patsy Greiner, Admin. Coord., spoke of the Meador settlement to deed property for a turnaround road for Centex - State has approved. Commissioner Ford spoke of condemnation proceedings - 12 acres + fencing is involved in the condemnation. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the \$10,000 settlement agreement on the FM 1626 project to come out of R-O-W funds. All present voting "Aye".

**10496 JUSTICE OF THE PEACE #1-2 - REPAIR OF VAULT LOCK AND BUDGET AMENDMENT**

County Auditor Bill Herzog spoke of J.P. 1-2 having to get a specialist to repair the lock on her walk-in vault - cost for repairs = \$585.70 - J.P. 1-2 request that this expense not be paid out of her budget. Commissioner Ford spoke of this being a unforeseen emergency. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of \$585.70 for repair of J.P. 1-2 vault lock to come out of contingencies. All present voting "Aye".

**10497 DISTRICT ATTORNEY'S OFFICE - AUTHORIZE PURCHASE AND AMEND BUDGET FOR THE PURCHASE OF A COMPUTER TERMINAL**

County Auditor Bill Herzog spoke of request from District Attorney's office to purchase a computer terminal (\$485) - D.A. office has only two terminals. A motion was made by Judge Rains, seconded by Commissioner Ford to authorize purchase of a computer terminal for the District Attorney's office and amend that budget by transferring \$485 from the Office Supplies line item to the Equipment line item. All present voting "Aye".

**10498 PCT. 1 - ROAD & BRIDGE GENERAL BUDGET AMENDMENT TO PURCHASE A TOOL BOX**

County Auditor Bill Herzog spoke of request by Commissioner Gonzales Pct. #1 to purchase a tool box for his pickup to be paid out of R&B General funds. A motion was made by Commissioner Ford, seconded by Judge Rains to amend budget in Road & Bridge General fund \$250.80 from the Vehicle Mtc. & Repair line item to purchase a tool box for Commissioner Pct. #1. All present voting "Aye".

**10499 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$119,440.30. All present voting "Aye".

|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Auditor          | \$ 463.32    | Extension Ofc     | \$ 36.53     |
| Juv Probation    | \$ 118.39    | Indigent Care     | \$ 1,128.84  |
| Transfer Sta     | \$ 2.60      | Bldg. Maint.      | \$ 749.11    |
| Civic Center     | \$ 1,408.00  | Countywide Misc.  | \$ 15,032.76 |
| Dist. Clerk      | \$ 409.61    | County Clerk      | \$ 2,875.10  |
| Sheriff's Ofc.   | \$ 1,381.00  | Jail Oper         | \$ 21,711.50 |
| Dist. Atty.      | \$ 685.16    | J.P. 1-2          | \$ 74.62     |
| J.P. 2           | \$ 427.47    | J. P. 3           | \$ 300.00    |
| J.P. 4           | \$ 250.00    | J. P. 5           | \$ 258.84    |
| D.P.S.           | \$ 29.34     | Constable 1       | \$ 330.85    |
| Constable 2      | \$ 200.00    | Constable 3       | \$ 8.50      |
| Constable 5      | \$ 287.76    | Data Proc         | \$ 1,197.26  |
| TDH TB Grant     | \$ 7.00      | *Gen Fund Credit  | \$ 4.54*     |
| District Court   | \$ 7,431.11  | County Court      | \$ 3,026.06  |
| Precinct #1      | \$ 1,319.06  | Precinct #2       | \$ 995.58    |
| Precinct #3      | \$ 2,643.90  | Precinct #4       | \$ 604.98    |
| Law Library Fund | \$ 807.05    | Jail Construction | \$ 2,542.50  |
| Sheriff's Drug   | \$ 300.75    | Adult Prob Oper   | \$ 1,680.64  |
| Adult Prob CSR   | \$ 252.47    | Adult Prob CCE    | \$ 23,368.10 |
| Adult Prob Fac   | \$ 25,053.68 | Health Dept.      | \$ 20.40     |
| Co. Crt. @ Law 1 | \$ 25.00     |                   |              |

10500 RYAN'S WOOD SUBDIVISION - ACCEPT ROADS FOR COUNTY MAINTENANCE (PCT. 2)

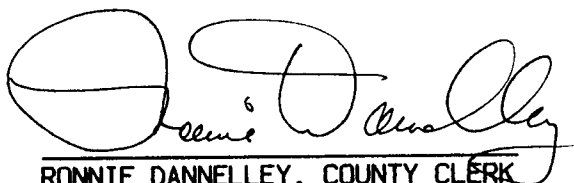
Commissioner Wayne Ford spoke of roads in the Ryan's Wood Subdivision - the access road to this subdivision is a dedicated easement and not a county maintained road - it is not a private road and it is not a part of the subdivision. Commissioner Craig Payne spoke of having to go across private roads/not county maintained roads to get to public roads - felt like this issue was addressed in the subdivision specifications - opposed to this type of situation. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept the roads in the Ryan's Wood subdivision for county maintenance. Commissioner Ford, Commissioner Rippy and Judge Rains voting "Aye". Commissioner Payne voting "Nay".

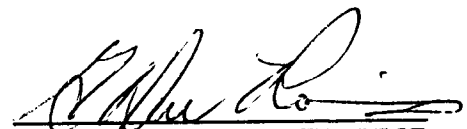
10501 THE SETTLEMENT - REPLAT OF THE JOHN'S TRACT (PCT. 1)

Patsy Greiner, Admin. Coord., stated that this subdivision is in the San Marcos ETJ and they have no objections to the replat. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve "The Settlement - Replat of the John's Tract" on first, second and third readings. All present voting "Aye".

10502 RIVER MEADOWS ESTATES (PCT. 3)

Ed Longcope spoke of River Meadows Estates subdivision - floodplain was discussed - spoke of current lot owners along the river being unable to build homes - requested a countywide review of the floodplain (\$50,000) - landowners can obtain a review for their individual property for \$5,000. Commissioner Wayne Ford spoke of need for all taxing entities in the County to help with the expense of a countywide floodplain review in order to change the FEMA maps (i.e. school district, cities & county). A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "River Meadows Estates" subdivision on first reading. All present voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 13TH DAY OF NOVEMBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10503 WOODCREEK UTILITY INC - REQUEST EASEMENT ON COUNTY ROADS #182 & #220 (WOODCREEK PHASE I & PHASE II RESORT)

Jack O'Brien, Representing Woodcreek Utilities Inc., appeared before the Court in reference to construction of approximately 3,000 feet of irrigation water transfer pipeline which would involve construction in the county road right-of-way - the Texas Water Commission has mandated that WUI construct an additional 3 acre foot of storage for treated effluent. David Lewis, Consulting Engineer, spoke of a proposed 3' pipeline - the current holding pond is insufficient - pipeline would connect the irrigation systems for Phase I and Phase II of Woodcreek Resort - spoke of other options being more costly. Jeannine Pool, Mayor of the City of Woodcreek, spoke in opposition to request - spoke of possible contamination of Cypress Creek because the pipeline will have to cross that creek - the two sewage treatment facilities have two separate permits and the City would like to see them remain separate. Mayor Pro-Tem Frank Thompson stated that the City of Woodcreek has jurisdiction over this proposal and they have not been approached for authorization - felt like there are other alternatives. Jack O'Brien spoke - felt like the City of Woodcreek has no jurisdiction - 200' of the pipeline will be in the City of Woodcreek along a P.U.E. already granted on private streets not owned by the City. Mrs. Pool spoke in opposition and stated that the City would like to see the present holding pond enlarged or an additional pond built. David Lewis spoke of costs: pipeline = \$50,000 and pond = \$100,000 - felt like the most economical engineering solution would be to connect Woodcreek Phase I with Phase II. Mrs. Pool stated that the residents are opposed to this proposal. Judge Rains spoke of need for the Woodcreek Utilities Inc. and the City of Woodcreek to work together to solve this dilemma - it is unclear as to whose jurisdiction this might be and the County does not have a legal representative present at this time to advise on this matter. Commissioner Craig Payne stated that he agrees that the two entities need to communicate and the County will need to investigate jurisdiction before making a decision - he supports granting the easement if the other problems are worked out.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Judge to write a letter to Michael O'Brien, Assett Manager of Woodcreek Utilities Inc., encouraging communication between the parties. All voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Payne to table action on the request for easement made by Woodcreek Utilities Inc. at the time. All voting "Aye".

10504 CANVASS ELECTION RESULTS OF THE GENERAL ELECTION HELD NOVEMBER 6, 1990

Joyce Cowan, Election Administrator, presented the results of the General Election held on November 6, 1990 (Precinct by Precinct and Absentee) - a manual recount has been performed as required and has shown no errors.

A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve canvass of General Election results as submitted by the County Election Administrator. All voting "Aye".

**10505 JUVENILE DETENTION CENTER - ARCHITECTS REPORT - APPROVE PROCEEDING WITH ORIGINAL PLANS**

Architect Norris Fletcher spoke of adding a classroom back into the facility - prepared to go either way. Judge Rains spoke of projected costs - need to stay with the present plan and possibly decide to build a separate classroom facility at a later date - estimated costs to add classroom to existing plans: \$30,000 for construction and \$30,000 other fees. Ed Cooper spoke in support of present plan - was concerned about additional costs and additional construction time of two months - would like to get into the facility as soon as possible. Mr. Fletcher stated that if classroom was added back in that all the drawings would need to be changed. A motion was made by Commissioner Gonzales, seconded by Commissioner Rippy to instruct the Architect to proceed with the original plans. Judge Rains stated that he felt like the dining space is adequate for educational space. All voting "Aye". A drawing showing the site selection was reviewed - Commissioner Ford stated that he wanted the record to reflect that he is opposed to the site selection - felt like there would be a waste of land use around the site selected.

**10506 APPROVE PAYMENT OF MEADOR SETTLEMENT OUT OF R-O-W ACCOUNT**

It was stated that the money that was put in Trust for the Meador Settlement did not draw interest and therefore could not be used for payment as previously thought. Deputy County Clerk Linda Fritsche stated that the Trust Fund is not an interest bearing account - funds are usually not kept in the account for more than a week or so - the County Court at Law can order that specific funds be placed in an interest bearing account, however, in this case it was not done. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of Meador Settlement out of the R-O-W account. All voting "Aye".

**DISCUSS SECOND REQUEST BY PERRY SHEFFIELD FOR EXEMPTION TO WRECKING AND SALVAGE YARD ORDINANCE**

Health Dept. Manager Terry Ewald spoke of second request by Perry Sheffield for exemption to the Junkyard Ordinance - submitted copy of letter from John Costello, Assistance District Attorney - his opinion was that the Court did not have to hear the second request (same as the one earlier denied) - the District Court has granted a permanent injunction against Mr. Sheffield. Commissioner Craig Payne stated that he does not wish to hear the second request - he has not changed his mind - stated that Mr. Sheffield is now operating on property next to the transfer station in violation. No action taken. Terry Ewald will write Mr. Sheffield a letter concerning his request.

**10507 APPOINTMENT TO C.A.R.T.S. BOARD OF DIRECTORS**

A motion was made by Commissioner Payne, seconded by Judge Rains to re-appoint Oran Rippy to the C.A.R.T.S. Board of Directors. All voting "Aye".

**10508 APPROVE RESOLUTION INITIATING CONDEMNATION PROCEEDINGS ON PARCEL #5, PART #2 OF THE FISCHER STORE ROAD BRIDGE PROJECT**

Commissioner Craig Payne spoke of this being the last piece of property to be obtained for the Fischer Store Road Bridge Project (Blaschke property) - need to initiate condemnation proceedings. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt resolution initiating condemnation proceedings on Parcel #5 Part #2 of the Fischer Store Road Bridge Project. Judge Rains, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Gonzales abstained.

STATE OF TEXAS \* BEFORE THE COMMISSIONERS COURT  
\*  
COUNTY OF HAYS \* OF HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a Resolution was proposed which was seconded and which was approved and adopted by a majority vote of the Commissioners, the Resolution being as follows:

WHEREAS, a good faith effort has been made by Hays County to negotiate a settlement with PATRICIA HODGES BLASCHKE and DWAIN WILLIAM BLASCHKE of right-of-way required to extend and widen County Road 180 (signed 181) known as the Fischer Store Road; and

WHEREAS, the offer has been refused by the owners;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas that

Condemnation proceedings be initiated in order to acquire the property known as 0.234 of an acre out of the Harriet E. Norton Survey No. 9, Abstract No. 345 in Hays County, Texas, in order to proceed with the extension and widening of County Road 180.

RESOLUTION PASSED AND SECONDED ON THIS 13TH DAY OF NOVEMBER, 1990.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ G. Don Rains \_\_\_\_\_ s/ Ralph Gonzales \_\_\_\_\_  
G. Don Rains, County Judge . Ralph Gonzales, Pct. 1

s/ W. R. Ford \_\_\_\_\_ s/ Craig Payne \_\_\_\_\_  
Wayne Ford, Pct. 2 Craig Payne, Pct. 3

s/ Oran Rippey \_\_\_\_\_  
Oran Rippey, Pct. 4

ATTEST:

s/ Ronnie Dannelley \_\_\_\_\_  
Ronnie Dannelley  
County Clerk

10509 TERRY MOYNAHAN - REQUEST FOR WAIVER OF PENALTY AND INTEREST ON DELINQUENT TAXES

Terry Moynahan appeared before the Court - spoke of 10 acre tract that he purchased from the Veterans Land Board in 1978 (deed record volume 306 pg 339) - his wife does the record keeping and he was not aware until recently that they had not received tax statements - when he checked on it he found that the tax statement showed improvements which were not on the property and this was corrected - spoke of obligation of taxing authority to notify the taxpayer - the deed record shows his proper address and he does not feel that a diligent effort was made to find his address. CCL Judge Claude Lilly spoke - every taxpayer is responsible for his taxes and has an obligation to pay them. Mr. Moynahan stated that he wanted to pay his taxes and interest however he is opposed to the penalty costs - stated that he had not tried to avoid the situation, it was an oversight that he wants to correct. Commissioner Ford spoke of Statute that Mr. Moynahan made reference to - is not sure whether this Statute concerning notification of taxpayer has been repealed. Request is that County accept payment as follows: Tax Years 1980-1985 = \$181.65 Tax Years 1986-1989 = \$707.76

A motion was made by Commissioner Rippey, seconded by Commissioner Ford to table any action at this time until a legal opinion is obtained - to be placed on the agenda for the next meeting. All voting "Aye".

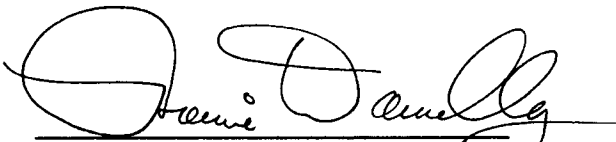
10510 APPROVE PAYMENT OF COUNTY INVOICES


A motion was made by Commissioner Ford, seconded by Commissioner Gonzales to approve payment of county invoices in the amount of \$120,602.53 as presented by the County Auditor. All voting "Aye".

|                   |              |                               |              |
|-------------------|--------------|-------------------------------|--------------|
| Non Business      | \$ 145.00    | Auditor                       | \$ 328.83    |
| Treasurer         | \$ 171.53    | Extension Ofc                 | \$ 192.55    |
| Juvenile Prob     | \$ 278.03    | Election Admin                | \$ 44.09     |
| Indigent Care     | \$ 21,369.27 | Transfer Station              | \$ 37.88     |
| Building Maint.   | \$ 4,865.71  | Health Dept.                  | \$ 495.61    |
| Civic Center      | \$ 5,269.72  | Countywide Misc.              | \$ 12,404.43 |
| Tax A/C           | \$ 371.23    | District Clerk                | \$ 193.08    |
| County Clerk      | \$ 2,168.66  | Sheriff's Ofc                 | \$ 3,859.32  |
| Jail Operations   | \$ 15,992.76 | Admin Coord                   | \$ 71.53     |
| Co Crt @ Law 1    | \$ 90.39     | Dist. Attorney                | \$ 684.40    |
| J.P. 1-1          | \$ 211.65    | J.P. 1-2                      | \$ 260.31    |
| J.P. 5            | \$ 12.45     | D.P.S.                        | \$ 971.25    |
| Constable 1       | \$ 37.88     | Constable 2                   | \$ 67.11     |
| Constable 3       | \$ 5.00      | Constable 4                   | \$ 175.40    |
| Constable 5       | \$ 99.62     | Veterans Adm                  | \$ 34.65     |
| Data Proc Admin   | \$ 2,844.31  | Co Crt @ Law 2                | \$ 30.67     |
| TDH TB Grant      | \$ 48.00     | TDH Sanitarian                | \$ 118.50    |
| In Home Spec Grnt | \$ 291.86    | TDH M&C Care Grnt             | \$ 854.13    |
| Fire Marsh/EMC    | \$ 65.08     | TABC                          | \$ 56.11     |
| TJPC Div Plcmt    | \$ 2,480.00  | *GEN FUND CREDIT=\$51.85***** |              |
| Dist Court Oper   | \$ 482.53    | Co Court Oper                 | \$ 622.30    |
| Dist Court Reprtr | \$ 110.74    | Road & Bridge Gen             | \$ 697.57    |
| Precinct 1        | \$ 1,709.47  | Precinct 2                    | \$ 7,051.36  |
| Precinct 3        | \$ 8,384.59  | Precinct 4                    | \$ 16,779.54 |
| Public Works      | \$ 535.50    | Adult Prob Oper               | \$ 3,310.96  |
| Adult Prob CSR    | \$ 238.61    | CCE Day Rep Ctr               | \$ 2,317.61  |
| Adult Prob Fac    | \$ 591.24    | County Judge                  | \$ 124.36    |

10511 FITZHUGH TRAILS SUBDIVISION (PCT. 4)

Michael Samford appeared for first, second and third readings on "Fitzhugh Trails" subdivision - 106 lots. Patsy Greiner, Admin. Coord., stated that a water certificate needs to be added to the plat and developer requests a variance on lot size for one lot in the subdivision. Terry Ewald, Health Dept., stated that the small lot has room for a septic tank and water well. A motion was made by Commissioner Rippey, seconded by Commissioner Gonzales to approve "Fitzhugh Trails" subdivision on first, second and third readings and grant variance on lot size as requested. All voting "Aye".

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

  
 G. DON RAINS, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 19TH DAY OF NOVEMBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| RAFAEL GONZALES  | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10512 TERRY MOYNAHAN - WAIVER OF PENALTY & INTEREST ON DELINQUENT TAXES

Terry Moynahan appeared before the Court in reference to waiving of penalty and interest on his delinquent taxes as requested at the last Commissioners' Court meeting - he has determined that the Statute he quoted is current - his address was readily available on his contract of sale recorded in the County Clerk's office. Ruth Clayton, Tax Assessor-Collector, state that she does not have the authority to waive the penalty and interest on delinquent taxes - spoke of long time that has passed for no attempt to pay taxes on this property that was never rendered by him. Commissioner Wayne Ford spoke of responsibility of property owner to render and pay taxes on property - was informed by Judge Claude Lilly that contract of sale states that the Veterans Land Board will be notified of payment of taxes every year - spoke of Mr. Moynahan not fulfilling requirement of the contract. Mr. Moynahan felt like the Statute is current and applies to his request (Penalty & Interest be waived from 1980-1986 Taxes due & Penalty be waived from 1986-1989 Taxes due) - there is a question of "reasonable diligence" in obtaining his address - asked about penalty fees and how they are assessed. Mrs. Clayton explained the Attorney's fee (15% of the Taxes + Penalty + Interest). Commissioner Oran Rippy stated that he felt like Mr. Moynahan has a legitimate claim - when he became aware of the situation he did take action promptly - would be in favor of allowing waiver of penalty and interest. Commissioner Ford stated that the Court could not allow the waiver without finding that the Tax Assessor-Collector did not make a diligent effort to obtain the address of the taxpayer. Discussion was had on how much penalty and interest is involved and whether the P&I could be waived for the period of 1986 to 1989. It was determined that the Penalty & Interest on delinquent taxes for 1980 to 1985 could be waived, however, the remainder could not. A motion was made by Commissioner Rippy, seconded by Commissioner Gonzales to waive Penalty & Interest on the delinquent taxes of Terrance Granville Moynahan ( 10 acres Francis Kelly Survey) for the Tax Period of 1980 through 1985. Commissioner Gonzales and Commissioner Rippy voting "Aye". Commissioner Ford voting "Nay".

10513 APPROVE PROPOSED INSTALLATION OF UTILITY LINE ON COUNTY ROAD #234 (CENTERPOINT ROAD)

A motion was made by Commissioner Gonzales, seconded by Commissioner Ford to grant easement and approve proposal for installation of utility line on County Road 234 (Centerpoint Road). All present voting "Aye".

PARKING AROUND THE COURTHOUSE - DISCUSSION

Bryan Hoot, Maintenance Supervisor, spoke of 2-hour parking limit initiated by the City of San Marcos in the downtown area - parking around the Courthouse square is free and not policed, therefore, business people are parking around the courthouse rather than moving their vehicles every two hours and using courthouse employees parking spaces. Patsy Greiner, Admin. Coord., stated that there are approximately 40 employees at the courthouse - the City has agreed to provide free parking for County employees during the Sights & Sounds of Christmas celebration at designated areas of town. Commissioner Ford suggested entering into an Interlocal Agreement with the City of San Marcos to enforce 2-hour parking around the Courthouse with

employees exempt. Lisa Dvorak, San Marcos Police Dept., spoke of the City having only one employee enforcing the parking regulation - an Agreement would have to be presented to the City Manager and the City Council for approval - spoke of the time involved in marking tires and ticketing every two hours. Rod Ellis, Jail Administrator, spoke of need for additional parking spaces for Law Enforcement Officers - there are presently two spaces - requested at least four spaces be designated. Commissioner Ford stated that the Court would address this issue at the next Commissioners' Court Meeting - Sheriff's Dept. will be responsible for enforcement of these four designated spaces.

RIVER MEADOWS ESTATES SUBD (PCT. 3)

Eddie Gumbert presented "River Meadows Estates" subdivision on second reading - spoke of subdivision ordinance and need for a floodplain study based on preliminary maps - did not feel like a study is required. Terry Ewald, Health Dept., stated that FEMA requires use of preliminary maps upon receipt of them and the floodplain study is required according to these maps. Ed Longcope asked if they are in limbo until a determination is made by FEMA. Mr. Ewald stated that there is an appeal process. Mr. Longcope spoke of his home property - the new maps show him under water - tax base for the County will be lost if variances are not allowed. Terry Ewald stated that floodplain study must be done regardless - the old maps are used only on previously filed subdivisions. Mr. Gumbert insisted that he had spoken to someone at FEMA who indicated that the preliminary maps do not have to be used until they have been adopted. Commissioner Ford stated that the Court would need to see a letter from FEMA stating that it is not required to use the preliminary maps at this time. Mark McManus spoke of hiring an Engineer for studies in the Dripping Springs area. No action taken this date.

10514 MEADOW CREEK RANCH PHASE ONE (PCT. 4)

Mark McManus presented "Meadow Creek Ranch Phase One" subdivision on first and second readings - roads are paved and tests have been done - City of Dripping Springs did not require a Letter of Credit - plat shows water quality zone and water quality buffer zone. Terry Ewald, Health Dept., stated that a flood study was done. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Meadow Creek Ranch Phase One" subdivision on first and second readings. All present voting "Aye".

10515 APPROVE PAYMENT OF COUNTY INVOICES

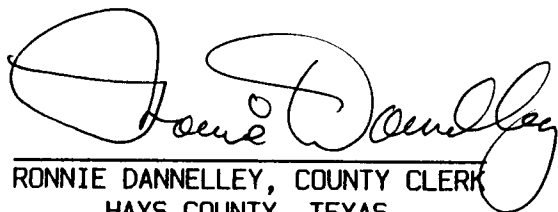
A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County Invoices as presented by the County Auditor in the amount of \$90,409.09. All present voting "Aye".

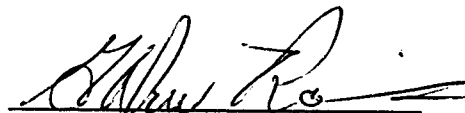
|                   |              |                    |              |
|-------------------|--------------|--------------------|--------------|
| Accts Recvbl      | \$ 13.58     | State Shared Rev   | \$ 93.33     |
| Treasurers Ofc    | \$ 23.99     | Juvenile Prob      | \$ 2,475.97  |
| Election Admin    | \$ 13,263.23 | Indigent Care      | \$ 5,924.78  |
| Transfer Station  | \$ 4,654.50  | Bldg. Maintenance  | \$ 1,474.22  |
| Health Dept.      | \$ 48.20     | Civic Center       | \$ 208.00    |
| Countywide Misc   | \$ 2,700.00  | District Clerk     | \$ 67.90     |
| County Clerk      | \$ 33.90     | Sheriff's Ofc      | \$ 1,812.09  |
| Jail Operations   | \$ 25,731.84 | Admin Coord        | \$ 25.00     |
| District Atty     | \$ 543.61    | J.P. 1-2           | \$ 45.90     |
| J.P. 4            | \$ 15.91     | J.P. 5             | \$ 15.91     |
| DPS               | \$ 38.06     | Constable 2        | \$ 831.39    |
| Constable 3       | \$ 50.00     | Constable 5        | \$ 104.95    |
| Veterans Admin    | \$ 63.38     | Data Proc Admin    | \$ 104.00    |
| TDH TB Grant      | \$ 10.50     | TDH Sanitarian     | \$ 420.00    |
| Foster Child Care | \$ 7,400.00  | **Gen Fund Credit= | \$ 1,075.37* |
| Dist Court Oper   | \$ 925.41    | County Crt Ope     | \$ 20.02     |
| Precinct 1        | \$ 33.53     | Precinct 2         | \$ 3,699.03  |
| Precinct 3        | \$ 539.01    | Precinct 4         | \$ 12,747.83 |
| Hot Check Fee     | \$ 333.45    | Jail Constructn    | \$ 1,438.77  |
| Public Works      | \$ 1,417.16  | Adult Prob Oper    | \$ 1,869.16  |
| Adult Prob Fac    | \$ 214.62    | Animal Control     | \$ 52.33     |



10516 APPROVE MINUTES OF OCTOBER 1990

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the Minutes of October 1990 as presented by the County Clerk. All present voting "Aye".

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 26th DAY OF NOVEMBER, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10517 AUTHORIZE PURCHASE OF COMPUTER HARDWARE AND SOFTWARE FOR ANIMAL CONTROL OFFICER

Danny Dever, Data Processing Administrator, spoke of Animal Control Officer's need for a computer system - ACO will be Kathy Timmons - office will be located at the Sheriff's substation in the Precinct 2 building - need to have a system that is compatible with the current county system - spoke of mapping information, registration records to connect dogs with owners, and generate receipts. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize purchase of computer hardware and software for the Animal Control Officer - approximate cost of \$3,400. All present voting "Aye". Budget to be amended at a later date.

10518 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$49,489.14. All present voting "Aye".

|                 |             |                  |             |
|-----------------|-------------|------------------|-------------|
| Wastewater Fee  | \$ 150.00   | Auditor          | \$ 191.15   |
| Treasurer       | \$ 100.00   | Extension Ofc    | \$ 89.47    |
| Juvenile Prob   | \$ 958.20   | Election Admin   | \$ 1,105.55 |
| Indigent Care   | \$ 150.00   | Transfer Station | \$ 40.98    |
| Bldg. Maint.    | \$ 2,021.00 | Health Dept.     | \$ 37.73    |
| Civic Center    | \$ 197.70   | Countywide Misc  | \$ 6,624.57 |
| Tax A/C         | \$ 15.99    | District Clerk   | \$ 356.25   |
| County Clerk    | \$ 2,792.69 | Sheriff          | \$ 369.32   |
| Jail Operations | \$ 1,930.34 | Admin Coord      | \$ 17.43    |
| District Atty.  | \$ 158.00   | J.P. 2           | \$ 22.49    |
| J.P. 3          | \$ 60.12    | J.P. 4           | \$ 62.19    |
| J.P. 5          | \$ 48.95    | DPS              | \$ 200.79   |
| Constable 1     | \$ 89.40    | Constable 2      | \$ 81.97    |
| Constable 3     | \$ 34.09    | Constable 5      | \$ 229.19   |

TDH TB Grant \$ 150.00  
 TABC \$ 89.40  
 Dist Court Oper \$ 3,391.63  
 R&B General \$ 846.38  
 Precinct 2 \$ 2,037.02  
 Precinct 4 \$ 1,283.53  
 Adult Prob Oper \$ 2,964.67  
 Adult Prob Fac \$ 319.18

TDH M&C Care Grnt \$ 326.90  
 \*GEN FUND CREDIT=\$ 2.98\*\*\*\*\*  
 Co Court Oper \$ 396.60  
 Precinct 1 \$ 14,217.74  
 Precinct 3 \$ 1,599.12  
 Hot Check Fee \$ 35.95  
 CCE Day Rep CTR \$ 3,698.44

10519 APPROVE HOLIDAYS 1990-1991

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve County Holidays for 1990-1991 as presented. All present voting "Aye".

\*HAYS COUNTY HOLIDAYS FOR 1991\*

NEW YEAR'S.....MON DEC 31, 1990  
 TUE JAN 1, 1991  
 PRESIDENT'S DAY.....MON FEB 18, 1991  
 GOOD FRIDAY.....FRI MAR 29, 1991  
 MEMORIAL DAY.....MON MAY 27, 1991  
 INDEPENDENCE DAY.....THU JUL 4, 1991  
 LABOR DAY.....MON SEP 2, 1991  
 COLUMBUS DAY.....MON OCT 14, 1991  
 VETERAN'S DAY.....MON NOV 11, 1991  
 THANKSGIVING.....THU NOV 28, 1991  
 FRI NOV 29, 1991  
 CHRISTMAS.....TUE DEC 24, 1991  
 WED DEC 25, 1991

HOLIDAYS FOR 1991 APPROVED THIS THE 26TH DAY OF NOVEMBER, 1990.

s/ G. Don Rains  
G. DON RAINS, COUNTY JUDGE

COMMISSIONER, PCT. #1 - ABSENT

s/ Wayne Ford  
COMMISSIONER, PCT. #2

COMMISSIONER, PCT. #3 - ABSENT

s/ Oran Hill Rippy  
COMMISSIONER, PCT. #4

10520 SET MINIMUM FINES FOR ANIMAL CONTROL ORDINANCE

Commissioner Wayne Ford spoke of violations being a "Class C" misdemeanor filed in J.P. Courts - Commissioners' Court needs to set a minimum fine to be allowed - felt like \$25.00 would be an appropriate minimum fine. Sheriff Paul Hastings spoke of violations - it will be at the discretion of the ACD to issue a citation - there must be a complaint filed or an investigation in order to assess a fine. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to set a minimum fine of \$25.00 for violations of the Animal Control Ordinance. All present voting "Aye".

10521 DESIGNATE FOUR PARKING SPACES FOR LAW ENFORCEMENT USE ONLY AT THE COURTHOUSE ON HOPKINS STREET

Sheriff Paul Hastings spoke of need for two parking spaces to be designated for prisoner loading and unloading only - need to be highly restricted and towaway enforced. Ronnie Dannelley, County Clerk, spoke of need for a loading/unloading space at all times on the Hopkins Street side of the Courthouse. Commissioner Ford spoke of designating specific hours for enforcement - felt like spaces for prisoner transfer would be empty most of the time. A motion was made by Commissioner Ford,

seconded by Commissioner Rippy to designate four parking space at the courthouse on Hopkins Street for "Law Enforcement Use Only" - to be regulated by the Sheriff. All present voting "Aye".

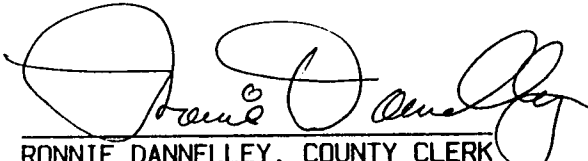
RIVER MEADOWS ESTATES - COUNTY ROAD 178 ABANDONMENT/NEW CR 178


No one was present - Patsy Greiner, Administrative Coordinator, spoke - from what she understood there is a need to abandon the old County Road 178 and accept the new location. County Clerk Deputy Linda Fritsche to research records to see what is needed before the Court takes any action concerning this matter.

10522 MEADOW CREEK RANCH PHASE I (LOTS 1-50) - THIRD READING W/VARIANCE

Mark McManus appeared for third reading on "Meadow Creek Ranch Phase I" subdivision - the City of Dripping Springs has approved the road construction - the roads are built and the City of Dripping Springs' Engineer has made inspections - submitted a request for variance on the Letter of Credit signed by Brady Lowe. Commissioner Ford stated that he would like to see documentation that the City of Dripping Springs has approved the roads. Commissioner Rippy stated that he felt like a letter of credit is not required if the roads have already been completed - the Court cannot require a maintenance bond to be held for one year - Court has the option of accepting the roads after the one year period. Judge Rains spoke of possibility that the roads might deteriorate and the Developer has sold off all the lots and cannot be located - who will fix the roads?. Mark McManus stated that the Home Owners Association or any person who owns a majority of the lots would be responsible for road maintenance - he reiterated that roads are built to specs and were certified by two Engineers. Patsy Greiner spoke of Lot 51 on the plat which is a replat of Lot 543 of Sunset Canyon Subdivision. Mr. McManus stated that this lot is on the plat because of need for Public Utility Easement for service to the subdivision. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept "Meadow Creek Ranch Phase I" subdivision for third reading and grant variance of Letter of Credit. All present voting "Aye". Commissioner Ford requested that future Phases of the subdivision submit a Letter of Credit.

Court was adjourned until December 3, 1990 at 9:00 A.M.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
G. DON RAINS, COUNTY JUDGE  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 3RD DAY OF DECEMBER, A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| G. DON RAINS     | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**QUITCLAIMING RIGHT-OF-WAY TO CLIFF CASKEY**

Patsy Greiner, Admin. Coord., spoke of auction that was held in 1988 concerning county property adjoining Cliff Caskey - part of his residence extends into county road right of way at a cul-de-sac - Commissioner Gonzales held an auction on property which Mr. Caskey had obtained a survey - next step is to issue a quitclaim deed to the property. Commissioner Payne felt like a warranty deed would be more appropriate than a quitclaim deed. Discussion was had on whether Mr. Caskey had made payment to the County for the property - no action was taken until payment is verified.

**10523 RESCHEDULE DECEMBER MEETINGS**

Judge Rains spoke of need to reschedule some of the meeting in December - several Commissioners will not be available on Dec. 17th and there will be the Christmas holidays on Dec. 24th & 25th - suggested that meetings be held on December 10 and the last meeting for 1990 be held December 21st.  
 A motion was made by Commissioner Payne, seconded by Commissioner Ford to schedule Commissioners' Court meeting for remainder of 1990 - meetings to be held December 10, 1990 and December 21, 1990. All present voting "Aye".

**10524 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Wayne Ford, seconded by Commissioner Craig Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$76,618.74. All present voting "Aye".

|                       |              |                   |             |
|-----------------------|--------------|-------------------|-------------|
| Refunds               | \$ 194.00    | Auditor           | \$ 327.05   |
| Treasurer             | \$ 59.64     | Juvenile Prob     | \$ 204.40   |
| Indigent Care         | \$ 350.00    | Bldg. Maint.      | \$ 600.72   |
| Countywide Misc.      | \$ 45,282.11 | Dist. Clerk       | \$ 60.03    |
| County Clerk          | \$ 283.00    | Sheriff           | \$ 1,327.81 |
| Jail Operations       | \$ 8,162.43  | Co Crt @ Law 1    | \$ 145.00   |
| Dist. Atty.           | \$ 525.58    | J.P. 1-1          | \$ 400.00   |
| J.P. 1-2              | \$ 10.15     | J.P. 2            | \$ 350.00   |
| J.P. 3                | \$ 300.00    | J.P. 4            | \$ 250.00   |
| J.P. 5                | \$ 100.00    | D.P.S.            | \$ 410.00   |
| Constable 3           | \$ 144.05    | Constable 5       | \$ 1,016.73 |
| Data Proc Admin       | \$ 935.35    | Foster Child Care | \$ 30.00    |
| **Gen Fund Credit =   | \$ 121.35**  | Dist Crt Oper     | \$ 266.00   |
| Co Court Oper         | \$ 1,590.00  | Precinct 1        | \$ 232.67   |
| Precinct 2            | \$ 288.43    | Precinct 3        | \$ 5,712.44 |
| Precinct 4            | \$ 379.14    | Hot Check Fee     | \$ 115.90   |
| Law Library           | \$ 45.00     | Public Works      | \$ 620.00   |
| Adult Prob Oper       | \$ 2,137.05  | CCE Day Rep Ctr   | \$ 3,073.89 |
| **Adult Prob Credit = | \$60.14**    | Adult Prob Fac    | \$ 871.66   |

10525 AUTHORIZE PURCHASE OF A FOUR-DRAWER LEGAL FILE CABINET FOR ANIMAL CONTROL OFFICE

County Auditor Bill Herzog spoke of request for a file cabinet for the Animal Control Office - \$167.00 to come out of operating expense of this department. A motion was made by Commissioner Ford, seconded by Judge Rains to authorize purchase of a four-drawer legal file cabinet for the Animal Control Office. All present voting "Aye".

10526 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR TEN (10) NEW AUTOMOBILES FOR THE SHERIFF'S DEPARTMENT

Chief Deputy Sherman Brodbeck requested replacement vehicles for the Sheriff's Department - they presently have 15 units with excessive mileage. Commissioner Craig Payne spoke of bid specs. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to advertise for bids for ten (10) new automobiles for the Sheriff's Department. Commissioner Rippy spoke of concerns about funding. Bill Herzog, Auditor, stated that the money is not budgeted and cost will be approximately \$130,000. Commissioner Payne suggested bidding with a lease option and alternate financing. All present voting "Aye".

10527 CERTIFY 1990 AD VALOREM TAX ROLLS

Ruth Clayton, Tax Assessor-Collector, requested certification of 1990 Ad Valorem Tax Rolls. A motion was made by Commissioner Wayne Ford, seconded by Commissioner Craig Payne to certify the 1990 Ad Valorem Tax Rolls as presented by the Hays County Tax Assessor-Collector. All present voting "Aye".

STATE OF TEXAS \*  
COUNTY OF HAYS \*

The Hays County Commissioners Court of Hays County hereby certifies the 1990 Ad Valorem Tax Rolls containing:

|                                                     |                                                                  |
|-----------------------------------------------------|------------------------------------------------------------------|
| County Tax Rate = 28.390 cents<br>(per \$100 value) | Taxable Value = 1,848,508,321.00<br>Total Tax Levy= 5,247,929.21 |
| Special Road Rate = 7.49 cents                      | Taxable Value = 1,826,978,041.00<br>Total Tax Levy= 1,368,433.10 |

Approved in open Court this 3rd day of December, 1990.

|                         |               |
|-------------------------|---------------|
| s/G. Don Rains _____    | County Judge  |
| Absent _____            | Com: Prec't 1 |
| s/Wayne Ford _____      | Com: Prec't 2 |
| s/Craig Payne _____     | Com: Prec't 3 |
| s/Oran Hill Rippy _____ | Com: Prec't 4 |

HAYS COUNTY HISTORICAL COMMISSION - ANNUAL REPORT

Hays County Historical Commission Chairman Frances Stovall gave annual report - spoke of achievements and projects currently underway - spoke of expenses = \$2,647.23 for 1990 with County contributing \$300.00 - spoke of need for additional funding. Judge Don Rains commended the Historical Commission members for their contributions to the community.

10528 APPOINT CERTIFIED LOCAL GOVERNMENT COMMISSION (HAYS COUNTY HISTORICAL COMMISSION)

Frances Stovall, Hays County Historical Commission, spoke of need for a Hays County Certified Local Government Commission in order to be eligible for grants. Lila Stilson, new HCHC member, explained the "Certified Local Government Commission" which allows more direct representation for Federal funds (50/50 grants) - Nueces County is the only other Texas County to have this Commission. County Auditor Bill Herzog spoke of HCHC funds - they need to be processed through the County since the Historical Commission is a county department. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to appoint Nelson Davidson, Barbara Young, Lila Stilson, Terry Jacobs, Clair Smullen, Frances Stovall and Patsy Greiner as the "Certified Local Government Commission" for the Hays County Historical Commission. All present voting "Aye".

10529 ADOPT A RESOLUTION ENDORSING THE HAYS COUNTY HISTORICAL COMMISSION AS THE OLD SAN ANTONIO ROAD/CAMINO REAL TRICENTENNIAL COMMITTEE

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt resolution endorsing the Hays County Historical Commission as the Old San Antonio Road/Camino Real Tricentennial Committee. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, ENDORSING THE HAYS COUNTY HISTORICAL COMMISSION AS THE OLD SAN ANTONIO ROAD/CAMINO REAL TRICENTENNIAL COMMITTEE

WHEREAS, the Hays County Historical Commission will prepare a plan for count celebration of the OSAR Tricentennial in 1991; and

WHEREAS, this County Plan will be submitted to OSAR in Austin to be enrolled as an official OSAR Tricentennial Committee with use of the State-sanctioned logo; and

WHEREAS, the County Committee will plan projects to celebrate the County's past that insure participation by all segments of the County; and

WHEREAS, the County Committee will sanction activities of county groups and serve as official point of contact with the commission in Austin and notify the Texas Historical Commission of county-wide events for calendars; and

WHEREAS, the OSAR Tricentennial Caravan may be invited to stop in or near San Marcos; and

WHEREAS, the Highway Department map specifically defines San Marcos de Neve locates within large acreage of the Baugh Ranch from the Camino Real (CR 266); and

WHEREAS, the County is qualified for this designation due to community awareness through newspaper reports of assistance to the State Highway Department archeologist in searching for San Marcos de Neve, through location of the 1989 Heritage Tour, and through a projected study club meeting at a location on the Camino Real;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

The Commissioners' Court of Hays County, Texas endorses the Hays County Historical Commission as the Old San Antonio Road/Camino Real Tricentennial Committee for Hays County



10531 CENTRAL APPRAISAL DISTRICT REVIEW BOARD - NOMINATION

Commissioner Craig Payne spoke of CAD Review Board member Marie Balke - she has served the maximum time allowed on this board and a replacement is needed. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to nominate Don Carr to replace Marie Balke on the Central Appraisal District Review Board. All present voting "Aye".

10532 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$92,809.09. All present voting "Aye".

|                               |    |           |                   |    |          |
|-------------------------------|----|-----------|-------------------|----|----------|
| Auditor                       | \$ | 102.48    | Treasurer         | \$ | 154.12   |
| Extension Ofc                 | \$ | 130.11    | Juv Prob Ofc      | \$ | 94.02    |
| Election Admin                | \$ | 73.04     | Transfer Station  | \$ | 35.13    |
| Bldg. Maint.                  | \$ | 4,322.19  | Health Dept.      | \$ | 346.11   |
| Civic Center                  | \$ | 3,319.34  | Countywide Misc.  | \$ | 8,321.51 |
| Tax A/C                       | \$ | 333.74    | Dist. Clerk       | \$ | 126.62   |
| County Clerk                  | \$ | 70.16     | Sheriff's Ofc.    | \$ | 1,275.55 |
| Jail Operations               | \$ | 32,068.75 | County Judge      | \$ | 54.73    |
| Admin. Coord.                 | \$ | 43.90     | Co Crt @ Law #1   | \$ | 238.60   |
| District Atty.                | \$ | 535.04    | J.P. 1-1          | \$ | 84.65    |
| J. P. 1-2                     | \$ | 60.93     | J. P. 2           | \$ | 245.38   |
| J. P. 5                       | \$ | 96.07     | D.P.S.            | \$ | 733.40   |
| Constable 1                   | \$ | 110.89    | Constable 2       | \$ | 644.40   |
| Constable 5                   | \$ | 270.27    | Veterans Admin    | \$ | 15.97    |
| Data Proc Admin               | \$ | 15,986.29 | Co Crt @ Law #2   | \$ | 15.72    |
| TDH TB Grant                  | \$ | 49.88     | TDH Sanit. Grant  | \$ | 65.00    |
| TDH M&C Care Grnt             | \$ | 800.00    | Fire Marshal/EMC  | \$ | 28.24    |
| TABC                          | \$ | 43.52     | TJPC ISP Grant    | \$ | 30.89    |
| **GEN FUND CREDIT = \$31.30** |    |           | Dist. Crt Oper    | \$ | 1,647.78 |
| Dist. Crt Rep                 | \$ | 59.49     | R&B General Fund  | \$ | 28.49    |
| Precinct 1                    | \$ | 6,528.70  | Precinct 2        | \$ | 4,813.29 |
| Precinct 3                    | \$ | 176.28    | Precinct 4        | \$ | 2,577.40 |
| Hot Check Fee                 | \$ | 399.05    | Public Works Fund | \$ | 607.50   |
| Sheriffs Drug Forf\$          | \$ | 346.30    | Adult Prob Oper   | \$ | 3,279.40 |
| Adult Prob CSR                | \$ | 217.20    | Adult Prob CCE    | \$ | 1,079.10 |
| Adult Prob Fac                | \$ | 143.77    | Animal Control    | \$ | 10.00    |

Commissioner Payne spoke of Pct. #1 invoices - who is authorized to approve invoices in the absence of Commissioner Gonzales. County Auditor Bill Herzog felt like the Precinct Foreman "Joe Paul" should be the one authorized to approve invoices since he is aware of current projects.

HAYS COUNTY HISTORICAL COMMISSION - REQUEST FOR ADDITIONAL FUNDING

Frances Stovall, Hays County Historical Commission Chairman, appeared before the Court and spoke of expenses and donations for various projects - HCHC members have had to come up with expenses for postage, newsletter printing, brochure, notecards, envelopes, etc. in the amount of \$2,647.23 in 1990 with Hays County budgeting only \$300 - request that Hays County approve funding of \$2,500 for 1991 to cover these expenses. Commissioner Craig Payne spoke of county revenues being down - there is only \$13,000 in contingencies and we are only 1/4 into the FY91 budget year. Commissioner Wayne Ford spoke of HCHC being a county department and asked if they were in compliance with the law as are all other departments of the county - all funds should go through the county auditor's office. Mrs. Stovall spoke of private funds that are being used for specific projects - it is their intent to go through the Auditor's office as projects are funded. County Auditor Bill Herzog stated that funding for FY91 for the HCHC is \$400 for operating expenses and \$100 for postage. Commissioner Ford explained expenses paid as a department of the county - Court is not ready to make a decision today - suggested that Mrs. Stovall get with the County Auditor to make sure that funds are being handled according to the Law.



10533 INDIGENT HEALTH CARE - AUTHORIZE FUNDING FOR PROSTHETIC DEVICE FOR INELIGIBLE INDIGENT APPLICANT

Eva Cruz, Indigent Health Care Coordinator, spoke of a 54 year old man who is in need of a prosthesis - he is currently receiving Medicaid which makes him ineligible for indigent health care without authorization by the Commissioners' Court - Medicaid will not pay for a prosthesis - several organizations have made commitments leaving a balance of \$700. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize Indigent Health Care funding in the amount of \$700.00 for a prosthetic device for an ineligible indigent applicant. All present voting "Aye". Commissioner Wayne Ford commended Eva Cruz for her administration of Indigent Health Care and her ability to obtain funds from other sources when possible.

10534 ADOPT RESOLUTION QUITCLAIMING RIGHT-OF-WAY TO CLIFF CASKEY

Cliff Caskey appeared before the Court - a dedication deed for roadway purposes was filed and as it turns out the cul-de-sac easement ended up 18" onto his backporch - an auction was held (no notice was published) and it was then determined that an auction was not necessary since only an easement was involved - \$300 was spent to have property re-surveyed - requested that the Court adopt a resolution abandoning r-o-w and executing a quitclaim deed. Commissioner Ford spoke of the Law requiring deed property to be auctioned and right-of-way easement can be quitclaimed. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution authorizing the release and abandonment of r-o-w and directing the county Judge to execute and delive a quitclaim deed relinquishing right-of-way to Clifford Caskey and wife Sylvia Caskey. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, AUTHORIZING THE RELEASE AND ABANDONMENT OF A RIGHT-OF-WAY OUT OF THE REBECCA BROWN SURVEY, AND DIRECTING THE COUNTY JUDGE TO EXECUTE AND DELIVER A QUITCLAIM DEED RELINQUISHING ALL RIGHT, TITLE AND INTEREST OF HAYS COUNTY IN SAID RIGHT-OF-WAY TO CLIFFORD CASKEY, AND WIFE, SYLVIA CASKEY

WHEREAS, a Dedication Deed on file in the Hays County Deed Records conveys property owned by Clifford Caskey and wife, Sylvia Caskey, to Hays County for use for County roadway purposes, said right-of-way more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated by reference herein, measuring approximately 125 feet in length and 50 feet in width, such right-o-fway being hereafter referred to as the "Right-of-Way"; and

WHEREAS, neither the property description or any other plat, map or document or record in the County Clerk's Office of Hays County, declares that the Right-of-Way was ever dedicated to public use or developed for County roadway purposes; and

WHEREAS, no property owner other than Clifford Caskey and wife, Sylvia Caskey, utilizes this property for ingress or egress purposes as said Right-of-Way stubs out in the middle of the Caskey property; and

WHEREAS, the Right-of-Way now impairs title to said Caskey property; and

WHEREAS, the Right-of-Way has not been improved in any manner and is not presently being used as an egress or ingress easement by the public or any person or persons pursuant to a private right-of-way easement; and

WHEREAS, there is no present or foreseeable need for the Right-of-Way to provide access to any lots or property in the area; and

WHEREAS, Clifford Caskey and wife, Sylvia Caskey, have petitioned the Commissioners' Court of Hays County, Texas, for the abandonment and vacation of the Right-of-Way;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

The Right-of-Way as described in Exhibit "A" attached hereto be, and it is hereby abandoned, vacated, discontinued and closed as a public right-of-way in Hays County, Texas; and the County of Hays relinquishes all right, title and interest of Hays County in any of the Right-of-Way to Clifford Caskey and wife, Sylvia Caskey,; and further that the County Judge of Hays County is hereby authorized, empowered and directed to execute and deliver a quitclaim deed to Clifford Caskey and wife, Sylvia Caskey, effecting such relinquishment, such instrument to be executed in due and usual form.

RESOLUTION PASSED AND ADOPTED ON THIS 10th DAY OF DECEMBER, 1990. TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

ABSENT

ABSENT  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:  
s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

EXHIBIT "A"

DESCRIPTION OF 0.15 ACRES, MORE OR LESS, OF LAND AREA IN REBECCA BROWN SURVEY, HAYS COUNTY, TEXAS BEING A PORTION OF THAT 10.00 ACRE TRACT DESCRIBED IN A DEED FROM ROBERT L. BOYD TO CLIFFORD L. CASKEY, ET UX DATED JUNE 9, 1977 AND RECORDED IN VOLUME 298, PAGE 539 OF THE HAYS COUNTY DEED RECORDS AND ALSO BEING A PORTION OF 50 FOOT ROAD EASEMENT DESCRIBED IN A DEED FROM GARY G. RAUSCH, ET AL TO HAYS COUNTY DATED MAY 30, 1984 AND RECORDED IN VOLUME 481, PAGE 791 OF THE HAYS COUNTY REAL PROPERTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2" iron rod found for the north corner of the Caskey 10.00 acre tract and this tract, being in the northeast line of the 50 foot road easement;

THENCE with the northeast line of the Caskey tract and the road easement S 42 38' E 125.21 feet to 60d nail set at the southeast end of the road easement for east corner of this tract;

THENCE entering the Caskey tract with the southeast end of the road easement S 47 22' W 50.00 feet to a 60d nail set for the south corner of this tract;

THENCE with the southwest line of the road easement N 42 38' W 141.12 feet to a 60d nail set for the west corner of this tract at the intersection of the southwest line of the road easement and the northwest line of the Caskey tract;

THENCE crossing the road easement with the northwest line of the Caskey N 65 01' E 52.47 feet to the PLACE OF BEGINNING. There are contained within these metes and bounds 0.15 acres, more or less, of land area as prepared from public records and a survey made on the ground during October, 1988 by Byrn & Associates, Inc. of San Marcos, Texas.

10535 JUSTICE OF THE PEACE PCT. #3 - REQUEST FOR FULLTIME CLERK AND ADDITIONAL OFFICE SPACE

J.P. Pct. #3 Elect Jim Stowe appeared before the Court - spoke of need for a fulltime clerk - his goal is to combine the offices of the J.P., Constable, Sheriff's Dept. and Commissioner in Precinct #3 in order to provide full service to this community - submitted budget comparison of all J.P. offices in the County - request additional \$5,604 for a fulltime clerk - spoke of renting office space that would house J.P. #3, Constable #3, Sheriff's Deputy and Commissioner #3 - current office space is not adequate. Commissioner Payne spoke of funding and current revenues - difficult to budget additional funds based on revenues. Mr. Stowe felt like more revenues will be generated and more service to the community once he takes office in January. Commissioner Payne requested that the fulltime clerical job be advertised - concerned about where funds will come from - spoke of 35 or 40 hour work week. Commissioner Rippy spoke - need to let the J.P. get established before hiring a fulltime clerk - spoke of taxpayers wanting the Court to hold expenses down. Commissioner Ford spoke of shortfalls that will come up this Fiscal Year - felt like all J.P.'s need at least one fulltime clerk.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize a fulltime clerk for Justice of the Peace Pct. #3 to be effective January 1, 1991. Commissioner Ford and Commissioner Payne voting "Aye". Commissioner Rippy voting "Nay".

Commissioner Payne spoke of office space for J.P. et al. Jim Stowe stated that the current office space has no privacy and the Sheriff requests that offices be combined - concerned about locations suggested by Commissioner Payne (parking and location to far out of town). Commissioner Payne spoke of a location across from the bowling alley that has eight offices and a storage area - rent would increase \$300 per month. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize renting office space across from the bowling alley from Mike Lowe for \$600 per month for a nine month period beginning January 1, 1991. All present voting "Aye".

10536 PROPOSAL FROM GENERAL TELEPHONE CO. FOR USE OF COUNTY RIGHT-OF-WAY ON YARRINGTON ROAD

A motion was made by Commissioner Wayne Ford, seconded by Commissioner Dran Rippy to approve proposal for use of County right-of-way on Yarrington Road for installation of telephone conduit with usual county stipulations. All present voting "Aye".

10537 HERITAGE OAKS SUBDIVISION LOT 54 - REVISE EASEMENT (PUBLIC HEARING)

New owner of Lot 54 Michael Von Schnackenberg appeared before the Court - Randy Hutto was the previous owner - drainage easement on plat does not correspond with creekbed. Patsy Greiner, Admin. Coord., stated that the drainage easement needs to be amended to follow the centerline of the creek. Commissioner Payne opened the public hearing and asked for public input. Mr. Von Schnackenberg spoke in favor of revising the easement - it is his understanding that the easement is there in case the County needs to clean out the drainage easement because of flooding. Commissioner Payne closed the public hearing. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve revision of drainage easement on Lot 54 of Heritage Oaks Subdivision with revised plat to be filed in the County Clerk's office. All present voting "Aye".

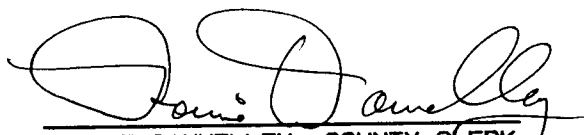
10538 FITZHUGH PLACE PHASE TWO - VACATE PLAT

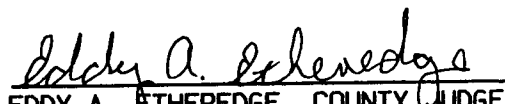
Attorney Gary Greif appeared before the Court representing the property owners which are the developers - no lots were sold in this subdivision - Law requires notification of property owners in subdivision before vacating the plat - owners have been notified by certified mail. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to vacate plat of "Fitzhugh Place Phase 2" (recorded in Volume 4 Page 392 Plat Records of Hays County, Texas). All present voting "Aye".

ITEM NOT ON AGENDA - DISCUSSION ONLY (MAINTENANCE DEPT.)

Bryan Hoot, Maintenance Supervisor, spoke of renovation project at the Courthouse Annex on the third floor being done for the Hays County Historical Commission - Mrs. Stovall has requested that change be made in the material being used for the wainscoting - would cost approximately \$500 for materials - Mrs. Stovall feels like refurbishing needs to be more authentic historically - Bryan advised that it would not match with Juvenile Probation office. Court advised Mr. Hoot to proceed with change requested by Mrs. Stovall. No additional funds will be needed.

Minutes approved in open Court on the 14th day of January, 1991.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

\*\*\*\*\*000\*\*\*\*\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 21ST DAY OF DECEMBER , A.D., 1990, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

G. DON RAINS COUNTY JUDGE  
WAYNE FORD COMMISSIONER, PRECINCT #2  
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3  
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BONNIE GEORGE RE: CONSTABLE #3 DON AMERSON

This item was not on the agenda, however, Mrs. George was allowed to speak to the Court. Bonnie George spoke of a situation involving a house being moved and taking up both lanes of traffic in the Wimberley area - she was run off the road by this vehicle that was traveling at a high rate of speed - was concerned about someone being injured or killed. Mrs. George stated that she stopped at Constable Don Amerson's office and explained the situation - she felt like there should have been a police escort - she requested that Constable Amerson check out the situation and he said there was nothing he could do and he did nothing - she eventually notified the Sheriff's Department that stated they would have the situation checked out. Mrs. George stated her displeasure with the response from Mr. Amerson.

10539 APPROVE MINUTES OF NOVEMBER 1990

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve Minutes of November 1990 as presented by the County Clerk. All present voting "Aye".

10540 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$220,444.72. County Auditor Bill Herzog spoke of line items that will be going over their budgeted amounts. All present voting "Aye".

|                  |    |          |               |    |          |
|------------------|----|----------|---------------|----|----------|
| Gas Service      | \$ | 75.27    | Auditor       | \$ | 589.10   |
| Treasurer        | \$ | 340.00   | Extension Dfc | \$ | 198.00   |
| Judicial & Law   | \$ | 1,205.30 | Juvenile Prob | \$ | 3,256.99 |
| Election Admin   | \$ | 1,123.23 | Indigent Care | \$ | 8,726.32 |
| Transfer Station | \$ | 3,905.48 | Bldg. Maint.  | \$ | 2,776.29 |

|                   |              |                   |              |
|-------------------|--------------|-------------------|--------------|
| Health Dept.      | \$ 51.51     | Civic Center      | \$ 693.66    |
| Countywide Misc.  | \$ 70,023.97 | Tax A/C           | \$ 928.65    |
| District Clerk    | \$ 542.96    | County Clerk      | \$ 220.85    |
| Sheriff's Ofc     | \$ 4,206.89  | Jail Operations   | \$ 31,572.47 |
| County Judge      | \$ 227.81    | District Atty.    | \$ 437.95    |
| J.P. 1-2          | \$ 30.00     | J.P. 4            | \$ 44.01     |
| J.P. 5            | \$ 267.15    | D.P.S.            | \$ 532.26    |
| Constable 1       | \$ 103.36    | Constable 3       | \$ 162.40    |
| Constable 4       | \$ 32.20     | Constable 5       | \$ 199.60    |
| Veterans Admin    | \$ 25.83     | Data Proc Admin   | \$ 36.66     |
| Co Crt @ Law 2    | \$ 72.75     | TDH TB Grant      | \$ 106.50    |
| Foster Child Care | \$ 8,891.00  | In Home Spec Grnt | \$ 178.86    |
| TDH M&C Care Grnt | \$ 12.81     | TJPC Div Plcmt    | \$ 2,360.00  |
| **Gen Fund Credit | \$ 493.49*** | Dist Court Oper   | \$ 7,068.37  |
| County Court Oper | \$ 964.23    | Road & Bridge Gen | \$ 361.18    |
| Precinct #1       | \$ 5,090.39  | Precinct #2       | \$ 16,143.12 |
| Precinct #3       | \$ 9,310.46  | Precinct #4       | \$ 11,348.28 |
| Hot Check Fee     | \$ 43.20     | Law Library       | \$ 61.42     |
| Springlake Rd     | \$ 351.29    | Public Works      | \$ 10,225.00 |
| Pioneer Rd Dist   | \$ 30.94     | D.A.'s Drug Forf  | \$ 922.25    |
| Adult Prob Oper   | \$ 6,813.42  | Adult Prob CSR    | \$ 32.51     |
| Adult Prob CCE    | \$ 6,107.63  | Adult Prob Fac    | \$ 1,620.63  |
| Animal Control    | \$ 285.80    |                   |              |

10541 APPROVE TREASURERS REPORTS FOR OCTOBER & NOVEMBER 1990

A motion was made by Judge Rains, seconded by Commissioner Payne to approve Treasurer's reports for October and November 1990. All present voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
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 COUNTY OF HAYS \*

On this the 21ST day of DECEMBER, 1990, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Months of OCT & NOV, 1990 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ G. Don Rains  
 COUNTY JUDGE

absent  
 COMMISSIONER, PRECINCT 1

s/ Wayne Ford  
 COMMISSIONER, PRECINCT 2

s/ Craig Payne  
 COMMISSIONER, PRECINCT 3

absent  
 COMMISSIONER, PRECINCT 4

ATTEST:

s/ Ronnie Dannelley  
 HAYS COUNTY CLERK

County of Hays  
Summary of Receipts and Disbursements  
For the Period October 1990

|                                         | General      | Jury      | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |  |
|-----------------------------------------|--------------|-----------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|--|
| <b>Checking</b>                         |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 10/1/90                      | 153,581.88   | 59,586.08 | 51,114.87        | 5,890.23          | 4,490.37          | 56,091.21         | 62,463.39         | 393,218.03     |  |
| Money Market Interest                   | 897.76       |           |                  |                   |                   |                   | 14,555.15         | 897.76         |  |
| Deposits (receipts)                     | 871,423.22   | 1,586.58  | 12,732.14        | 30,020.04         | 34,629.22         | 11,037.42         | 63,947.87         | 975,983.77     |  |
| Disbursements (Claims)                  | 1,014,098.34 | 44,302.31 | 52,459.35        | 28,618.88         | 31,012.97         | 44,543.28         | 13,070.67         | 1,278,983.00   |  |
| <b>Total</b>                            | 11,804.52    | 16,870.35 | 11,387.66        | 7,291.39          | 8,106.62          | 22,585.35         |                   | 91,116.56      |  |
| <b>Certificates of Deposit</b>          |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 10/1/90                      | 1,400,000.00 | -0-       | -0-              | -0-               | -0-               | -0-               | -0-               | 1,400,000.00   |  |
| <b>New C. D. 's</b>                     |              |           |                  |                   |                   |                   |                   |                |  |
| Matured C. D.'s transferred to Checking | 200,000.00   | -0-       | -0-              | -0-               | -0-               | -0-               | 25,000.00         | 200,000.00     |  |
| <b>Total</b>                            | 1,200,000.00 | -0-       | -0-              | -0-               | -0-               | 25,000.00         |                   | 1,245,000.00   |  |
| <hr/>                                   |              |           |                  |                   |                   |                   |                   |                |  |
| <b>Checking</b>                         |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 10/1/90                      | 15,585.17    | 2,701.29  | 6,915.09         | 106.68            | 85,783.13         | 29,180.27         | 19,939.87         | 497.52         |  |
| Money Market Interest                   |              |           |                  |                   | 400.55            | 138.51            | 86.54             |                |  |
| Deposits (receipts)                     | 193.32       | 3,168.24  | 860.00           |                   |                   |                   |                   |                |  |
| Disbursements (Claims)                  | 572.70       | 2,708.46  | 1,148.97         | 126.68            | 2,093.10          | 29,318.78         | 6,728.17          | 497.52         |  |
| <b>Total</b>                            | 15,205.79    | 3,161.07  | 6,626.12         | 126.68            | 84,090.58         | 29,318.78         | 13,298.24         |                |  |
| <b>Certificates of Deposit</b>          |              |           |                  |                   |                   |                   |                   |                |  |
| Balance on 10/1/90                      | 30,000.00    | -0-       | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 250,000.00        | -0-            |  |
| <b>New C. D. 's</b>                     |              |           |                  |                   |                   |                   |                   |                |  |
| Matured C. D.'s transferred to Checking | 30,000.00    | -0-       | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 250,000.00        | -0-            |  |
| <b>Total</b>                            | 30,000.00    | -0-       | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 250,000.00        | -0-            |  |

**Temporary Transfers:**  
 #14-90 From R&B Gen. to Pct. 1 \$10,000.00 #16-90 From R&B Gen. to Pct. 1 \$10,000.00  
 #15-90 From R&B Gen. to Pct. 2 \$10,000.00 #17-90 From R&B Gen. to Pct. 2 \$10,000.00

*Dorothy P. Sims*  
 Dorothy P. Sims, County Treasurer



County of Bays  
Summary of Receipts and Disbursements  
For the Period November 1990

|                                            | General      | Jury      | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |
|--------------------------------------------|--------------|-----------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|
| Checking Balance on 11/1/90                | 11,804.52    | 16,870.35 | 11,387.66        | 7,291.39          | 8,106.62          | 22,585.35         | 13,070.67         | 91,116.56      |
| Money Market Interest                      | 919.97       |           |                  |                   |                   |                   |                   | 919.97         |
| Deposits (receipts)                        | 1,382,357.93 | 21,093.68 | 9,339.00         | 27,368.59         | 30,012.64         | 38,666.79         | 42,983.48         | 1,551,822.11   |
| Disbursements (Claims)                     | 1,233,695.13 | 27,934.56 | 18,889.81        | 32,855.17         | 35,746.50         | 22,980.98         | 49,329.06         | 1,421,431.21   |
| Total                                      | 1,161,387.29 | 10,029.47 | 1,836.85         | 1,804.81          | 2,372.76          | 38,271.16         | 6,725.09          | 222,427.43     |
| Certificates of Deposit Balance on 11/1/90 | 1,200,000.00 | -0-       | -0-              | -0-               | -0-               | 25,000.00         | 20,000.00         | 1,245,000.00   |
| New C. D.'s                                | 400,000.00   |           |                  |                   |                   |                   |                   | 400,000.00     |
| Matured C. D.'s transferred to Checking    | 600,000.00   |           |                  |                   |                   | 25,000.00         | 20,000.00         | 645,000.00     |
| Total                                      | 1,000,000.00 | -0-       | -0-              | -0-               | -0-               | -0-               | -0-               | 1,000,000.00   |
| Checking Balance on 11/1/90                | 15,205.79    | 3,161.07  | 6,626.12         | 106.68            | 84,090.58         | 29,318.78         | 13,298.24         | 497.52         |
| Money Market Interest                      |              |           |                  |                   | 352.17            | 126.51            | 53.83             |                |
| Deposits (receipts)                        | 190.43       | 1,410.83  | 610.00           |                   |                   |                   |                   |                |
| Disbursements (Claims)                     | 15,396.22    | 2,559.98  | 807.05           | 106.68            | 3,981.27          | 29,445.29         | 11,952.66         | 497.52         |
| Total                                      | 2,011.97     | 2,011.97  | 6,429.07         | 106.68            | 80,461.48         | 29,445.29         | 11,399.41         | 497.52         |
| Certificates of Deposit Balance on 11/1/90 | 30,000.00    | -0-       | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 250,000.00        | -0-            |
| New C. D.'s                                |              |           |                  |                   |                   |                   |                   |                |
| Matured C. D.'s transferred to Checking    | 30,000.00    |           |                  |                   |                   |                   |                   |                |
| Total                                      | 30,000.00    | -0-       | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 250,000.00        |                |

#18-90 From R&B Gen to Pct 4 \$5,000.00  
 #19-90 From Gen to Pct 1 \$5,000.00  
 #20-90 From Gen to Pct 2 \$12,000.00  
 #21-90 From Gen to Pct 1 \$10,000.00

*Dorothy P. Sims*  
 Dorothy P. Sims - County Treasurer





10542 APPOINT JOHN KIMBRO TO THE PLUM CREEK CONSERVATION DISTRICT BOARD OF DIRECTORS

Commissioner Ford spoke of vacancy created on the Plum Creek Conservation District Board of Directors by Bobby Joe Alexander - recommended appointment of John Kimbro to fill the vacancy - requested that a letter of appreciation be prepared by Patsy Greiner to be sent to Mr. Alexander. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve appointment of John Kimbro to the Plum Creek Conservation District Board of Directors and that letter of appreciation be sent to Bobby Joe Alexander for his service on the Board. All present voting "Aye".

10543 ADOPT AND ESTABLISH IMPOUNDMENT FEES FOR THE ANIMAL CONTROL POLICY AND APPROVE CONTRACT FOR HOUSING AND CARE OF ANIMALS

Commissioner Wayne Ford spoke of fees that have not yet been set - ordinance will be effective January 1, 1991 and fees need to be set now - suggested impoundment fees of \$30 for the first 3 days + \$10 for each additional day (public fee) and a contract with P.A.W.S. for \$21 for the first 3 days + \$10 for each additional day (County's fee). Commissioner Craig Payne stated that he preferred having a full court to consider and adopt these fees - feels like the fees suggested are excessive. A motion was made by Commissioner Ford, seconded by Judge Rains to adopt impoundment fees of \$30 for the first day and \$10 for each additional day and enter into a contract with P.A.W.S. for housing and care of animals for the County at \$21 for the first three days and \$10 for each additional day with contract negotiable after 30 days. Commissioner Ford and Judge Rains voting "Aye" and Commissioner Payne voting "Nay".

DISCUSS SIGNING FOR COUNTY ROADS BY THE STATE DEPT OF HWYS

Patsy Greiner, Admin. Coord., spoke of letter received from the State Department of Highways and Public Transportation in reference to signing for county roads - State will provide advance signing on state routes for county roads - purpose is to provide advance information to assist motorist in avoiding that last second decision within the intersection - State requires a map that depicts all county roads and their designation (county road name/number) that intersects a state route, a county resolution that establishes the designations and preferred sign message (county road name/number) at each location. Additional information is needed before adopting the resolution - action postponed this date.

10544 APPROVE CONTRACT BETWEEN COUNTY AND CITY OF SAN MARCOS REGARDING LIBRARY SERVICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve Social Services Contract with the City of San Marcos for the San Marcos Public Library services (\$21,800.00). All present voting "Aye".  
(Standard Social Service Contract - see copy in resolution file)

10545 APPROVE TEMPORARY CLOSING OF COUNTY ROAD #218 FROM DECEMBER 26TH THROUGH DECEMBER 28, 1990

Commissioner Craig Payne spoke of work that needs to be done on County Road #218. Commissioner Wayne Ford spoke of requirements to closing a road - posting notices at the roadway. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve temporary closing of County Road #218 from December 26th through December 28, 1990. All present voting "Aye".

CONTRACT ADENDUM WITH "THE SOFTWARE GROUP"

County Auditor Bill Herzog spoke of contract addendum submitted by The Software Group which would allow the county to take advantage of the latest technological advances in computer systems. District Attorney Charles Chapman stated that addendum should not be approved - the original contract has not been approved. No action taken.

10546 RIVER MEADOWS ESTATES - 2ND & 3RD READINGS AND VARIANCE TO FLOOD STUDY

Eddie Gumbert spoke of "River Meadows Estates" - requested that the following statement be entered into the minutes of the Court:

This plat supercedes the previous plat (River Meadows, Section 4) regarding roadway right-of-way on Lot 13 (Section 4) and on Lot 7 (River Meadows Estates Section 2).

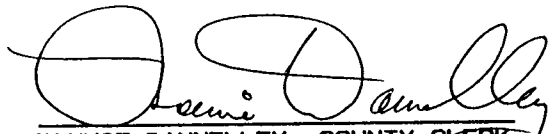
Mr. Gumbert spoke of the variance request and response of FEMA - feels like the Commissioners' Court has the authority to make the decision. Commissioner Payne spoke of new maps coming out and the protest process. Terry Ewald, Health Dept., spoke of flood study requirement in the Floodplain Ordinance. Mr. Gumbert spoke of research that has been done and disclaimer - old maps are being used by Insurance companies. Commissioner Ford spoke of concerns on giving variances. Judge Rains stated that the Court needs to be careful to not damage the insurance program. Mr. Ewald's concerns are about giving an entire subdivision a variance rather than on a lot by lot basis - based on the floodplain ordinance a flood study should be done. (see letter in file) A motion was made by Commissioner Payne, seconded by Judge Rains to approved "River Meadows Estates" subdivision on second and third readings and to grant variance on flood study requirement. Judge Rains and Commissioner Payne voting "Aye". Commissioner Ford voting "Nay".

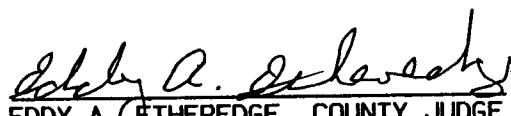
COUNTY JUDGE DON RAINS - FAREWELL SPEECH

County Judge Don Rains spoke of this being his last meeting as County Judge - he spoke of his time in office has been a rewarding experience and he has no regrets - he spoke of his goals and achievements: visability, responsibility and accountability - spoke of projects that have been accomplished over the past four years: courthouse tree trimming, lighting the courthouse, courthouse exterior renovation, courthouse annex restoration, landscaping, County Judge's office repairs, FM1626, RR12 & various other road projects (C.O. monies), mapping program, 9-1-1 program, Indigent Health Care Program, Jail-LEC, computer system, water development, junkyard ordinance, animal control ordinance, economic development, use of courthouse lawn for civic activities, and grants - most important aspect is "people" - spoke of areas of dissension on the Commissioners' Court were the "Jail" and the "TDC Facility in Kyle" - felt like the best decisions were made - commended members of the Court and various people that he has worked closely with over the years.

Court was adjourned until January 7, 1991.

Minutes approved in open Court on the 14th day of January, 1991.

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 7TH DAY OF JANUARY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A. ETHEREDGE COUNTY JUDGE
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10547 AUTHORIZE THE COUNTY JUDGE TO REVIEW AND APPROVE R&B PCT. #1 INVOICES

County Judge Eddy Etheredge spoke of need for someone to be authorized to approved invoices in Pct. #1 during absence of Commissioner Gonzales - Pct. #1 Foreman Joe Paul was present and he is presently running the crew. Judge Etheredge stated that he plans on checking at the precinct barn daily. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize County Judge Eddy Etheredge to review and approve R&B Pct. #1 invoices. Commissioner Payne, Commissione Rippy and Judge Etheredge voting "Aye", Commissioner Ford abstained.

10548 APPROVE OFFICIAL BONDS

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve Official Bonds of newly elected Officials. All present voting "Aye".

Bonds approved for:

- Eddy A. Etheredge, County Judge
Wayne R. Ford, Commissioner, Pct. #2
Oran Hill Rippy, Commissioner, Pct. #4
Marcos Hernandez, Criminal District Attorney
W. H. Moore, District Clerk
Ronnie Dannelley, County Clerk
Dorothy P. Sims, County Treasurer
Howard S. Warner II, Judge, Co Crt @ Law #1
Linda A. Rodriguez, Judge, Co Crt @ Law #2
Kelly Kilber, County Surveyor
Becky Y. Sierra, J.P. Pct. #1 Pl. #2
James A. Holt, Sr., J.P. Pct. #2
James A. Stowe, Jr., J.P. Pct. #3
John P. Burke, Jr., J.P. Pct. #4
Orlena G. Hehl, J.P. Pct. #5

SHERIFF HASTINGS - REPORT ADDITIONAL FUNDS TO THE SHERIFF'S DRUG FORFEITURE FUND AS PER HOUSE BILL 65

Sheriff Paul Hastings presented a report of funds awarded to the Sheriff's Department in a drug related offense (District Court Case #90-0319) - funds to be utilized as follows:

Table with 3 columns: Item ID, Description, Amount. Includes Staff Salaries (\$15,091.75), FICA/Medicare (\$2,000.00), County Retirement (\$2,000.00), Insurance Benefits (\$1,400.00), Dental Insurance (\$100.00), Communications Equip. (\$8,000.00), and a total of \$28,591.75.

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## 10549 REAPPOINTMENT OF A.D. CARROLL AS HAYS COUNTY FIRE MARSHAL AND ARSON INVESTIGATOR FOR A TWO YEAR TERM

Commissioner Wayne Ford spoke of appointment of A.D. Carroll in 1988 - spoke in support of Mr. Carroll. A. D. Carroll spoke of federal funding received. A motion was made by Commissioner Ford, seconded by Judge Etheredge to reappoint A. D. Carroll as Hays County Fire Marshal and Arson Investigator for another two year term. All present voting "Aye".

## 10550 AUTHORIZE AUDITOR TO PURCHASE SHELVING FOR THE DISTRICT CLERKS OFFICE

District Clerk W. H. Moore appeared before the Court and spoke of need to open shelving to store records - will need approximately 8 units. A motion was made and seconded to authorize the Auditor to advertise for bids for shelving, however, these motions were later withdrawn since the purchase would not be of the amount necessary to bid. A motion was made by Commissioner Ford, seconded by Judge Etheredge to withdraw the original motion and to authorize the County Auditor to purchase shelving for the District Clerk's office. All present voting "Aye".

## DISCUSS RESOLUTION DESIGNATING COUNTY ROADWAY SIGNAGE FOR COUNTY ROADS INTERSECTING WITH STATE ROADWAYS

Patsy Greiner, Administrative Coordinator, spoke of need to decide whether to use county road numbers or names. Commissioner Rippy stated that most of his roads go by their numbers. Discussion was had on numbers vs names. No action taken.

## 10551 APPOINT MEMBERS TO THE HAYS COUNTY HISTORICAL COMMISSION FOR A TWO YEAR TERM

County Judge Eddy Etheredge read off names of proposed members to be appointed to the Hays County Historical Commission. HCHC Chairman Frances Stovall appeared before the Court. A motion was made by Judge Etheredge and seconded by Commissioner Rippy to appoint members to the Hays County Historical Commission as proposed for a two year term. All present voting "Aye".

HAYS COUNTY HISTORICAL COMMISSION MEMBERS

DeeAnn Story - Rt. 1 Box 112, Wimberley  
 Mrs. Jack N. Stovall - 20 Timbercrest, San Marcos  
 Mrs. Ross D. Compton - 411 Lamar, San Marcos  
 Mark Denton - 125 Traildriver, Austin  
 Charles Haydon - Rt. 1-B Box 110, Dripping Springs  
 Mrs. Earle Younts - Rt. 2 Box 19, Buda  
 Mrs. Albert Armstead - 1421 West Hopkins, San Marcos  
 Ismael Rosales - 1215 Girard, San Marcos  
 Mrs. Terre Jacob - 2 Cypress Point, Wimberley  
 Mrs. Helen Van Gundy - 301 Pecan, San Marcos  
 John E. Woolsey - P. O. Box 102, Wimberley  
 Mrs. Lewis A. Parr - 2813 North LBJ Drive, San Marcos  
 Mrs. Lynn Storm - Rt. 1-B Box 106, Dripping Springs  
 Mrs. Dorothy Kerbow - 4 Meidian Drive, Wimberley  
 Mrs. Joe Nicola, Sr. - 313 South LBJ, San Marcos  
 Lt. Col. James Rogers - 112 Ridgeway Drive, San Marcos  
 Mrs. Richard Rodriguez - 612 Franklin Drive, San Marcos  
 Nelson Davidson - P. O. Box 529, Dripping Springs  
 Mrs. Joe Robinson - 20 N. Old Stagecoach Rd., Kyle  
 Bill Johnson - Rt. 2 Box 124, Wimberley  
 Scott Burton - 1202 Thorpe Lane, San Marcos  
 Mrs. Jack Hearn - Blanco St Rt. CE-46, San Marcos  
 Albert S. McGehee - 1403 Alamo, San Marcos  
 Al Lowman - 3603 Hunter Road, San Marcos  
 Lee Swift - P. O. Box 79, San Marcos  
 Mrs. Wm. Johnson - 605 West Second St., Kyle  
 Mrs. Ed Shand - Rt. 1 Box 72, Wimberley  
 Mrs. Oliver Strom - P. O. Box 367, Kyle  
 Bradley Davis - P. O. Box 471, Dripping Springs  
 Lila Stillson - 135 Park South Drive, Kyle  
 Mrs. James D. Smullen - Rt. 1 Box 12, Wimberley  
 Mrs. Stanley Bonner - Rt. 2 Box 302-A, San Marcos

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## ADVISORY COMMITTEE (HAYS COUNTY HISTORICAL COMMISSION)

Peter Maxson - 4212 Avenue F, Austin  
 Kenneth Pitzer - Rt. 2 Box 291-X, San Marcos  
 Gregory Free - 3407 Jefferson, Austin  
 Dr. Gwen Smith - P. O. box 1248, San Marcos  
 San Marcos Daily Reocrd - P. O. Box 1109, San Marcos  
 Mrs. D. J. Simon - P. O. Box 86, Kyle  
 Jeff Kester - 516 West Hopkins, San Marcos  
 Cindy Sherrell-Leo - Texas Historical Comm, Box 12276, Austin

## 10552 APPROVE SUBMISSION OF INTERLOCAL AGREEMENT WITH CITY OF SAN MARCOS FOR PARKING ENFORCEMENT AROUND THE COURTHOUSE

Patsy Greiner, Administrative Coordinator, spoke of parking around the Courthouse - 87 spaces (45 with meters, 2 handicapped spaces & 4 Law Enforcement spaces) - presented proposed interlocal agreement for enforcement of two hour parking by the City of San Marcos - county permits would be exempt from ticketing - city would recieve all revenues from fines. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve interlocal agreement between the City of San Marcos and Hays County for enforcement of parking around the courthouse and authorize Patsy Greiner to submit the interlocal agreement to the City of San Marcos. All present voting "Aye".

## 10553 APPROVE PROPOSAL OF WOODCREEK UTILITIES INC. TO USE COUNTY RIGHT-OF-WAY ON JACOBS WELL ROAD

Jack O'Brien, Woodcreek Utilities Inc., spoke of proposal of November 13, 1990 requesting use of county right-of-way to construction pipeline for irrigation system. The Town of Woodcreek had originally opposed this project and they are now in agreement to allow. Commissioner Craig Payne stated that he had spoken with the City of Woodcreek's Attorney and they have authorized construction of the pipeline and have issued a permit. Judge Etheredge stated that he had received a telephone call from Mayor Jeanine Pool who indicated that there was opposition. Discussion was had concerning previous meeting on this subject.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve proposal of Woodcreek Utilities Inc. for use of county right-of-way on Jacobs Well Road. All present voting "Aye".

## 10554 ACCEPT ROADS FOR COUNTY MAINTENANCE AS PER PETITIONS PRESENTED BY PROPERTY OWNERS: PLANT LADY LANE, FARRELL ROAD AND ROADS IN RIVER OAKS RANCH SUBD

Commissioner Rippy spoke of petitions received requesting acceptance of roads for county maintenance: Plant Lady Lane (1 mile caliche), Farrell Road (0.5 mile caliche) and roads in River Oaks Subd - Oak Forest, Oak Lane, Oak Court, River Run, Lakeshore & Oak Ridge (1.884 miles paved). Petitions were filed with the Clerk (see originals in resolution file). A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept roads for county maintenance as petitioned by property owners - roads being Plant Lady Lane, Farrell Road and roads in the River Oaks Ranch Subd. in Precinct #4. All present voting "Aye".

## 10555 MARTIN VADER - APPLICATION FOR EXEMPTION TO JUNKYARD ORDINANCE FOR HIS AUTOMOTIVE WRECKING &amp; SALVAGE YARD OPERATION ON LOT 8 IN GREEN ACRES SUBD/WIMBERLEY

Martin Vader appeared before the Court requesting an exemption from the Hays County Ordinance for Junkyards and Automotive Wrecking and Salvage Yards - he stated that he has been in business since October of 1981 which was prior to the adoption of the Ordinance - would like to get an exemption with conditions that would suit everyone concerned. Terry Ewald, Health Programs Director, stated that his main concern is whether Mr. Vader was in existence prior to the Ordinance. Commissioner Ford stated that he would like more information and suggested a 30 day postponement. Mr. Ewald stated that the Court must act within 45 days of the application. District Attorney marcos Hernandez suggested that Mr. Vader present business records to substantiate his existence. Jim Winn spoke of his personal knowledge of this business - has been in existence prior to the ordinance - a hobby type business rebuilding automobiles.

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Lanny Montague, resident of Green Acres, spoke in opposition to a junkyard. Betty Bennett, neighbor, spoke in opposition to this business - opposed to any business in the subdivision - presented a copy of the restrictions in the subd. (#5). Martin Vader spoke of being a rebuilder of cars - does not want unlimited use of the ordinance. Caroline Shinler, resident of Green Acres, spoke of request by Perry Sheffield being denied - spoke of deed restrictions - does not want a junkyard in the subdivision. Commissioner Craig Payne stated that Mr. Vader's intention was that the business be a hobby, however, his business has increased to the point of being in violations of the Ordinance. A motion was made by Commissioner Payne, seconded by Commissioner Ford to deny the Junkyard Ordinance exemption request of Martin Vader. Commissioner Ford stated that he reluctantly denies this exemption and advised Mr. Vader that he could re-apply and be more specific in his variance request. Commissioner Rippy stated that he is opposed to junkyards in any residential areas. All present voting "Aye".

10556 HAYS COUNTY HISTORICAL COMMISSION - BUDGET AMENDMENT

Hays County Historical Commission Chairman Frances Stovall appeared before the Court requesting additional funding - stated that she has met with the County Auditor concerning HCHC funds - spoke of various projects with designated funds. County Auditor Bill Herzog spoke of the budget process and AG's opinion stating that you must turn over ALL funds to the County. Mrs. Stovall requested funding in the amount of \$5,000 from the County. Discussion was had on the intent of the Court to make the Historical Commission a County Department. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to amend the budget \$3,000 out of contingencies to provide additional funds to the Hays County Historical Commission with the stipulation that the Hays County Historical Commission turn over all their funds over the County Auditor. All present voting "Aye". Mrs. Stovall requested clarification - dedicated funds will be used for specific purposes only - county will go out for bids when necessary.

DISTRICT COURT ADMINISTRATOR'S BUDGET - DISCUSSION

County Auditor Bill Herzog stated that the budget presented by District Court Administrator Martin Allen is not the same as was budgeted by Hays County = (\$736 difference) - need to know actual expenses. No action taken this date.

10557 PCT. #3 USED BACKHOE/LOADER - AWARD CONTRACT ON BIDS RECEIVED

County Auditor Bill Herzog presented bid tabulation for a new or used backhoe/loader (see tabulation sheet in file):

| Vendor            | New          | Used         |
|-------------------|--------------|--------------|
| Kuenstler Mach    | \$ 28,650.00 | \$ 19,595.00 |
| Anderson Mach     | \$ 32,500.00 | no bid       |
| Case Power & Eqp  | \$ 26,109.00 | \$ 22,497.00 |
| Austin Ford Trctr | \$ 33,466.00 | no bid       |
| Wehring-Goss Eqp  | \$ 30,635.00 | no bid       |

Tim Chiles, Kuenstler Machinery/low bidder, appeared before the Court - they can provide financing @ 9% through John Deere Company on a monthly, semi-annual or annual payment. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award contract for a used backhoe/loader for Pct. #3 to Kuenstler Machinery in the amount of \$19,595.00 with two year financing/annual payment through John Deere Company and without a trade-in. All present voting "Aye".

10558 APPROVE SPECIFICATIONS FOR SHERIFF'S AUTOMOBILES

Sheriff Paul Hastings spoke of need to add spec of intermittent windshield wipers to the specifications. Commissioner Craig Payne spoke of natural gas run vehicles. Sheriff Hastings spoke of fuel injection systems and better gas mileage with more compact car models - natural gas is hard to get and the cars are more expensive. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve specifications for Sheriff's automobiles - 1 to 10 vehicles - with addition of intermittent wipers. All present voting "Aye".

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10559 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$167,199.42. All present voting "Aye".

|                        |                       |                        |
|------------------------|-----------------------|------------------------|
| Fines \$ 3.50          | Co Judge \$ 623.75    | CCL #2 \$ 19.36        |
| Auditor \$ 200.34      | Admin Coord\$ 93.81   | Fire Marsh \$ 74.17    |
| Treas \$ 70.44         | CCL #1 \$ 85.18       | TABC \$ 70.23          |
| Ext Ofc \$ 305.15      | Dist Atty \$ 771.66   | DC Oper \$ 4,583.70    |
| Juv Prb \$ 298.01      | J.P. 1-1 \$ 70.79     | CC Oper \$ 656.80      |
| Elec Adm \$ 24.54      | J.P. 1-2 \$ 735.39    | DC Reprtr \$ 36.43     |
| Comm Serv \$ 21,375.00 | J.P. 2 \$ 483.10      | R&B General\$ 26.99    |
| Indigent \$ 106.74     | J.P. 3 \$ 641.43      | Pct #1 \$ 2,211.03     |
| Trnsf Sta \$ 78.23     | J.P. 4 \$ 250.00      | Pct #2 \$ 554.36       |
| Bldg Mtc \$ 4,901.64   | J.P. 5 \$ 178.02      | Pct #3 \$ 619.65       |
| Health Dp \$ 509.96    | DPS \$ 958.49         | Pct #4 \$ 176.37       |
| Civic Ctr \$ 3,083.61  | Constbl 1 \$ 145.04   | Hot Check \$ 237.80    |
| CtywideMsc\$ 10,816.42 | Constbl 2 \$ 507.30   | Law Libry \$ 654.10    |
| Tax A/C \$ 8,276.30    | Constbl 3 \$ 38.61    | SheriffDrug\$ 254.71   |
| Dist Clk \$ 471.72     | Constbl 5 \$ 437.46   | Adult Prb/O\$48,759.56 |
| Co Clk \$ 3,690.70     | Soc Serv \$ 27,057.75 | Adult Prb/F\$ 630.06   |
| Sheriff \$ 1,180.98    | Vet Admin \$ 24.57    | Animal Cntl\$ 350.00   |
| Jail Oper \$ 18,127.89 | DP Admin \$ 660.58    |                        |

Court adjourned this the 7th day of January, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 25th DAY OF February, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 14TH DAY OF JANUARY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

County Judge Eddy Etheredge spoke of the impending possibility of war in the Mideast Gulf region - court began with a moment of silence concerning the world situation.

10560 PUBLIC HEARING/RESOLUTION DESIGNATING ALTERNATE NAME OF "JACK C. HAYS TRAIL" TO F.M. 2770 FROM FM150 TO LOOP 4 IN HONOR OF COLONEL JACK C. HAYS

Judge Etheredge opened the public hearing. Trent Deberry and Lee Wells, students in the Alpha-Honors World History Class from Jack C. Hays High School, appeared before the Court - stated that their class project was to educate the public concerning Colonel Hays - their class will be hosting a birthday celebration for Colonel Hays on January 28, 1991 and a dedication ceremony for the renaming of the roadway. Cynthia Wilson, teacher of the class, was acknowledged by Judge Etheredge and public hearing was closed. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt the resolution designating the alternate name of "Jack C. Hays Trail" to F.M. 2770 from its intersection with F.M. 150 to its intersection with Loop 4. All present voting "Aye".



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RESOLUTION

STATE OF TEXAS        )(

COUNTY OF HAYS        )(

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, DESIGNATING THE ALTERNATE NAME OF "JACK C. HAYS TRAIL" TO F.M. 2770 FROM ITS INTERSECTION WITH F.M. 150 TO ITS INTERSECTION WITH LOOP 4

WHEREAS, F.M. 2770 from its intersection with F.M. 150 to its intersection with Loop 4 runs in front of Hays High School; and

WHEREAS, Hays County and the Hays High School was named for Colonel Jack C. Hays; and

WHEREAS, the Alpha-Honors World History Class from Jack C. Hays High School is hosting a birthday celebration for Colonel Jack C. Hays on January 28, 1991;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

F.M. 2770 from its intersection with F.M. 150 to its intersection with Loop 4 be named "Jack C. Hays Trail" in honor of Colonel Hays.

RESOLUTION PASSED AND ADOPTED ON THIS 4th DAY OF January, 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

Eddy A. Etheredge  
Eddy Etheredge, County Judge

ABSENT  
Ralph Gonzales, Pct. 1

Craig Payne  
Craig Payne, Pct. 3

Wayne Ford  
Wayne Ford, Pct. 2

Oran Rippey  
Oran Rippey, Pct. 4

ATTEST:

Ronnie Dannelley  
Ronnie Dannelley, County Clerk

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PRESENT INTERNAL AUDIT REPORTS OF J.P. PCT. #3 AND PCT. #4

Tom Meadows , Auditor, was present - felt like problems will be resolved in Pct. #3 with the change of personnel that began January 1st - followup will be done after 30 days.

10561 RESOLUTION DESIGNATING COUNTY ROADWAY SIGNAGE FOR COUNTY ROADS INTERSECTING WITH STATE ROADWAYS

Patsy Greiner, Admin. Coord., spoke of using county road numbers to be more uniform throughout the county - she did use names on roads along Hunter Road in Pct. 1. Commissioner Rippy stated that he prefers to use all road numbers in his precinct. B. R. Wranitzky, Hays County resident, spoke of need to use county road numbers as previously agreed upon with the State Highway Department. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve resolution designating county road names and numbers for the purpose of State Department of Highways and Public Transportation signing. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \*  
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, DESIGNATING THE FOLLOWING ACCEPTED COUNTY ROAD NAME OR NUMBER FOR THE PURPOSE OF STATE DEPARTMENT OF HIGHWAYS & PUBLIC TRANSPORTATION SIGNING

WHEREAS, the State Department of Highways and Public Transportation will provide advance signing on state routes for county roads; and

WHEREAS, this signing will enhance the safe and efficient movement of traffic in the areas where county roads intersect state maintained highways; and

WHEREAS, the signing scheme is not intended to replace any existing signing at the subject intersections which is generally a county road name or number sign mounted on top of a stop sign or along the county road; and

WHEREAS, the State wishes to provide advance information to assist motorists in avoiding that last second decision within the intersection; and

WHEREAS, the County has provided a map designating the following locations;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSISONERS' COURT OF HAYS COUNTY, TEXAS, that:

The roadways designations for the subject signs are as follow:

Intersecting with IH-35 -

- |        |        |
|--------|--------|
| CR 269 | CR 235 |
| CR 234 | CR 233 |
| CR 232 | CR 159 |
| CR 140 | CR 137 |
| CR 138 | CR 158 |
| CR 157 | CR 130 |
| CR 210 | CR 210 |
| CR 122 | CR 131 |
| CR 149 | CR 132 |
| CR 133 | CR 228 |
| CR 119 | CR 105 |
| CR 117 | CR 104 |

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Intersecting with U.S. 290 -

|        |        |
|--------|--------|
| CR 196 | CR 197 |
| CR 197 | CR 188 |
| CR 189 | CR 187 |
| CR 169 | CR 320 |
| CR 320 | CR 190 |
| CR 185 | CR 164 |
| CR 163 |        |

Intersecting with State Highway 21 -

|        |        |
|--------|--------|
| CR 266 | CR 160 |
| CR 159 | CR 153 |
| CR 129 | CR 127 |
| CR 126 | CR 211 |

Intersecting with State Highway 123 -

|        |        |
|--------|--------|
| CR 299 | CR 269 |
| CR 266 | CR 232 |

Intersecting with State Highway 80 -

CR 266

Intersecting with State Loop 4 -

|        |        |
|--------|--------|
| CR 236 | CR 132 |
| CR 288 | CR 117 |

Intersecting with F.M. 2439 -

|                |                 |
|----------------|-----------------|
| Moellering Dr. | Harmons Way     |
| Posey Rd.      | Whitetail Dr.   |
| Quail Run Dr.  | Centerpoint Rd. |
| McCarty Lane   | Reimer St.      |
| Suttle St.     | Snyder Hill Dr. |

Intersecting with F.M. 3237 -

|        |        |
|--------|--------|
| CR 287 | CR 294 |
| CR 294 | CR 304 |
| CR 173 | CR 296 |
| CR 296 | CR 183 |
| CR 369 | CR 291 |

Intersecting with F.M. 12 -

|        |         |
|--------|---------|
| CR 003 | CR 003  |
| CR 226 | CR 346  |
| CR 213 | CR 214  |
| CR 314 | CR 1492 |
| CR 315 | CR 255  |
| CR 253 | CR 253  |
| CR 173 | CR 177  |
| CR 178 | CR 310  |
| CR 310 | CR 316  |
| CR 251 | CR 252  |
| CR 322 | CR 321  |
| CR 321 | CR 176  |
| CR 182 | CR 221  |
| CR 183 | CR 170  |
| CR 191 | CR 193  |
| CR 194 | CR 101  |

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Intersecting with F.M. 2325 -

- |        |        |
|--------|--------|
| CR 249 | CR 251 |
| CR 247 | CR 279 |
| CR 278 | CR 220 |
| CR 181 | CR 244 |
| CR 218 | CR 318 |
| CR 219 | CR 113 |
| CR 338 |        |

Intersecting with F.M. 32 -

- CR 215

Intersecting with F.M. 150 -

- |        |        |
|--------|--------|
| CR 136 | CR 162 |
| CR 170 | CR 225 |
| CR 204 | CR 134 |
| CR 152 | CR 203 |
| CR 202 |        |

Intersecting with F.M. 2720 -

- CR 305

Intersecting with F.M. 2001 -

- |        |        |
|--------|--------|
| CR 119 | CR 118 |
| CR 107 | CR 133 |
| CR 131 | CR 212 |
| CR 157 | CR 171 |
| CR 120 | CR 302 |
| CR 300 | CR 211 |

Intersecting with F.M. 2770 -

- CR 171

Intersecting with F.M. 1826 -

- |        |        |
|--------|--------|
| CR 162 | CR 163 |
| CR 351 | CR 352 |

Intersecting with F.M. 967 -

- |        |        |
|--------|--------|
| CR 155 | CR 146 |
| CR 146 | CR 148 |

Intersecting with F.M. 1626 -

- |        |        |
|--------|--------|
| CR 148 | CR 147 |
| CR 143 | CR 311 |
| CR 311 | CR 307 |

Intersecting with F.M. 165 -

- |        |        |
|--------|--------|
| CR 165 | CR 165 |
| CR 190 |        |

Intersecting with F.M. 621 -

- CR 266

Intersecting with F.M. 3232 (in Blanco County) -

- CR 196

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RESOLUTION PASSED AND ADOPTED ON THIS 14TH DAY OF JANUARY, 1991.  
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
Eddy A. Etheredge, County Judge

Absent  
Ralph Gonzlaes, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

10562 RESOLUTION ADOPTING STANDARDS FOR ASSIGNING STREET NAMES AND NAME CHANGES AND FOR ASSIGNING STREET NUMBERS

Patsy Greiner, Admin. Coord., requested that the Court establish a policy on addressing - standards will be used as a guideline to follow in addressing for 9-1-1. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution on standards for assigning street names and numbers. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \*  
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF HAYS ADOPTING STANDARDS FOR ASSIGNING STREET NAMES AND NAME CHANGES AND FOR ASSIGNING STREET NUMBERS

WHEREAS, Hays County is facilitating the development, implementation, and maintenance of an Enhanced 9-1-1 emergency communications system which utilizes the automatic display of a caller's telephone number and address when they dial 9-1-1; and

WHEREAS, many of the named roads in Hays County do not have assigned address numbers and many streets have duplicate names within geographical (municipal/zip code) areas; and

WHEREAS, Chapter 2, County Road and Bridge Act, (Art. 6702-1, Vernon's Texas Civil Statutes) Section 2.011 (b) authorizes the Commissioners Court of a County to adopt standards to name roads and assign address numbers to property located in the unincorporated areas of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, that:

The Standards for Naming Roads and Assigning Address Numbers attached hereto be adopted.

RESOLUTION PASSED AND ADOPTED ON THIS 14TH DAY OF JANUARY, 1991  
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

Absent  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

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ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

STANDARDS FOR NAMING ROADS AND ASSIGNING ADDRESS NUMBERS

Standards adopted by Commissioner Court Resolution dated January 14, 1991.

ASSIGNING STREET NAMES

Two main objectives should be considered in proposing and assigning street names:

- (1) avoidance of duplicate or similar names and
- (2) continuity with existing street names

The logical, grammatical order of address elements should be: street number, directional, primary street name, suffix, and secondary number if any (i.e. 100 W. Main St., #201).

Street types should be categorized and defined for consistency. for example, "Circle" and "Loop" should be used only for street which actually form a loop or circle. "Boulevard" is assigned to streets with at least 90 feet of right-of-way, and streets longer than 1,500 feet may be designated "Avenue" or "Parkway".

Street names should be continuous throughout the entire length of the street, even if it changes directions. New subdivisions should continue the name of an existing street or a previously approved name on an adjoining plat.

Each primary street name should be used only once, except that a short loop or circle may have the same root name as the street it intersects.

Multiple names with the same primary name are limited to 14 occurrences (i.e. Oak Way, Oak View, Oak Tree, Oak Hills).

The postal service list of abbreviations is the recommended standard to follow.

All private roads with multiple family structures should be named and specific addresses assigned to each family structure. If the private road has only a single family structure, and the entrance to the private road is from a named road, then the private road will be treated as a driveway and an address assigned at the drive with the street name being that of the named road.

STREET NAME CHANGES

Proceedings should be initiated by either a petition of the directly affected property owners or a public official of the jurisdiction in which the street is located. The following reasons should be adopted as reasons for which a request for change will be considered:

Technical: to establish continuity; eliminate duplication; correct misspelling; enhance ease of location; improve coherence of street numbering system; or provide a needed roadway designation such as circle or loop.

Neighborhood Enhancement or Recognition: to recognize a person or organization; to favor neighborhood association with its location, history, or area characteristics.

ASSIGNING STREET NUMBERS

Numbering System

The method of assigning numbers is based on the measurement of mileage distance along the roads. The first step is to determine the point of

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origin for each road and consistently number in equal increments from that point of origin. This numbering system is based on relatively small, equal intervals and provides the capability to assign numbers as needed regardless of the lot size of the existing properties. This is especially important in unincorporated areas, since much of the property may be undeveloped.

Block Length

The principle concerns are consistency, to the extent possible, and the ability to assign numbers in a flexible range of intervals, such as 8' to 25' lengths on block frontage. Existing addressing or road layouts may require adaptation to a different block length in part of the area to be addressed. The recommended standard is ten blocks per mile or approximately 500 feet for a practical length.

Frontage Interval

Assuming approximately 500-foot blocks, 100 numbers per block (50 Separate numbers for each side) there is a potential for assigning a number for each 10 feet.

Even-Odd Assignment of Numbers

If the project is extending addresses on an existing road, follow the same numbering system on each side of the road. Odd numbers should be assigned to properties on one street side and even numbers should be assigned to properties on the other side. As you increment up, even numbers should always be on the right and odd numbers should always be on the left.

Long Driveways or Private Roads with only One Family Structure

Assign the address at the juncture of the driveway with the named road.

Other Numbering Guidelines

- \*Multi-unit structures should use individually addressed primary numbers whenever possible.
- \*Avoid primary street numbers longer than five characters.
- \*Fractional addresses should not be allowed (i.e. 101 1/2 Maple Lane).
- \*Do not use alphanumeric primary address numbers (i.e. 103A Centerview).
- \*Do not use hyphenated primary or secondary address numbers (23-423 Lakeview).
- \*Avoid street numbers that are the next sequential even or odd number (i.e. 102 Elm Grove, 104 Elm Grove - does not allow for division or development of adjacent properties).
- \*Non-specific addresses, such as corner location addresses, are not permitted (i.e. Main and 1st Street).

SIGNS

A street sign and a residence or structure marker complete the link between assigning addresses and locating structures. All named roads (public and private) should have a sign. The following standards should apply to all public and private road signs:

Material: Engineer grade reflective sheeting on aluminum.

Color: White lettering on green background.

Size and Lettering: Use 4' Series C (or B) upper-case letters on 6" street name sign black (flat blade).

Use 2" Series C (or B) upper-case letters for Lane, Loop, Circle, etc.

Use 2" Series C (or B) numbers positioned in the bottom right corner of the sign to designate the block number of the street.

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Visibility: The sign should be free of any bushes, limbs, etc. that may inhibit the clear view of the sign.

Placement: Reflecting street signs shall be installed at all intersections and at other points where appropriate along the street. Signs shall be placed on approved metal posts 5' above the pavement in accordance with the Texas Highway Department Standards and at the expense of the Developer.

Any issue not addressed in these Standards shall be resolved using the guidelines presented in either:

- (1) the Addressing Handbook for Local Governments produced by the State of Texas Advisory Commission on State Emergency Communications, and
- (2) the Street Name and Service Location Addressing Guidebook produced by the Capital Area Planning Council.

#### SET WORKSHOP DATE FOR DISCUSSION OF TAX ABATEMENT POLICY AND FLOODPLAIN MAPS

County Judge Eddy Etheredge spoke of changes in the floodplain maps - could lose substantial amount of appraised value - we need a policy for tax abatements - workshop needs to be held. Court decided to set workshop for January 21, 1991 at 1:30 P.M.

#### DISCUSS ROOFING PROBLEMS AT THE COURTHOUSE

County Judge Eddy Etheredge spoke of roof leaks at the courthouse and damages. Commissioner Wayne Ford spoke of not being able to seal the dome after roof work was done. Discussion was had on roof leaks at other county buildings causing damages. Maintenance Supervisor Bryan Hoot spoke of repairs that will be made by his department - suggested replacing tar & gravel roofs. County Auditor to make contacts and check out various possible solutions.

#### 10563 ACCEPT PROPOSED FINAL CONSTRUCTION DOCUMENTS FOR REVIEW FOR THE JUVENILE DETENTION CENTER FACILITY

County Judge Eddy Etheredge spoke of being opposed to the use of Certificates of Obligation - spoke of the original order approving issuance of C.O.'s with proceeds to be used for the juvenile detention facility in the amount of \$672,500 by converting the existing jail into a 22 cell facility. Architect Norris Fletcher spoke - drawings have not been reviewed as recommended and he suggested postponing the letting of bids until drawings have been reviewed. Judge Etheredge questioned the legality of building a new facility based on information given at time of issuing bonds. Commissioner Rippey stated that the Court decided it would be more economical to build a new facility rather than converting the old jail facility. Commissioner Ford stated that he would like to look over the plans - felt like it was premature to go out for bids - Court needs to see what new appraisals are going to be and the economic situation as well as the uncertainty of a world war. Chief Juvenile Probation Officer Ed Cooper spoke of the years of planning for this facility - projected operating expense is approximately \$200,000.00 per year - three people will be needed per shift and volunteers will be utilized when available - presently paying \$75.00 per day to house juveniles elsewhere. Judge Etheredge spoke of his concerns about the interest income from the C.O.'s (arbitrage) and the \$1.5 million bonded indebtedness that is left - felt like this money should be used to pay back toward the debt. Commissioner Rippey spoke in support of the Juvenile Detention Center facility. A motion was made by Commissioner Ford, seconded by Commissioner Payne to accept the proposed construction document for review and to consider approving the final plans for the juvenile detention center at the next Court meeting. All present voting "Aye".



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10564 APPROVE PAYMENT OF INVOICE FROM PSA FOR ARCHITECT FEES FOR THE JUVENILE DETENTION FACILITY

County Auditor Bill Herzog presented an invoice from PSA for professional services regarding the juvenile detention center as follows:

|                              |              |
|------------------------------|--------------|
| Schematic Design Phase       | \$ 10,275.00 |
| Design Development Phase     | \$ 13,700.00 |
| Construction Document Phase  |              |
| 75% X 40% X \$68,500         | \$ 20,550.00 |
| Reimburseable Expenses       | \$ 203.91    |
|                              | =====        |
|                              | \$ 44,728.91 |
| Amount previously billed     | - 12,338.10  |
|                              | =====        |
| AMOUNT DUE THIS INVOICE..... | \$ 32,390.81 |

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of invoice from PSA for architect fees for the Juvenile Detention Center in the amount of \$32,390.81. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Etheredge voting "Nay".

10565 NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #4 - REAPPOINTMENTS

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to reappoint Rod Holloway and Melvin McNair to the Northwest Hays County Rural Fire Prevention District #4. All present voting "Aye".

10566 AMEND BUDGET TO PAY FOR ADDITIONAL SALARY AND FRINGE BENEFITS OF SECRETARY OF J.P. PCT. #3

County Auditor Bill Herzog spoke of budget amendment needed for J.P. Pct. #3 to allow increase in secretary's salary & fringes = \$5,807 (salary \$4,164 FICA \$319 Retirement \$292 Insurance \$1,032).

A motion was made by Commissioner Payne, seconded by Commissioner Ford to amend the budget by transferring \$5,807.00 out of contingencies into the budget of the Justice of the Peace Pct. #3 for staff salary and fringe benefits. Commissioner Ford, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Rippy voting "Nay".

10567 AMEND BUDGET TO PAY FOR ADDITIONAL \$25.00 PER MONTH FOR TAX ASSESSOR-COLLECTOR AS PREVIOUSLY AUTHORIZED

County Auditor Bill Herzog spoke of previous action by the Court authorizing an additional \$25.00 per month for the Tax Assessor-Collector, however, a budget amendment was never authorized - \$344 increase.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to amend the budget by transferring \$344.00 out of contingencies into the Tax Assessor-Collector's budget. All present voting "Aye".

10568 APPROVE RESOLUTION AUTHORIZING ELECTED OFFICIALS TO BE COVERED UNDER THE COUNTY'S WORKER'S COMPENSATION PLAN

County Auditor Bill Herzog spoke of workers comp coverage on elected officials - they have been covered, however, there is no resolution of record authorizing the coverage. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve resolution authorizing elected officials to be covered under the County's workers compensation plan. All present voting "Aye".

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RESOLUTION

STATE OF TEXAS \*  
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE  
COUNTY OF HAYS, TEXAS, ADDING OPTIONAL WORKERS'  
COMPENSATION COVERAGE FOR ELECTED OFFICIALS

WHEREAS, Hays County has entered into a contract with Texas Association  
of Counties (TAC) for coverage of County personnel under the TAC  
Workers' compensation Self-Insurance Fund, hereinafter called the Fund;  
and

WHEREAS, the basic contract with the TAC Fund affords coverage for  
regular county employees, but provides for optional wider coverage by  
election of the Commissioners' Court; and

WHEREAS, it is the desire and intent of this Hays County Commissioners'  
Court that Elected Officials be afforded coverage under the Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS  
COUNTY, TEXAS, that:

Elected Officials will be included for Workers' Compensation  
benefits under the County's contract with Texas Association  
of Counties Workers' Compensation Self-Insurance Fund effective  
on the 14th day of JANUARY , 1991.

RESOLUTION PASSED AND ADOPTED ON THIS 14TH DAY OF JANUARY, 1991  
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy Etheredge  
Eddy Etheredge, County Judge

absent  
Ralph Gonzales, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippey  
Oran Rippey, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

**PAYMENT FOR NAME PLATE FOR COMMISSIONER PCT. 1**

County Auditor Bill Herzog spoke of invoice received for nameplate made for John  
A. Diaz as Commissioner Pct. #1 in the amount of \$24.25. Mr. Diaz has agreed to  
pay for the nameplate - no action needed.

**10569 APPROVE DEDUCTIBLES AND AGGREGATE AMOUNT FOR GENERAL LIABILITY INSURANCE  
AND LAW ENFORCEMENT INSURANCE COVERAGE**

County Auditor Bill Herzog gave figures for General Liability Insurance coverage  
from TAC (Texas Association of Counties) as a member of the Self-Insurance Fund:

- \$ 36,907 w/\$10,000 deductible
- \$ 40,490 w/\$ 5,000 deductible
- \$ 47,081 w/\$ 1,000 deductible

Law Enforcement Liability coverage through the Texas Law Enforcement Self  
Insurance Fund:

- \$ 36,956.25 w/\$25,000 deductible (\$500,000 liability limit per person)
- \$ 51,738.75 w/\$25,000 deductible (\$1,000,000 liab limit per person)

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A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve General Liability Insurance through TAC at \$36,907 with a \$10,000 deductible and Law Enforcement Insurance coverage through the Texas Law Enforcement Self Insurance Fund with \$1,000,000 liability limit with \$25,000 deductible at a cost of \$51,738.00. All present voting "Aye".

DISCUSS PAYMENT FOR RENTAL OF STORAGE FACILITY AT 100 EAST SAN ANTONIO STREET

County Auditor Bill Herzog spoke of invoice received from BKP Property Partners for lease of building located behind 100 East San Antonio Street for the period of October 1, 1990 through March 31, 1991 (\$350 per mo X 6 months = \$2,103) - Bryan Hoot has indicated that he would like to continue using this building, however, only 2/3 of the space is needed. Mr. Hoot spoke of two temporary buildings that are located behind the courthouse annex. A motion was made and seconded to return the temporary buildings to their owner and to rent 2/3 of the storage facility at 100 East San Antonio Street - these motions were rescinded after discussion concerning use of space on the first floor of the courthouse annex and until determining where the funding will come from.

10570 NORTHEAST HAYS COUNTY EMS DISTRICT - APPOINTMENTS

Commissioner Ford stated that Paul Cossette had resigned and he would like to appoint Frank Cortez (5087 FM2001) to that position and to reappoint Frank Burdette. A motion was made by Commisisoner Ford, seconded by Commissioner Rippy to reappoint Frank Burdette and to appoint Frank Cortez to the Northeast Hays County EMS District Board of Directors. All present voting "Aye".

10571 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$120,524.35. All present voting "Aye".

|              |              |                            |              |               |              |
|--------------|--------------|----------------------------|--------------|---------------|--------------|
| Auditor      | \$ 265.37    | Treasurer                  | \$ 126.90    | Juv Prob      | \$ 180.71    |
| Comm Serv    | \$ 20,937.75 | Indigent Care              | \$ 800.00    | Transfer Sta  | \$ 3,861.99  |
| Bldg Mtc.    | \$ 1,099.97  | Health Dept                | \$ 45.10     | Civic Center  | \$ 161.25    |
| Cntywide Msc | \$ 14,226.14 | Tax A/C                    | \$ 306.68    | Co Clerk      | \$ 93.02     |
| Sheriff      | \$ 477.83    | Jail Oper                  | \$ 20,188.20 | Adm Coord.    | \$ 31.00     |
| Dist Atty    | \$ 465.70    | J.P. 1-2                   | \$ 108.00    | J.P. 2        | \$ 82.17     |
| D.P.S.       | \$ 612.74    | Constable 4                | \$ 68.16     | Constable 5   | \$ 155.70    |
| Data Proc    | \$ 1,037.00  | TDH TB Grnt                | \$ 278.50    | InHome Spec   | \$ 114.11    |
| TDH M&C Grnt | \$ 82.89     | *\$183.86 Gen Fund Credit* |              | Dist Crt Oper | \$ 9,929.66  |
| CoCrt Oper   | \$ 650.00    | R&B General                | \$ 4.10      | Pct. 1        | \$ 436.23    |
| Pct. 2       | \$ 1,439.03  | Pct. 3                     | \$ 815.45    | Pct. 4        | \$ 616.77    |
| Hot Chk Fee  | \$ 66.23     | Law Library                | \$ 38.75     | Juv Det Fac   | \$ 32,390.81 |
| Public Wrks  | \$ 400.00    | Ad Prb Oper                | \$ 2,384.75  | Ad Prb CSR    | \$ 194.72    |
| Ad Prb CCE   | \$ 1,884.50  | Ad Prb Fac                 | \$ 389.04    | Animal Cntrl  | \$ 3,261.29  |

10572 APPROVE MINUTES OF DECEMBER 1990

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve the minutes of December, 1990 as presented by the County Clerk. All present voting "Aye".

COMMISSIONERS' COURT MINUTES - APPROVAL

THE STATE OF TEXAS \*  
COUNTY OF HAYS \*

On this the 14th day of January, 1991, the Commissioners' Court of Hays county, Texas, have examined the Minutes of the Commissioners' Court as presented by Ronnie Dannelley, Hays County Clerk for the Month of December, 1990 and said minutes are hereby approved.

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s/ Eddy A. Etheredge  
County Judge

Absent  
Commissioner, Precinct 1

s/ Wayne Ford  
Commissioner, Precinct 2

s/ Craig Payne  
Commissioner, Precinct 3

s/ Oran Rippy  
Commissioner, Precinct 4

ATTEST:

s/ Ronnie Dannelley  
Hays County Clerk

10573 LAUREL ESTATES UNIT 2 RESUB LOT 52-A

Patsy Greiner, Admin. Coord., spoke of variance request as to minimum lot size for this resubdivision (0.388 acre) owned by State Bank & Trust Co. - the City of San Marcos has made extensive requirements that have been met and Terry Ewald, Health Dept. Director, has signed off on it. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to grant minimum lot size variance request and accept "Laurel Estates Unit 2 Resub of Lot 52-A" on first, second and third readings. All present voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 25<sup>th</sup> DAY OF February, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 21ST DAY OF JANUARY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10574 RESOLUTION REQUESTING RAILROAD CROSSING SIGNALIZATION ON COUNTY ROAD 171

Commissioner Wayne Ford spoke of previously made requests from the Hays Consolidated I.S.D. and Hays County for railroad crossing signals on County Road 171 (a designated bus route) - need to send a resolution to the State Highway Dept. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution requesting the State Highway Dept. and Union Pacific Railroad to install a railroad crossing warning signalization system on CR 171. All present voting "Aye".

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STATE OF TEXAS \*
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, REQUESTING THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION AND UNION PACIFIC RAILROAD INSTALL A RAILROAD CROSSING WARNING SIGNALIZATION SYSTEM ON CR 171

WHEREAS, County Road 171 is travelled by Hays CISD buses and students; and

WHEREAS, this Hays CISD transportation center and administration offices are considering locating on IH-35 thereby increasing the school traffic load on CR 171; and

WHEREAS, the State Department of Highways and Public Transportation must perform a study of need for railroad crossing signalization at CR 171; and

WHEREAS, when such need is determined, the system can qualify for a federally-funded program; and

WHEREAS, the Union Pacific Railroad would install and maintain the crossing system;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

The State Department of Highways and Public Transportation be requested to perform a needs assessment and add this crossing to the Federal program for the installation of a signalized crossing warning system to be installed and maintained by Union Pacific Railroad.

RESOLUTION PASSED AND ADOPTED ON THIS 21st DAY OF January, 1991 TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

Eddy Etheredge, County Judge

Absent Ralph Gonzales, Pct. 1

Craig Payne, Pct. 3

Wayne Ford, Pct. 2

Oran Rippey, Pct. 4

ATTEST:

Rennie Dannelley, County Clerk



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## 10575 APPROVE USE OF COURTHOUSE LAWN FOR MARDI GRAS

Joe Pacheco, Hispanic Chamber of Commerce, appeared before the Court requesting use of courthouse lawn for Mardi Gras celebration (Friday & Saturday-Feb 8th & 9th) - celebration will begin at noon on Friday - will primarily be using San Antonio Street side of the courthouse - will provide portable restroom facilities. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve use of Courthouse Lawn for Mardi Gras celebration to be held February 8th & 9th, 1991. All present voting "Aye".

## 10576 HAYS COUNTY HISTORICAL COMMISSION - APPOINTMENT

Patsy Greiner, Admin. Coord., stated that Mr. Ralph Randow has requested appointment on the Hays County Historical Commission. A motion was made by Commissioner Ford, seconded by Commissioner Payne to appoint Ralph Randow to the Hays County Historical Commission. All present voting "Aye".

## 10577 APPROVE FINAL CONSTRUCTION DOCUMENT FOR JUVENILE DETENTION CENTER AND DELAY GOING OUT FOR BIDS UNTIL JULY 1991

Ed Cooper, Chief Juvenile Probation Officer, appeared before the Court - spoke of reviewing plans - felt like this building will meet their needs - average stay per child is 5 days - gave statistics of population growth and growth in felony & misdemeanor referrals - spoke of possible tax increase - spoke against placing juveniles into county jail (Dec 1985 law was enacted that ordered juveniles out of county jails). Judge Etheredge stated that the Court realizes the juvenile problem and we need to solve this problem - stated that his opposition is to Certificates of Obligation in general and he will vote against any use of C.O. monies for any project - spoke of the Attorney General's office opinion that the funds can be used for a new facility even though the original documentation stated reconstruction of the old jail facility - cautioned against counting on rentals to fund the new facility. Ed Cooper spoke of proposed operational budget for the JDC not being too dependent on outside contracts and spoke of grants that might be available to offset costs. San Marcos Police Chief Martin spoke of juvenile criminals - spoke of frustrations involved in working with them - we need to get them off the streets - juvenile offenders usually commit crimes in groups - we need to move forward with this facility. Sheriff Paul Hastings stated that he supports this facility. Bibb Underwood, Juvenile Advisory Council, spoke of being aware of the problem with funding - sees the affects of not having a place to deal with the youth and to rehabilitate them - we need to sent a message to the children and their parents that we care. Mike Martin, San Marcos I.S.D., spoke in support. Keith Burnett, Principal of Dripping Springs High School, spoke in support. Nina Wright, Drug Free San Marcos Program, spoke of need for the facility - we are cheating the children for not providing a consequence for their actions. Mike Grazier, President-Local Bar Assn., spoke of the Legislature addressing the issue of juvenile crimes - more children will be required to be detained - supports the facility. Claude Lilly spoke - felt like the Court does not have enough information to go out for bids - a detention facility is needed, however, he questions a new facility - feels like the county jail could be utilized - suggested appointing a committee to evaluate the needs. David Williams, Teacher at SWTSU-Criminal Justice, spoke - we need to rehabilitate juveniles early on - opposed to housing juveniles in the same facility as adults. B. R. Wranitzky spoke against use of C.O. monies for this project - suggested a jointly run facility funded by several counties - need to consider the taxpayers. Sylvia Owens, San Marcos CISD, spoke in support. Larry Sowards, Sheriff's Dept. Juvenile Officer, spoke in support - spoke of victims of juvenile crime and frustrations in dealing with juveniles. Rodney Van Oudekerke, San Marcos PD Juvenile Officer, spoke of responsibility to the victims of crime by juveniles - law enforcement needs a tool to use in their efforts. Howard Petmecky, Dripping Springs resident, spoke in support of the taxpayer - spoke of 57% increase in taxes over the past several years. San Marcos Arson Investigator spoke of juveniles being detained out of the county and costs involved - supports the facility. Lloyd Wright, Professor of Psychology @ SWTSU, spoke of working with the Drug Free San Marcos Program - spoke of costs, funding and the crime

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problems - supports the facility. Daryl V? - spoke of working with emotional disturbed persons & juveniles - they know they will not be punished severely. Amanda Ruiz spoke in favor of the facility and spoke of problems parents are having with the youth. County Court at Law Judge Howard Warner spoke of law that requires separation of juveniles from adults - we need to go forward with this project. Commissioner Oran Rippy spoke of his having come onto the Court in support of the juvenile detention facility - he is concerned about tax increases and will be looking into cutting the county budget this coming year - stated that the youth are the future of our country. Commissioner Wayne Ford spoke in support of the facility, however, he would like to delay going out for bids at this time - the decision must be made bases on the budget and the effect on the taxpayers - we need to see what will happen to the tax base with new appraisals. Commissioner Craig Payne stated that this project has been postponed for years and we need to proceed - the issue of C.O. monies is a non-issue - we will need to try to keep taxes down. Judge Eddy Etheredge reiterated his opposition to funding a facility of this size at this time with C.O. funds - we need long range well funded solutions - a JDC will not solve the juvenile problem.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve final construction document for juvenile detention center and authorize the architect to issue for bids. Commissioner Ford and Judge Etheredge voting "Nay" and Commissioner Payne and Commissioner Rippy voting "Aye". MOTION FAILED.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve final construction document for the Juvenile Detention Center. All present voting "Aye".

Commissioner Ford spoke of delaying the bid process until new appraisals are received. A motion was made by Commissioner Ford, seconded by Judge Etheredge to delay going out for bids on the Juvenile Detention Center until the month of July 1991. Commissioner Ford, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Payne voting "Nay".

10578 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$282,408.12. All present voting "Aye".

|                  |        |            |                          |        |           |              |        |          |
|------------------|--------|------------|--------------------------|--------|-----------|--------------|--------|----------|
| Wastewater Fee\$ | 360.00 | Auditor    | \$                       | 541.25 | Treasurer | \$           | 181.59 |          |
| Juv Prob         | \$     | 37.00      | Elec Adm                 | \$     | 46.00     | Indigent Cr  | \$     | 3,430.18 |
| Transfer Sta     | \$     | 95.20      | Bldg. Mtc.               | \$     | 891.54    | Health Dept  | \$     | 18.00    |
| Cntywide Misc    | \$     | 188,837.63 | Civic Ctr                | \$     | 327.32    | Tax A/C      | \$     | 132.37   |
| Dist Clerk       | \$     | 69.73      | Co Clerk                 | \$     | 998.04    | Sheriff      | \$     | 4,308.65 |
| Jail Oper        | \$     | 9,332.09   | Co Judge                 | \$     | 110.90    | CoCrtLaw #1  | \$     | 554.95   |
| Dist Atty        | \$     | 1,164.57   | J.P. 1-2                 | \$     | 135.20    | D.P.S.       | \$     | 163.30   |
| Constable 1      | \$     | 307.17     | Constbl 4                | \$     | 295.28    | Constbl 5    | \$     | 16.00    |
| Data Proc Adm    | \$     | 1,237.50   | CoCrtLaw2                | \$     | 141.40    | TDH TB Grnt  | \$     | 16.00    |
| Foster Child     | \$     | 12,670.00  | TDH M&C                  | \$     | 85.08     | Fire Marshal | \$     | 59.88    |
| Historical Cm    | \$     | 470.00     | \$372.75 Gen Fund Credit |        |           | Dist Crt Op  | \$     | 466.14   |
| Co Crt Oper      | \$     | 1,095.00   | Prec 1                   | \$     | 687.18    | Prec 2       | \$     | 298.08   |
| Prec 3           | \$     | 4,791.28   | Prec 4                   | \$     | 5,923.80  | Hot Chk Fee  | \$     | 239.00   |
| Law Library      | \$     | 45.00      | Jail Cnstr               | \$     | 37,257.88 | Public Wrks  | \$     | 1,511.12 |
| Adult Prob Op    | \$     | 2,514.43   | Ad Prb Fac               | \$     | 853.37    | Animal Cntrl | \$     | 64.77    |

10579 AUTHORIZE PURCHASE OF BACKHOE LOADER FOR PCT. #3 THROUGH TIME WARRANTS THROUGH THE COUNTY DEPOSITORY

County Auditor Bill Herzog spoke of action taken at the last meeting to finance the backhoe/loader through the vendor - vendor wants 1/3 down or monthly payments (\$19,595 total bid w/financing at 9%) - advised against financing with vendor under those circumstances - spoke of prime rate being 9.5% at the present time - recommended time warrant financing through the county depository. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize purchase of backhoe/loader for Pct. #3 through time warrant through the County Depository. All present voting "Aye".

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10580 NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT - APPOINTMENT

Commissioner Wayne Ford spoke of vacancy created by Eileen Conley - would like to appoint Diane Moltz (Box 327, Buda) to the Board. A motion was made by Commissioner Ford, seconded by Commissioner Payne to appoint Diane Moltz to the Northeast Hays county Rural Fire Prevention District. All present voting "Aye".

DISCUSS RESOLUTION - HAYS COUNTY CENTRAL APPRAISAL DISTRICT

Commissioner Ford spoke of letter from the Barton Springs Edwards Aquifer - would like to encourage the CAD to include private water wells on appraisal of properties - to identify them on the maps. No action taken.

KIRBY SPRINGS RANCH PHASE 4 (9 LOTS) - PCT. 4

Patsy Greiner, Admin. Coord., recommended that no action be taken this date - no one representing the subdivision was present - no statement filed concerning whether it is located in the Dripping Springs ETJ - no letter of credit filed - no tax certificate/fees paid. Commissioner Rippy stated that this subdivision needs to be addressed before the City of Dripping Springs. No action taken.

Court recessed and was reconvened at 1:30 p.m. for a workshop. Commissioner Ford was absent for workshop session.

WORKSHOP - FLOODPLAIN MAPS & TAX ABATEMENT POLICY

FLOODPLAIN MAPS

Terry Ewald, Health Dept. Director, appeared before the Court - a FEMA representative will be presenting the maps to the public in the near future - there is a 90 day appeal period after that time - tax evaluation will be affected (some property in the floodplain may then be located in the floodway which would prevent any development and cause property to have \$0 value). Bert and Dorothy Hurlbut, Developers in Wimberley area, spoke - need to compare old maps with new maps - could possibly get help from the school districts to help pay for survey expenses to correct maps - spoke of properties in Wimberley along the Cypress Creek and Blanco River that would be affected - (preventing new development or additions to existing structures. Terry Ewald stated that the present floodplain ordinance will need to be modified - add ons will be affected now that we have more information (presently its 50% and will become smaller %). Mr. Hurlbut stated that the public needs to be informed that the new maps will affect new home builders as well as those who might wish to add on to their existing homes. Judge Etheredge suggested that the Court notify other taxing entities to see if they are interested in jointly hiring a firm to survey properties. It was decided that the Commissioners would set up meetings in their Precincts with other taxing entities to discuss problem areas on the map and possibly jointly hiring a surveyor to correct the maps.

TAX ABATEMENT POLICY

Patsy Greiner, Admin. Coord., presented examples of tax abatement policies for the City of San Marcos, Guadalupe County and Smith County. Jim Gandy, San Marcos Chamber of Commerce, spoke of tax abatements with the City of San Marcos and procedures followed - need to be flexible in your policy to allow negotiations. Claude Lilly stated that the Court should not lock itself into a policy but to treat on an individual basis. County Judge Eddy Etheredge stated that he strongly recommends a policy be adopted and he will put it on the agenda to adopt such a policy.

Court was adjourned until January 28, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 25<sup>th</sup> DAY OF February, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



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STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 28TH DAY OF JANUARY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10581 WIMBERLEY RURAL FIRE PREVENTION DISTRICT - ANNUAL REPORT & APPOINTMENTS

WRFPD Board President Raymond L. Czichos presented their annual report for the year 1990 - spoke of decrease in grass fires and structure fires - they are responding to all vehicle crashes - spoke of decrease in revenue due to lower district evaluation, however, with no paid salaries they are able to operate on a sound financial basis - tax monies are used to provide the equipment and services essential to keeping the lowest key rate for fire insurance - they have acquired 1.067 ac off RR2325 at Green Acres Road for \$25,000 (on tax roll for \$102,000) to build a central fire station with adequate offices and a emergency operation center - spoke of need for a Haz-Mat Team and liabilities - requested that the Court reappoint Norman Kudla and Ron Spangenberg and appoint Don Carr to replace Chester Franklin who is in bad health and unable to serve the remaining year of his term. Commissioner Craig Payne commended all those involved in the fire department. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to appoint Don Carr for a two year term (replacing Chester Franklin) and to reappoint Ron Spangenberg and Norman Kudla for two year terms to the Wimberley Rural Fire Prevention District. All present voting "Aye".

10582 APPROVE REVISED INTERLOCAL PARKING AGREEMENT WITH CITY OF SAN MARCOS

Patsy Greiner, Admin. Coord., spoke of revised interlocal parking agreement submitted by the City of San Marcos - Statute reference was revised - spoke of designated spaces that have been marked on Hopkins Street for law enforcement, handicap and loading zone. Marcos Hernandez, District Attorney, stated that he has reviewed the agreement - puts the responsibility of notifying the public of the two hour parking limit on the County. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the Revised Interlocal Parking Agreement with the City of San Marcos. All present voting "Aye".

THE STATE OF TEXAS\*
THE COUNTY OF HAYS\*

INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN MARCOS AND HAYS COUNTY, TEXAS

KNOW ALL PERSONS BY THESE PRESENTS:

That the City of San Marcos, Texas, a municipal corporation under the laws of the State of Texas, acting by and through the authority conferred on its Mayor, Kathy Morris, by Resolution \_\_\_\_\_, adopted \_\_\_\_\_, 1991, hereinafter referred to as "City", and the County of Hays, Texas, hereinafter referred to as "County", hereby enter into this agreement for the mutual benefit of the parties and pursuant to the following terms and provisions:

I.

This Agreement for the performance of governmental functions and services is entered into pursuant to authority granted by the Texas Interlocal Cooperation Act, Article 4413 (32c), Texas Revised Civil Statutes.

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II.

The purpose of this agreement is the enforcement by City of regulations as to parking of vehicles on property owned by County.

III.

This Agreement shall remain in effect until terminated in accordance with paragraph IX below.

IV.

It is expressly agreed that City will enforce two-hour parking in the 81 parking spaces located on real property owned by Hays County, Texas and being adjacent to the Hays County Courthouse. The purpose of the enforcement is to limit the time a vehicle may remain parked in a specific space on the real property. The first two hours a vehicle is parked on the real property will be free, but the vehicle must be moved after two hours or a fine will be imposed by the City.

V.

County shall have the right to designate six (6) specific spaces on the real property in addition to the 81 enforced spaces which will not be enforced by the City. Four (4) of the spaces shall be limited to use by vehicles authorized for use by law Enforcement Officials, and two (2) shall be limited to use by authorized for use by handicapped individuals.

VI.

County shall further issue permits for vehicles authorized for use by County employees which shall be exempted from enforcement of the two-hour restriction on the real property mentioned above. These permits shall be attached to the rear view mirrors of the exempted vehicles immediately upon issuance.

VII.

It shall be the duty and responsibility of City to enforce the regulations adopted by County pursuant to Article 445.001 of the Texas Local Government Code as to parking of vehicles on the real property owned by County by citing for parking violations any vehicle parked in any of the 81 designated spaces which has remained in the same space past the two-hour time limit. It shall be the duty and responsibility of County to provide and maintain appropriate signage to inform a driver of a vehicle of the parking restriction or prohibition on the real property mentioned above.

VIII.

It is expressly agreed that all revenue from the fines for violations will accrue to City and no other payments by County to City will be made.

IX.

Either party hereto shall have the right to terminate this Agreement by affording thirty (30) days written notice to the other party of its intention to so terminate.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 1991.

10583 DISTRICT ATTORNEY - SALARY LINE ITEM BUDGET AMENDMENT APPROVAL

District Attorney Marcos Hernandez spoke of need to transfer \$1,145.00 from salary of Misdemeanor Secretary to salary of Assistant Chief Misdemeanor Prosecutor. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve amendment to the District Attorney's budget by transferring \$1,145.00 from the Misdemeanor Secretary's salary to the Assistant District Chief Misdemeanor Prosecutor's salary line item. All present voting "Aye".

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10584 APPOINT TWO REPRESENTATIVES TO THE CAPCO GENERAL ASSEMBLY

Patsy Greiner, Admin. Coord., stated that Don Rains and Ralph Gonzales were the two county representatives - Court needs to make new appointments. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to appoint County Judge Eddy Etheredge and Commissioner Wayne Ford to the CAPCO General Assembly. All present voting "Aye".

TERMINATION OF HOME HEALTH CARE PROGRAM - DISCUSSION

Ann Ashjian, Home Health Care Program Director, spoke of the programs situation - no longer able to compete with other organizations - Central Texas Medical Center is going to open their own program - spoke of losing the HHC Administrator and difficulties in obtaining fulltime professionals and keeping cost down - patients with insurance helps to compensate for those who cannot pay for services and their patients with insurance are decreasing in number - permission to terminate is necessary from the Court. Judge Etheredge suggested tabling any action until alternatives are sought.

10585 SOUTH HAYS COUNTY RURAL FIRE PREVENTION DISTRICT - APPOINTMENTS

County Judge Eddy Etheredge read letter from Anne Graves, President of the South Hays County Rural Fire Prevention District #2 - letter request appointment of John Stachowitz (Country Estates), Yvonne Carroll (Deerwood Estates) and Kaare Remme (Thousand Oaks) to the Board - Annual Report for 1990 was submitted. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve appointment of John Stachowitz, Yvonne Carroll and Kaare Remme to the South Hays County Rural Fire Prevention District Board for two year terms. All present voting "Aye".

10586 ROAD NAME DESIGNATION - "XU2 RANCH ROAD" LOCATED OFF HWY. 150 SOUTH OF INTERSECTION WITH RR 12

Commissioner Rippy read a letter from Paul Garnett requesting road name designation for purposes of 9-1-1 mapping program. Patsy Greiner, Admin. Coord., spoke of this road being a driveway for possibly two residences - a name designation can be made. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to designate the name of "XU2 Ranch Road" to private road located off Highway 150 two miles south of its intersection with Ranch Road 12. All present voting "Aye".

10587 COUNTY COURT AT LAW - BUDGET AMENDMENT TO PURCHASE FILE CABINET

County Auditor Bill Herzog stated that a file cabinet had been purchased for the County Court at Law Court Reporter - \$299.00 budget amendment is needed. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve budget amendment by transferring \$299.00 from County Court Office Supply line item to the Office Equipment line item. Commissioner Craig Payne spoke of departments making purchases without prior approval when funds are not available. Commissioner Ford, Judge Etheredge and Commissioner Rippy voting "Aye". Commissioner Payne voting "Nay".

INVOICE FOR RENTAL SPACE AT 100 EAST SAN ANTONIO STREET/BUDGET AMENDMENT

County Auditor Bill Herzog presented invoice from BKP Property Partners for rental of storage space located behind 100 East San Antonio Street:

|                                      |             |
|--------------------------------------|-------------|
| 3 stalls for 3 1/2 months @ \$350.00 | \$ 1,225.00 |
| 2 stalls for 8 1/2 months @ \$225.00 | \$ 1,912.50 |
|                                      | =====       |
|                                      | \$ 3,137.50 |

Discussion was had concerning the fact that Kelly Kilber is part owner of this property and is the County Surveyor. Commissioner Wayne Ford stated that he did not feel like there was a conflict in this matter. District Attorney Marcos Hernandez will investigate whether this is a conflict of interest. No action taken.

10588 APPROVE AGREEMENT WITH THE SOFTWARE GROUP REGARDING THE PURCHASE OF THE COMPUTER SYSTEM FOR THE COUNTY AUDITOR AND COUNTY TREASURER

Ron Davis, Marketing Representative of The Software Group, Inc., was present. County Data Processing Administrator Danny Dever spoke of meeting held by the Computer Committee - The Software Group has obtained a performance bond - recommends moving forward and approving the agreement. Marcos Hernandez, District Attorney, stated that he has reviewed the contract and it is in order. A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve the Agreement with the Software Group Inc. regarding the purchase of the computer system for the County Auditor and County Treasurer's offices. All present voting "Aye". Commissioner Ford made a motion that was seconded by Commissioner Rippy to authorize the County Judge to sign the Agreement with The Software Group Inc. All present voting "Aye". (See Agreement in resolution file)

10589 APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE AUDIT ENGAGEMENT LETTER FOR JEFF HEARD & COMPANY

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve and authorize the County Judge to sign the Audit Engagement Letter for Jeff Heard & Company. All present voting "Aye". (See Letter in resolution file)

10590 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve payment of county invoices in the amount of \$104,325.79 as presented by the County Auditor. All present voting "Aye".

|                  |               |                   |              |
|------------------|---------------|-------------------|--------------|
| Accts Recvbl     | \$ 247.08     | Auditor           | \$ 555.00    |
| Extension Ofc    | \$ 204.80     | Juv Prob Ofc      | \$ 1,753.04  |
| Election Admin   | \$ 852.50     | Indigent Care     | \$ 1,408.15  |
| Transfer Station | \$ 41.45      | Bldg. Maint.      | \$ 2,600.72  |
| Health Dept.     | \$ 8.46       | Civic Center      | \$ 929.94    |
| Countywide Misc  | \$ 12,298.51  | Dist. Clerk       | \$ 752.10    |
| County Clerk     | \$ 418.14     | Sheriff's Ofc.    | \$ 2,353.99  |
| Jail Operations  | \$ 8,258.86   | County Judge      | \$ 63.30     |
| Admin Coord.     | \$ 25.91      | Co Crt @ Law 1    | \$ 182.18    |
| Dist Attorney    | \$ 465.74     | J.P. 1-2          | \$ 133.62    |
| J.P. 2           | \$ 9.96       | J.P. 3            | \$ 658.50    |
| J.P. 4           | \$ 98.46      | J.P. 5            | \$ 277.19    |
| D.P.S.           | \$ 444.80     | Constable 1       | \$ 26.60     |
| Constable 3      | \$ 220.92     | Constable 4       | \$ 50.00     |
| Constable 5      | \$ 144.87     | Veterans Admin    | \$ 377.08    |
| Co Crt @ Law 2   | \$ 379.17     | TDH TB Grant      | \$ 55.00     |
| TDH M&C Care     | \$ 40.00      | Diversionsary Plc | \$ 1,240.00  |
| GEN FUND CREDIT  | \$ 183.88**** | Dist Court Oper   | \$ 8,394.81  |
| Co Court Oper    | \$ 453.60     | Road & Bridge Gen | \$ 147.11    |
| Precinct 1       | \$ 8,738.05   | Precinct 2        | \$ 12,412.97 |
| Precinct 3       | \$ 4,224.11   | Precinct 4        | \$ 8,517.16  |
| Hot Check Fee    | \$ 382.00     | Law Library       | \$ 1,004.77  |
| Public Works     | \$ 12,082.89  | Pioneer Rd Dist   | \$ 2,490.92  |
| Adult Prob Oper  | \$ 4,116.10   | Adult Prob Fac    | \$ 3,074.88  |
| Animal Control   | \$ 894.26     |                   |              |

10591 NORTH HAYS COUNTY EMS DISTRICT #1 - ANNUAL REPORT AND APPOINTMENTS

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to reappoint Joe Heidenfelder, Ted Covington and Harrell Robinson to the North Hays County Emergency Services District #1 Board. All present voting "Aye". Annual report was submitted in writing - Joe Heidenfelder appeared and was introduced by Commissioner Craig Payne at the end of the meeting - Commissioner Payne commended the Board and all those involved in their operations.

Court adjourned until February 4, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 25th DAY OF February, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 4TH DAY OF FEBRUARY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Craig Payne was not present when the meeting began.

**TRANSPORT LIFE INSURANCE CO - UPDATE ON INSURANCE PROGRAM**

Jim Rotan and Debra Spelling appeared before the Court. Ms. Spelling stated that they will be giving quarterly reports to the Court concerning the County's insurance coverage - 3 handouts were provided for the employees, I.D. cards were mailed 9/21/90, booklets were mailed 12/3/90, PCS cards were sent 12/21/90 - discussion was had on wellness benefit - claims analysis report was filed - claim report indicates that the paid claims thru December have been fairly low. County Insurance Representative Jacque Jordan stated that the County Surveyor Kelly Kilber has inquired about insurance coverage. Authorization for County Surveyor insurance coverage to be placed on the next agenda.

**PRESENTATION OF AWARD TO RACHEL G. YATES AND THE WALKABOUT DEPENDENCY RECOVERY EXPEDITIONS**

Judge Eddy Etheredge spoke of alcohol/drug program created by Rachel Yates and her husband - introduced Rachel Yates and asked her to explain her project. Mrs. Yates spoke of their in-patient treatment clinic with an outdoor wilderness program - program deals with alcohol and drug addictions and helps the entire family - privately funded - 3 weeks are spent at Big Bend for wilderness expedition - program serves up to 12 adolescents at a time and their family members. Judge Etheredge spoke in support and presented Rachel Yates with a plaque.

**10592 APPROVE SPECIFICATION FOR A FENCE FOR THE LAW ENFORCEMENT CENTER PREVIOUSLY AUTHORIZED TO BE ADVERTISED FOR BIDS**

Auditor's office presented specifications to be approved. Sheriff Paul Hastings spoke of project being a 10' high cyclone security type fence - fence would allow outdoor recreation for prisoners and a secure area in the case of a fire emergency in the building. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve specifications for a fence for the Law Enforcement Center as presented by the County Auditor. All present voting "Aye".

Commissioner Craig Payne appeared for the meeting at this time.

**10593 AUTHORIZE ROOF REPAIRS TO THE ROGERS BUILDING IN BUDA**

Commissioner Wayne Ford spoke of roof repairs that are needed to the Rogers Building in Buda - air vents are allowing water to enter the building ruining the sheetrock. A motion was made by Commissioner Ford, seconded by Judge Etheredge to direct the Maintenance Department to seal the existing vents off and install auto power attic ventilators - funding to come out of the maintenance budget. All present voting "Aye".

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10594 AMEND BUDGET OF COUNTY ADMINISTRATOR TO ATTEND TRAINING SESSION ON NEW SOFTWARE FOR MAPPING 9-1-1 AND REDISTRICTING

Patsy Greiner, Administrative Coordinator, spoke of mapping that has been done by SWTSU - there are no Interns this semester to assist - spoke of Mapinfo for Windows training course - fee is \$595.00 per person w/10% discount for groups of three or more + mileage and hotel room. Danny Dever, DP Admin., spoke of software having already been purchased for the 9-1-1 mapping program - spoke of software to assist in redistricting. Sheriff Hastings stated that he would like to send Carol Drake from his department to the training course along with Patsy. A motion was made by commissioner Ford, seconded by Commissioner Payne to authorize the necessary funds for training session on Mapinfo for Windows for the County Administrator to be paid out of mapping funds. All present voting "Aye".

10595 APPROVE REQUEST TO MAKE APPLICATION TO THE GOVERNOR'S OFFICE FOR RECYCLING GRANT

Commissioner Craig Payne spoke of a \$20,000.00 grant application - money was created from taxes by Oil companies (Energy Fund) - County will have to contribute \$5,000 in matching funds (can come out of salaries line item) - they will be using volunteers - will lease/purchase a bailer. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize grant application to the Governor's Office for a recycling grant. All present voting "Aye".

10596 APPOINT A COMMITTEE TO LOOK INTO A PERSONAL BAIL BOND OFFICE

Commissioner Craig Payne recommended creation of a committee to investigate the possibility of creating a personal bail bond office. District Attorney Marcos Hernandez spoke in favor of investigating this matter. Judge Etheredge stated that Travis County is not generating any revenues from their bail bond office. Bondsman Dan Roberts spoke of costs involved and passed out copies of opinions concerning bonds. Mr. Hernandez spoke of preset bonds - spoke of cost in housing prisoners vs losses with bonds. Sheriff Hastings stated that Hays County does have preset bonds if a magistrate is not available. A motion was made by Judge Etheredge, seconded by Commissioner Payne to appoint Rudy Benson, Sheriff Paul Hastings, District Attorney Marcos Hernandez and Commissioner Craig Payne or their designees to a committee to look into a Personal Bail Bond Office. All present voting "Aye".

10597 AMEND BUDGET TO PURCHASE A TELEPHONE SYSTEM FOR PCT. #3 COUNTY OFFICES

Commissioner Craig Payne spoke of need for a telephone system for the Pct. #3 county offices - proposals received range from \$1325 to \$2000. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize Commissioner Payne to purchase a telephone system for the Pct. #3 county offices out of the countywide telephone repair line item. Commissioner Payne stated that he would like to urge the public to use the 847-2000 telephone number for the Pct.#3 county offices. Judge Etheredge, Commissioner Ford and Commissioner Payne voting "Aye". Commissioner Rippy abstained.

10598 APPROVE INCREASE IN PAYMENT FOR INDIGENT/PAUPER BURIALS

Patsy Greiner, Admin. Coord., spoke of proposal from Pennington Funeral Home - graveside burial for indigents at \$450 - infant graveside burials at \$125 - stated that she had called the other funeral homes concerning this proposal, however, no one appeared. Commissioner Ford spoke of research he has done concerning this matter which he will present at a future meeting - should be referred to as "Pauper" and not "Indigent" burials. A motion was made by Commissioner Ford, seconded by Judge Etheredge to increase fee for pauper burials to \$450.00 for adults and \$125.00 for infants. Commissioner Ford, Judge Etheredge and Commissioner Rippy voting "Aye". Commissioner Payne voting "Nay".

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**10599 APPROVAL TO ENTER INTO STATE CONTRACT FOR ADDITION OF ELECTRONIC EQUIPMENT FOR MOTOR VEHICLE DIVISION OF TAX ASSESSOR-COLLECTOR OFFICE**

Ruth Clayton, Tax Assessor-Collector, presented a draft copy of agreement with the State Dept. of Highways & Public Transportation regarding the use of SDHPT electronic equipment - would allow tax office to eventually generate motor vehicle titles in the office - there will be security changes required in the building. Judge Etheredge spoke of costs involved and Commissioner Ford voiced his concerns about funding in the future. A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve entering into State contract for addition of electronic equipment for motor vehicle division of Tax Assessor-Collector Office. All present voting "Aye".

**10600 APPOINT COUNTY JUDGE EDDY ETHEREDGE TO THE HAYS COUNTY VETERANS LAND PROGRAM COMMITTEE**

County Judge Eddy Etheredge requested appointment to the Hays County Veterans Land Program Committee to replace former County Judge Don Rains. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to appoint County Judge Eddy Etheredge to the Hays County Veterans Land Program Committee. All present voting "Aye". Commissioner Craig Payne asked that he be advised of all transactions in his precinct.

**DISCUSSION OF SCHEDULING FOR DRIVERS TRAINING FOR PRECINCT PERSONNEL**

Discussion was had Re: Sept 17th mandated that Class "A" and Class "B" Commercial Drivers License Operators must be retested before April 1, 1992 - driving test waived if driver has 2 years continuous and immediately previous experience with that vehicle with certification from employer that this is the case - there has been a request from Pct. #1 for drivers training - Patsy Greiner, Admin. Coord., spoke of options: Bill Hightower with USA Driving (\$30 per person - 12 hrs) and Texas A&M with Wayne Steelman (\$500 per day) - a classroom with capability to show slides and videos is required - could be done Pct. by Pct. Commissioners to decide how they want to proceed.

**10601 APPROVE TREASURER'S REPORT FOR DECEMBER 1990**

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve Treasurer's Report for December 1990 as presented. All present voting "Aye". (See report on page 562-564)

**10602 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$134,081.04. All present voting "Aye".

|               |              |            |              |            |              |
|---------------|--------------|------------|--------------|------------|--------------|
| Fines         | \$ 245.50    | Auditor    | \$ 313.95    | Juv Prob   | \$ 5.13      |
| Indigent Care | \$ 5,320.53  | Bldg Mtc   | \$ 34.25     | Health DP  | \$ 4.86      |
| Cntywide Misc | \$ 31,023.70 | Tax A/C    | \$ 49.25     | Dist.Clk   | \$ 442.37    |
| Co. Clk       | \$ 8,424.53  | Sheriff    | \$ 807.28    | Adm Coord  | \$ 90.37     |
| Jail          | \$ 5,676.87  | Co. Judge  | \$ 325.56    | J.P. 1-1   | \$ 11.48     |
| CoCrt @ Law 1 | \$ 16.97     | Dist Aty   | \$ 224.77    | J.P. 3     | \$ 611.48    |
| J.P. 1-2      | \$ 46.98     | J.P. 2     | \$ 569.71    | DPS        | \$ 95.06     |
| J.P. 4        | \$ 261.49    | J.P. 5     | \$ 111.49    | DP Admin   | \$ 179.09    |
| Constable 1   | \$ 216.31    | Constbl5   | \$ 148.70    | TDH M&C    | \$ 106.00    |
| CoCrt @ Law 2 | \$ 16.98     | TDH TB     | \$ 185.50    | Co Crt     | \$ 4,509.75  |
| Hays Co Hist  | \$ 24.71     | Dist Crt   | \$ 10,484.59 | Pct. 2     | \$ 1,515.40  |
| R&B General   | \$ 1,000.00  | Pct. 1     | \$ 1,882.82  | Self Ins   | \$ 39,824.85 |
| Pct. 3        | \$ 5,907.19  | Pct. 4     | \$ 2,923.68  | Sherf Drug | \$ 220.05    |
| Hot Chk Fee   | \$ 253.10    | Law Lib    | \$ 239.00    |            |              |
| Adult Prb Opr | \$ 9,364.74  | Ad Prb Fac | \$ 365.00    |            |              |

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 4TH day of FEBRUARY, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of DECEMBER, 1990 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

Deley A. Scheweck  
COUNTY JUDGE

Absent  
COMMISSIONER, PRECINCT 1

Wayne Ford  
COMMISSIONER, PRECINCT 2

Eric Zane  
COMMISSIONER, PRECINCT 3

Oran Hill Rippey  
COMMISSIONER, PRECINCT 4

ATTEST:

Donna W. [Signature]  
HAYS COUNTY CLERK

Filed: FEBRUARY 4, 1991  
COMMISSIONERS' COURT  
HAYS COUNTY, TEXAS # 10601



County of Bays  
Summary of Receipts and Disbursements  
For the Period December 1990

|                                         | General      | Jury      | R & B<br>General | R & B<br>Pct # 1 | R & B<br>Pct # 2 | R & B<br>Pct # 3 | R & B<br>Pct # 4 | Total<br>Funds |
|-----------------------------------------|--------------|-----------|------------------|------------------|------------------|------------------|------------------|----------------|
| <b>Checking</b>                         |              |           |                  |                  |                  |                  |                  |                |
| Balance on 12/01/90                     | 161,387.29   | 10,029.47 | 1,836.85         | 1,804.81         | 2,372.76         | 38,271.16        | 6,725.09         | 222,427.43     |
| Money Market Interest                   | 1,406.52     |           |                  |                  |                  |                  |                  | 1,406.52       |
| Deposits (Receipts)                     | 1,021,361.23 | 51,418.69 | 11,129.00        | 28,070.90        | 42,709.84        | 30,878.00        | 40,702.82        | 1,226,263.48   |
| Disbursements (Claims)                  | 910,160.88   | 24,044.20 | 12,049.12        | 29,420.05        | 44,320.99        | 26,068.81        | 39,457.13        | 1,085,521.18   |
| <b>Total</b>                            | 273,994.16   | 37,403.96 | 915.73           | 455.66           | 754.61           | 43,080.25        | 7,970.78         | 364,576.25     |
| <b>Certificates of Deposit</b>          |              |           |                  |                  |                  |                  |                  |                |
| Balance on 12/01/90                     | 1,000,000.00 | -0-       | -0-              | -0-              | -0-              | -0-              | -0-              | 1,000,000.00   |
| <b>New C. D.'s</b>                      |              |           |                  |                  |                  |                  |                  |                |
| Matured C. D.'s transferred to Checking |              |           |                  |                  |                  |                  |                  |                |
| <b>Total</b>                            | 1,000,000.00 | -0-       | -0-              | -0-              | -0-              | -0-              | -0-              | 1,000,000.00   |
| <b>Checking</b>                         |              |           |                  |                  |                  |                  |                  |                |
| Balance on 12/01/90                     | 15,396.22    | 2,011.97  | 6,429.07         | 106.68           | 80,461.48        | 29,445.29        | 11,399.41        | 497.52         |
| Money Market Interest                   |              |           |                  |                  | 442.67           | 136.23           | 41.94            |                |
| Deposits (Receipts)                     |              | 3,426.21  | 487.00           |                  | 97,777.54        | 1,632.97         | 4,084.93         |                |
| Disbursements (Claims)                  |              | 2,748.73  | 106.42           | 106.68           | 108,681.69       | 31,915.49        | 3,449.78         | 497.52         |
| <b>Total</b>                            | 15,396.22    | 2,689.45  | 6,809.65         | 106.68           | 108,681.69       | 31,915.49        | 3,449.78         | 497.52         |
| <b>Certificates of Deposit</b>          |              |           |                  |                  |                  |                  |                  |                |
| Balance on 12/01/90                     | 30,000.00    | -0-       | -0-              | -0-              | 1,700,000.00     | 100,000.00       | 250,000.00       | -0-            |
| <b>New C. D.'s</b>                      |              |           |                  |                  |                  |                  |                  |                |
| Matured C. D.'s transferred to Checking |              |           |                  |                  |                  |                  |                  |                |
| <b>Total</b>                            | 30,000.00    | -0-       | -0-              | -0-              | 1,700,000.00     | 100,000.00       | 250,000.00       | -0-            |
| <b>Temporary Transfers</b>              |              |           |                  |                  |                  |                  |                  |                |
| #22-90 From General to Pct#2 \$2,000.00 |              |           |                  |                  |                  |                  |                  |                |
| <b>Total</b>                            | 30,000.00    | -0-       | -0-              | -0-              | 1,700,000.00     | 100,000.00       | 250,000.00       | -0-            |

*[Signature]*  
Dorothy P. Sims, County Treasurer



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10603 AMEND BUDGET OF THE HAYS COUNTY HISTORICAL COMMISSION

County Auditor Bill Herzog spoke of \$3,000 that was funded for the Hays County Historical Commission - gave breakdown of funds: Printing \$875 Contract Services \$1,500 Continuing Education \$220 Operating Expense \$405. A motion was made by Commissioner Ford, seconded by Commissioner Payne to amend the budget of the Hays County Historical Commission as presented by the County Auditor. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye", Judge Etheredge voting "No".

10604 CENTERPOINT ROAD PROJECT - ADDITIONAL EXPENSES FOR PROJECT

County Auditor Bill Herzog stated that \$10,000 had been the estimate for the Centerpoint Road project (Factory Shops Outlet Mall) - actual cost was \$11,721 - cost were to be paid out of R&B General fund and to be reimbursed by Pct. 1 funds. A motion was made by Commissioner Ford, seconded by Commissioner Payne to pay for additional expenses of Centerpoint Road Project out of R&B General Expense funds and to not require repayment of expenses by R&B Precinct #1. All present voting "Aye".

10605 APPROVE AUDIT REPORTS FOR J.P. #2, J.P.#5, J.P. #1-2 AND INVENTORY OF R&B PCT. #1

A motion was made by Commissioner Payne, seconded by Commissioner Ford to accept audit reports for Justices of the Peace #1-2, #2, #5 and inventory for R&B Pct. #1. All present voting "Aye".

Court adjourned until Monday February 11, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 11th DAY OF March, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 11TH DAY OF FEBRUARY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| GRAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10606 ACCEPT RESIGNATION OF DATA PROCESSING MANAGER AND AUTHORIZE ADVERTISING FOR REPLACEMENT PERSONNEL

Data Processing Administrator Danny Dever appeared before the Court in reference to his resignation - will work until the end of the month - has accepted a new job opportunity - will be able to consult with the County during the transition - concerned about his employee Marilyn Blackwell - would like to see a smooth transition. Judge Etheredge spoke of input he had received concerning the fine job that Danny has done for the County and stated his appreciation. Commissioner Payne

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spoke in support of Danny Dever and Commissioner Rippy thanked him for a job well done. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept resignation of Danny Dever as Data Processing Administrator and to authorize advertising for replacement personnel. All present voting "Aye".

**MARY GONZALES - PUBLIC STATEMENT TO THE COUNTY JUDGE**

Mary Gonzales appeared before the Court - requested that the County withdraw its suit to remove Ralph Gonzales from County Office - spoke in support of Mr. Gonzales who she feels has proven his support by his constituency - feels like he has been mistreated and that Mexican-Americans do not have equal value in this community.

**UTILITY REBATE CORPORATION PRESENTATION & COMMITTEE APPOINTMENT**

Robert Eastman of Utility Rebate Corp. appeared before the Court - they provide an auditing service of utilities (electrical & telephone) - go through the billings to catch any errors that may exist - if no errors are found then you pay nothing - billing is checked for proper rates and tariffs - fees are generally 1/2, however, they will negotiate a figure. Judge Etheredge spoke in support of this service. County Auditor Bill Herzog stated that the Court might want to go out for proposals for this service since fees could possibly be high. County Judge Eddy Etheredge appointed a committee to investigate: Commissioner Wayne Ford, County Auditor Bill Herzog and District Attorney Marcos Hernandez.

**10607 DISCONTINUE RENTAL LEASE OF STORAGE BUILDING AND AUTHORIZE PAYMENT OF UNPAID RENTAL FEES**

District Attorney Marcos Hernandez stated that his research indicates that there is not a problem with renting storage space from Kelly Kilber (County Surveyor)- who is a partner in the company that we are presently doing business with. Discussion was had concerning renovation at the Courthouse Annex and office space that is not presently being utilized. Rental/Lease property being used to store records and Amdro. A motion was made by Commissioner Payne, seconded by Commissioner Ford to continue with rental lease and to pay out of contingencies - after discussion motions were withdrawn. A motion was made by Commissioner Payne, seconded by Commissioner Ford to move the records and Amdro out of the rental lease storage building, discontinue the lease and authorize payment of \$1,675.00 (fees presently owed) out of contingencies. All present voting "Aye".

**HAYS COUNTY HISTORICAL COMMISSION - DISCUSS FINANCIAL ARRANGEMENTS**

Lila Stilson, New HCHC Chairman, stated that the Historical Commission has received 3 out of the 4 Grants that they had applied for - she reaffirmed the financial arrangements agreed upon - requested that separate accounts from the County be allowed. Commissioner Ford requested that Court would need a Statute reference in order to allow this request. C. B. Lilly spoke - his research indicates that when you made the HCHC a county department they must then follow the same procedures as all other departments of the county - including grants. Francis Stovall, Former HCHC Chairman, spoke of dedicated funds. Court requested that the District Attorney research this matter. Lila Stilson stated that she would meet with the State Historical Commission to get the Statute and would report her findings to the District Attorney.

**10608 COUNTY JUDGE OFFICE SUPPLIES LINE ITEM - BUDGET AMENDMENT**

A motion was made by Commissioner Ford and seconded by Judge Etheredge to amend budget of County Judge by transferring \$200 from Office Equip Repair & Maint and \$200 from Misc to the Office Supply line item. All present voting "Aye".

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10609 1991 GRIEVANCE COMMITTEE SELECTIONS

County Judge Eddy Etheredge drew the following names from a list of 1990 Grand Jurors to serve on the 1991 Hays County Grievance Committee:

- Andrea Espinoza - Rt. 2 Box 358 - San Marcos, Texas
- Belia Velasquez - P. O. box 461 - Kyle, Texas
- Basil J. Lombardo - 301 Lange Road - Wimberley, Texas

10610 AUTHORIZATION FOR COUNTY SURVEYOR TO RECEIVE HEALTH INSURANCE COVERAGE

District Attorney Marcos Hernandez stated that he could find no problem with allowing the County Surveyor insurance coverage if the County is willing to incur the costs. Commissioner Wayne Ford requested that the District Attorney research the duties of the County Surveyor - felt like we are not presently utilizing this position in the capacity that is possible. Medical/Dental/Life Insurance coverage = \$129.02 per month. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize health insurance coverage for the County Surveyor with County's cost to come out of the Insurance Line Item #5340. All present voting "Aye".

10611 APPROVE PROPOSED INSTALLATION BY GTE ON CO RD 311 AND REDBUD TRAIL

Commissioner Ford spoke of need to update specifications for utility companies - need to include signage, etc. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve proposed installation by GTE on County Road 311 and Redbud Trail (Country Estates Subd) WO#3P001AB with County stipulations. All present voting "Aye".

10612 APPROVE PROPOSED INSTALLATION BY GTE ON CO RD 101

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve proposed installation by GTE on County Road 101 with variance granted to allow cutting roadway . All present voting "Aye".

COMMITTEE APPOINTED TO MEET WITH DELINQUENT TAX ATTORNEY

C. B. Lilly spoke of information received - court has not consulted with the Delinquent Tax Attorney since he was awarded the contract - suggested periodic reports from the Attorney - felt like we need to be more aggressive in collection of delinquent taxes. County Judge Eddy Etheredge spoke of money that has been collected - appointed a committee to be comprised of C. B. Lilly, Commissioner Rippy and Judge Etheredge to meet with Chester Young, the Delinquent Tax Attorney.

10613 INDIGENT HEALTH CARE - AUTHORIZE PURCHASE OF OXYGEN FOR INELIGIBLE APPLICANT AND APPOINTMENT OF COUNTY JUDGE AS COURT CONTACT PERSON

Indigent Health Care Coordinator Eva Cruz appeared before the Court - spoke of Wimberley resident that is in need of oxygen before he can be released from the hospital - was in a motorcycle accident - has no income - must be out of the hospital 30 days to qualify for other assistance - cost of oxygen is \$150 per month. Eva also requested that someone be appointed as a Court contact person to represent her in Commissioners Court when necessary.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to provide oxygen for ineligible indigent health care applicant for 90 days. Commissioner Payne stated that he believes that this man has family in Travis County that could assist him. Commissioner Ford, Commissioner Rippy and Judge Etheredge votintg "Aye", Commissioner Payne abstained.

Judge Etheredge spoke of decision sometimes need to be made prior to meeting - need to have contact person. A motion was made by Commissioner Payne, seconded by Commissioner Ford to appoint County Judge Eddy Etheredge as Commissioners' Court contact person for Indigent Health Care. Commissioner Ford, Commissioner Rippy and Judge Etheredge voting "Aye", Commissioner Payne voting "Nay".

10614 AUTHORIZE FULL PAYMENT OF COUNTY CONTRIBUTION TO UHLAND VFD

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize full payment of county contribution to the Uhland Volunteer Fire Dept. All voting "Aye".

10615 ACCEPT ROADS IN PRECINCT #2 FOR COUNTY MAINTENANCE

Commissioner Ford spoke of roads in his precinct that need to be accepted for county maintenance: Rodriguez Street and Bradford Street (Unrecorded Subd) - 1510 feet - and unnamed dedicated easement outside of Kyle off deadend of CR135 - 217 ft - public roadway for over 30 years. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept Rodriguez Street, Bradford Street and Unnamed Roadway off CR135 in Precinct #2 for County maintenance. All present voting "Aye".

10616 HOME HEALTH PROGRAM - AUTHORIZE ENTERING INTO CONTRACT WITH CENTRAL TEXAS MEDICAL CENTER

County Judge Eddy Etheredge explained the situation concerning the Home Health Program as previously addressed before the Court. Ann Ashjian stated that by Monday someone must be in place for existing patients. Joel Haus, Central Texas Medical Center, stated that they will be providing home health care and are prepared to cover staff under contract - License can be transferred to CTMC. Judge Etheredge stated that we need to have the District Attorney go over the contract. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize entering into a contract for home health care - contract to be approved by the Commissioners' Court - with Central Texas Medical Center and to transfer the License with stipulations. All present voting "Aye".

10617 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve payment of county invoices as presented by the County Auditor in the amount of \$60,359.03. All present voting "Aye".

|                  |             |                  |              |
|------------------|-------------|------------------|--------------|
| Wastewater Fee   | \$ 240.00   | Fines Refund     | \$ 74.00     |
| Auditor          | \$ 256.31   | Treasurer        | \$ 63.76     |
| Extension Ofc    | \$ 194.02   | Juv Prob         | \$ 115.85    |
| Election Admin   | \$ 23.73    | Indigent Care    | \$ 1,561.29  |
| Transfer Sta     | \$ 4,208.23 | Bldg Mtc         | \$ 5,884.19  |
| Health Dept      | \$ 409.55   | Civic Center     | \$ 2,984.62  |
| Countywide Misc  | \$ 7,172.72 | Tax A/C          | \$ 504.21    |
| District Clerk   | \$ 237.19   | County Clerk     | \$ 137.31    |
| Sheriffs Ofc     | \$ 1,472.92 | Jail Operations  | \$ 12,586.97 |
| County Judge     | \$ 104.24   | Admin Coord.     | \$ 71.84     |
| Co CRT @ Law 1   | \$ 72.61    | District Atty    | \$ 1,077.20  |
| J.P. 1-1         | \$ 73.93    | J.P. 1-2         | \$ 97.95     |
| J.P. 2           | \$ 72.72    | J.P. 3           | \$ 92.86     |
| D.P.S.           | \$ 1,060.42 | Constable 1      | \$ 32.66     |
| Constable 2      | \$ 584.40   | Constable 4      | \$ 75.11     |
| Constable 5      | \$ 244.09   | Veterans Admin   | \$ 22.56     |
| Data Proc Adm    | \$ 888.87   | Co CRT @ Law 2   | \$ 25.12     |
| In Home Spec     | \$ 206.49   | TDH M&C Care     | \$ 940.53    |
| Fire Marsh/EMC   | \$ 45.46    | TABC             | \$ 62.97     |
| Dist Court Oper  | \$ 1,416.92 | Co Court Oper    | \$ 137.36    |
| Dist Court Reprt | \$ 49.93    | R&B General      | \$ 28.77     |
| Precinct #1      | \$ 368.00   | Precinct #2      | \$ 1,200.21  |
| Precinct #3      | \$ 1,916.68 | Precinct #4      | \$ 627.92    |
| Hot Check Fee    | \$ 109.30   | Sheriff Drug Frf | \$ 651.50    |
| D.A. Drug Frf    | \$ 1,908.30 | Adult Prb Oper   | \$ 2,894.35  |
| A.P. CSR Grant   | \$ 272.57   | A.P. CCE Ctr     | \$ 1,923.98  |
| A.P. DWI Interv  | \$ 2,573.57 | A.P. FAC         | \$ 495.33    |
| Animal Control   | \$ 90.95    |                  |              |

\*GEN FUND CREDIT\$85.51\*\*\*\*\*

\*ADULT PROB OPER CREDIT \$ 200.00\*\*

\*\*\*\*\*

**10618 AMEND BUDGET OF ADULT PROBATION DAY REPORTING CENTER FOR THE PURCHASE OF A USED 1990 VAN (\$16,000)**

A motion was made by Commissioner Ford, seconded by Judge Etheredge to amend budget of Adult Probation Day Reporting Center for the purchase of a used van by transferring \$6,000 from salaries, \$1,040 from FICA, \$960 from Retirement and \$8,000 from Counseling into Vehicles line item. All present voting "Aye".

**10619 AMEND BUDGET OF ADULT PROBATION FOR DWI INTERVENTION PROGRAM (NEW GRANT)**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of Adult Probation Operation to reflect new grant "DWI Intervention Program": Travel/Train = \$900 Equipment = \$630 Supplies = \$2,670 Contractual = \$1,800. All present voting "Aye".

**10620 AMEND BUDGET OF ADULT PROBATION TO INCLUDE ADDITIONAL FUNDING FOR COUNSELING**

A motion was made by Commissioner Ford, seconded by Commissioner Payne to amend budget for Adult Probation Day Reporting Center to include amendment to grant allowing additional counseling = \$26,689.73. All present voting "Aye".

**10621 AMEND BUDGET OF CONSTABLE PCT. #5**

A motion was made by Commissioner Ford, seconded by Judge Etheredge to amend budget of Constable Pct. #5 by transferring \$222 from Office Supplies line item and \$121 from Misc. line item to Law Enforcement Equipment Repair line item. All present voting "Aye".

**10622 AUTHORIZE PURCHASE OF TWO LATERAL FILES FOR COUNTY CLERK'S OFFICE**

Ronnie Dannelley, County Clerk, spoke of not having equipment funds in his budget to purchase lateral files needed to store records - costs should not exceed \$1600. A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize purchase of two lateral files for the County Clerk's office. All present voting "Aye".

**10623 MEADOW CREEK RANCH, PHASE 1 - ACCEPT ROAD CONSTRUCTION**

Mark McManus appeared before the Court - road has been constructed and we need to begin the one year maintenance process. Commissioner Rippy stated that the City of Dripping Spring's Engineer has supervised the project and has approved the construction. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to accept road construction in the "Meadow Creek Ranch, Phase I" subdivision and begin the one year maintenance process. All present voting "Aye".

**10624 RIDGEVIEW ESTATES - 1ST & 2ND READINGS**

Mark McManus presented "Ridgeview Estates" subdivision on first and second readings City of Dripping Springs has approved with additional requests to be met (i.e., planned design, 60' easement, hot mix). A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accepted "Ridgeview Estates" subdivision on first and second readings. All present voting "Aye".

**10625 VALLEY VIEW WEST LOTS 8A,8B,8C - 1ST READING APPROVAL**

Patsy Greiner, Admin. Coord., spoke of Valley View West Subd. (unrecorded subdivision) - no one appeared representing the resubdivision of Lot 8 - no floodplain note on plat - no street name on plat - water pollution abatement plan needed (located on recharge zone). Commissioner Ford spoke of 30 foot panhandle lot easement - could be an access easement to other properties through deed restrictions. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept "Valley View West Lots 8A, 8B & 8C" subdivision on first hearing. All present voting "Aye".

\*\*\*\*\*  
Court adjourned until Friday February 15, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 11th DAY OF March, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 15TH DAY OF FEBRUARY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10626 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissione Ford, seconded by Commissioner Rippy to approve payment of invoices in the amount of \$65,356.78 as presented by the County Auditor. All present voting "Aye".

|                              |             |                 |              |
|------------------------------|-------------|-----------------|--------------|
| Public Safety                | \$ 570.00   | Auditor         | \$ 171.63    |
| Treasurer                    | \$ 21.19    | Juv Probation   | \$ 3,489.88  |
| Bldg. Maint.                 | \$ 620.55   | Civic Center    | \$ 238.12    |
| Countywide Misc              | \$ 9,622.89 | Tax A/C         | \$ 50.05     |
| District Clekr               | \$ 44.04    | County Clerk    | \$ 3.86      |
| Sheriff                      | \$ 3,453.12 | Jail Operations | \$ 20,716.06 |
| Admin Coord                  | \$ 44.88    | Co Crt @ Law #1 | \$ 139.46    |
| District Atty                | \$ 578.17   | J.P. 1-2        | \$ 120.92    |
| J.P. 2                       | \$ 2.98     | J.P. 3          | \$ 26.63     |
| J.P. 4                       | \$ 14.52    | J.P. 5          | \$ 17.58     |
| DPS                          | \$ 60.75    | Constable 1     | \$ 18.95     |
| Constable 4                  | \$ 222.22   | Constable 5     | \$ 16.00     |
| Foster Child Care            | \$12,365.00 | TJPC Div Plcmt  | \$ 1,240.00  |
| Dist Crt Oper                | \$ 2,236.74 | Co Court Oper   | \$ 3,321.70  |
| Precinct 1                   | \$ 134.73   | Precinct 2      | \$ 483.86    |
| Precinct 3                   | \$ 110.50   | Self Ins Fund   | \$ 4,682.00  |
| Hot Check Fee                | \$ 50.54    | Adult Prob Oper | \$ 441.30    |
| Adult Prob Fac               | \$ 220.69   | Animal Control  | \$ 10.03     |
| **Gen Fund Credit \$204.76** |             |                 |              |

Court was adjourned until February 25, 1991.

MINUTES APPROVED IN OPEN COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 25TH DAY OF FEBRUARY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10627 ADOPT PROCLAMATION IN APPRECIATION OF THE SERVICE OF MRS. FRANCES STOVALL AS CHAIR OF THE HAYS COUNTY HISTORICAL COMMISSION (1987 - 1990)

County Judge Eddy Etheredge read proclamation and spoke of contributions to the community by Frances Stovall. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt Proclamation in appreciation of the service of Mrs. Frances Stovall as Chair of the Hays County Historical Commission. All present voting "Aye". Judge Eddy Etheredge presented Mrs. Stovall with a placque.

P R O C L A M A T I O N

STATE OF TEXAS \*
COUNTY OF HAYS \*

WHEREAS, the Hays County Area has historical significance not only to the residents of this community but also to the state and nation; and

WHEREAS, there is a special need for preserving, researching, and distributing the historical culture of Hays County; and

WHEREAS, Hays County is a community in which there are many points of historical interest waiting to be explored; and

WHEREAS, the citizens of this county need to be made aware of this legacy; and

WHEREAS, the leadership of the Hays County Historical Commission has undertaken these responsibilities and over the past four years has awakended the past of this community;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court that recognition be given to the Chair of the HAYS COUNTY HISTORICAL COMMISSION,

MRS. FRANCES STOVALL

and be it further proclaimed that the aforesaid Commissioners do hereby acknowldge the tireless efforts of Mrs. Stovall to inform the citizens of the legacy of this community through her able leadership and knowledge of both the history of the area and the proper channels for achieving state and national recognition of this same history. For these skills and efforts the Hays County Historical Commission would like to express appreciation on behalf of the entire community.

Hereto we have set our hands this 25th day of February, 1991.

s/ Eddy A. Etheredge
EDDY ETHEREDGE
County Judge

ATTEST:

s/ Ronnie Dannelley
RONNIE DANNELLEY
County Clerk

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10628 PROPOSAL AND AGREEMENT FOR ARBITRAGE INVESTMENT REBATE SERVICES - FIRST SOUTHWEST COMPANY

Terence Burke of First Southwest Company appeared before the court - spoke of previous meeting with the Commissioners Court concerning arbitrage laws - spoke of three year period when you are allowed to invest bond money at unlimited yield and after that period of time you would have to file a return and some of the funds would have to be rebated to the Federal government - spoke of service they offer (mathematical computations and timely compliance with the law). County Treasurer Dottie Sims spoke of need for an Advisor. General discussion was had. Mr. Burke stated that it would take 3 to 4 weeks to complete the project. A motion was made by Judge Etheredge, seconded by Commissioner Ford to enter into an agreement for Arbitrage Investment Rebate Services between Hays County and First Southwest Company. All present voting "Aye". (SEE PAGE 573 FOR COPY OF AGREEMENT)

10629 APPROVE MINUTE OF JANUARY 1991

A motion was made by Judge Etheredge, seconded by Commissioner Rippy to approve minutes of January 1991 as presented by the Hays County Clerk. All present voting "Aye".

10630 APPROVE RESOLUTION IN SUPPORT OF FULL FUNDING OF THE TEXAS VETERANS COMMISSION BUDGET

A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt resolution in support of full funding of the Texas Veterans Commission Budget. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \*  
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS SUPPORTING FULL STATE FUNDING OF THE TEXAS VETERANS COMMISSION BUDGET

WHEREAS, there are increased demands for help needed by the aging veteran population and the soon to return (we pray) veterans of the Desert Storm War; and

WHEREAS, the Texas Legislative Budget Office has proposed reducing the budget of the Texas Veterans Commission; and

WHEREAS, the Commission operates offices to assist veterans in VA hospitals and clinics, trains and certifies Veterans County Service Officers, and is the focal point for processing claims filed at the Veterans County Service Office; and

WHEREAS, the Commission also represents veterans claimants before the Department of Veterans Affairs at the regional office level and works with the veterans county service officer in appealing decisions by VA which the veteran believes is unjust or unfair; and

WHEREAS, the emphasis of the Commission's budget request is "support to the veterans county service officer, who the Commission believes is the most important link in the chain of veterans service";

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

Support be given to encourage the elected State Representatives and Senators to support full funding of the Texas Veterans Commission Budget to "meet the increased demands for help needed by the aging veteran population and the soon-to-return veterans of Desert Storm".

RESOLUTION PASSED AND ADOPTED ON THIS 25TH DAY OF FEBRUARY, 1991

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PROPOSAL AND AGREEMENT FOR ARBITRAGE INVESTMENT REBATE SERVICES  
BY AND BETWEEN HAYS COUNTY, TEXAS (Hereinafter Referred to as the  
"Issuer") AND FIRST SOUTHWEST COMPANY

It is understood and agreed that the Issuer, in connection with the sale and delivery of certain obligations as listed in Appendix A attached hereto (the "Obligations") will have the need to determine to what extent, if any, it will be required to rebate investment earnings of the proceeds of the Obligations to the United States of America pursuant to the provisions of Section 148(f)(2) of the Internal Revenue Code of 1986 (the "Code"). We have been requested to provide professional services to the Issuer as such services may be necessary to effect this determination and we are pleased to submit the following proposal for consideration. This proposal, if accepted by the Issuer, shall become the agreement (the "Agreement") between the Issuer and First Southwest Company effective at the date of its acceptance as provided for herein below.

1. This Agreement shall apply to the Obligations described in Appendix A attached hereto during the period in which this Agreement shall be effective.

Provisions of First Southwest Company

2. We agree to provide our professional services and our facilities in the creation and maintenance of records useful to or necessary in the determination of a rebate, if any, of investment earnings with regard to the Obligations. The Issuer will assume and pay the fee of First Southwest Company as such fee is set out in Appendix A attached hereto. First Southwest Company shall not be responsible for any extraordinary expenses incurred in connection with providing such professional services, including any costs of First Southwest Company incident to litigation, mandamus action, test case or other similar legal actions.

3. We agree to perform the following duties in connection with providing arbitrage investment rebate services:

a. To cooperate fully with the Issuer in reviewing the schedule of investments made by the Issuer with (i) proceeds from the Obligations, and (ii) proceeds of other funds of the Issuer which under Temporary Regulations Section 1.148 or Temporary Regulations Section 1.103-15AT(b)(6), are subject to the rebate requirements of the Code;

b. To perform, or cause to be performed, calculations no less frequently than once a year, commencing on the first anniversary of the delivery date of the Obligations, consistent with the Code and the regulations promulgated thereunder, regarding the amounts, if any, the Issuer may be required to rebate to the United States of America, from the investment of funds subject to the requirements of Section 148(f)(2) of the Code;

c. To assist the Issuer in preparing schedules, records or other information necessary to enable First Southwest Company to perform the rebate calculations as set forth in this Agreement.

d. To provide a report to the Issuer specifying, based upon the investment schedule, the calculations of bond yield and investment yield, and other information deemed relevant by First Southwest Company, the amount, if any, the Issuer may be required to rebate to the United States of America;

e. To provide the Issuer any other services related to the calculation of rebate as it may request First Southwest Company to perform.

Provisions of Issuer

4. In connection with the performance of the aforeseaid duties, the Issuer agrees to the following:

a. That First Southwest Company will be compensated for the performance of services with respect to calculating and advising the Issuer of the amount, if any, the Issuer may be required to rebate to the United States of America in accordance with the schedule set forth in Appendix A attached hereto;

\*\*\*\*\*

b. That the Issuer will provide First Southwest Company, and First Southwest Company shall be entitled to rely upon, all information regarding the issuance of the Obligations and the investment of the proceeds therefrom, and any other information necessary in connection with calculating the amount, if any, of rebate to the United States of America. In particular, the Issuer shall furnish to First Southwest Company the information set forth in Appendix B attached hereto.

5. In providing the services set forth in this Agreement, it is agreed that First Southwest Company shall not incur any liability for any error of judgment made in good faith by a responsible officer or officers thereof, unless it shall be proved that such error of judgment was a result of the gross negligence or willful misconduct of said officer or officers.

6. The fee and expenses due to First Southwest Company in providing arbitrage investment rebate services shall be calculated in accordance with Appendix A attached hereto. The fees will be payable annually upon delivery of the report prepared by First Southwest Company, commencing one year after the date of delivery of each Obligation falling under this Agreement and on each anniversary date thereafter for each Obligation during the term of the Agreement unless terminated earlier.

#### Obligations Issued Subsequent to Initial Contract

7. At the option of the Issuer, the services contracted for under this Agreement may be extended to any additional financing obligations (including financing lease obligations) issued subsequent to the execution of this Agreement. In connection with extending the scope of this Agreement to additional financing obligations, the Issuer agrees to the following:

a. The Issuer shall execute the "Additional Obligations Certificate" as set forth in Appendix attached hereto. The completed Addition Obligations Certificate should be submitted in duplicate originals. Acceptance will be indicated on both copies and the return of one executed copy by First Southwest Company.

b. That the Issuer will notify First Southwest Company of any financing obligations (including financing lease obligations) by the Issuer during the same calendar year as this Agreement, and will provide First Southwest Company with such information regarding such other obligations as First Southwest Company deems necessary in connection with its performance of the arbitrage investment rebate services contracted for hereunder.

#### Effective Dates of Agreement

8. This Agreement shall become effective at the date of acceptance by the Issuer as set out herein below and remain in effect thereafter for a period of five (5) years from the date of acceptance, provided, however, that this Agreement may be terminated with or without cause by the Issuer or First Southwest Company upon thirty (30) days written notice. In the event of such termination, it is understood and agreed that only the amounts due to First Southwest Company for services provided and expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated prior to its stated term, all records provided to First Southwest Company with respect to the investment of monies by the Issuer shall be returned to the Issuer as soon as practicable. In addition, the parties hereto agree that upon termination of this Agreement First Southwest Company shall have no continuing obligation to the Issuer regarding any service contemplated herein.

This Agreement is submitted in duplicate originals. When accepted by the Issuer, it, together with Appendices A, B and C attached hereto, will constitute the entire Agreement between the Issuer and First Southwest Company for the purposes and the consideration herein specified. Acceptance will be indicated on both copies and the return of one executed copy to First Southwest Company.

Respectfully submitted,

FIRST SOUTHWEST COMPANY  
By s/Terence P. Burke  
Authorized Representative

\*\*\*\*\*

ACCEPTANCE CLAUSE

The foregoing Proposal and Agreement for Arbitrage Investment Rebate Services by and Between HAYS COUNTY, TEXAS and FIRST SOUTHWEST COMPANY is hereby in all things accepted and approved by the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS by resolution passed and approved on the 25th day of February, 1991.

s/ Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANDELLEY  
HAYS COUNTY CLERK

APPENDIX A

The Obligations to be initially covered under this contract are:

| <u>Closing Date</u> | <u>Description</u>                                                              | <u>Annual Fee</u> |
|---------------------|---------------------------------------------------------------------------------|-------------------|
| 3/23/87             | \$2,100,000 Certificates of Obligation, Series 1987                             | \$1,000           |
| 10/14/87            | \$3,500,000 Combination Tax and Revenue Certificate of Obligation, Series 1987A | \$1,000           |

The fees of the above-captioned Obligations will only be payable if a computation is required under Section 148(f)(2) of the Internal Revenue Code of 1986, as amended. In the event that any of the above-captioned Obligations, or any other Obligations added subsequent to the date of this Agreement, comply with an exclusion to the computation requirement as defined by Section 148 of the Internal Revenue Code or related Regulations, the specified fee will be waived by First Southwest Company.

For example, certain advance refunding obligations are excluded from the rebate computation requirement depending upon the structure of the issue. In the event one of the above-captioned Obligations fulfill the exclusion requirements of the Internal Revenue Code or related regulations, the specified fee will be waived by First Southwest Company.

The fee for Arbitrage Investment Rebate Services of any additional issues to be added to this contract shall be:

- \$1,000 for each issue of General Obligation bonds, regardless of issue size;
- \$1,500 for each issue of Revenue bonds, regardless of issue size; and
- \$2,000 for each issue of Variable Rate bonds, regardless of issue size.

The above fees are payable annually upon delivery of the report prepared by First Southwest Company, commencing one year after the date of delivery of the Obligations and on each anniversary date thereafter during the term of the Agreement, unless terminated earlier.

APPENDIX B

INFORMATION REQUIRED TO PERFORM ARBITRAGE REBATE COMPUTATIONS

The following information will be required for each bond issue requiring an arbitrage rebate calculation. Most of this information can be accumulated at the time the bonds are issued, and can be sent to First Southwest Company as part of the delivery of the bonds. We recommend that information related to investment activity be forwarded on a periodic basis. This will allow First Southwest Company to enter and review the investment detail in advance of the computation date required under federal law. In this manner, the time required to complete the computation and issue the related report can be reduced.

\*\*\*\*\*  
 For each bond issue, please obtain the following information to be sent to First Southwest Company:

Copy of Official Statement for the issue. If no Official Statement is prepared on the issue, a copy of the bond resolution, indenture, ordinance or similar official transcript describing the issue will be needed.

Copy of Winning Bid Form and Underwriter's Certification as to yields. This information is only required when the bond issue was sold on a competitive basis. If the sale was negotiated, the Final Official Statement normally provides the information required to properly compute the arbitrage yield. If the issue was sold competitively, the winning bid form and underwriter's certificate are needed to obtain information regarding the interest rates and initial offering yields to the public.

Copy of Form 8038 (Informational Tax Form). This form is normally prepared by bond counsel as part of the closing documents. A copy of this form must accompany any rebate reports filed with the Internal Revenue Service.

Description of Funds created for the bond issue. To ensure that we have properly addressed the distribution of all funds and the related arbitrage requirements, it is useful for us to obtain a description of the various funds created by the bond issue. In the official documents supporting the issuance of the bonds (e.g., Official Statement), there is normally a narrative section outlining the funds for which bond proceeds and other monies may be deposited.

Investment transaction information. The computation of the rebate amount for excess investment earnings requires very detailed investment records. In order for us to compute the rebate amount, it is necessary that you forward investment information which includes the following data:

- \* Source of funds for purchasing the investment (e.g. Construction Fund, Reserve Funds, Debt Service Fund),
- \* Description of security purchased,
- \* Date purchased,
- \* Maturity date ,
- \* Maturity value of security (par value/face value),
- \* Purchase price of security showing both the cost of principal as well as any accrued interest paid,
- \* Coupon rate (Interest rate) and frequency of interest receipts,
- \* Yield to maturity (required for discount securities),
- \* Sale date, if sold prior to maturity
- \* Sales price of both principal and interest, if sold prior to maturity.

The best documentation available for the information listed above are copies of the actual trade confirmations provided to you when the security is purchased or sold. The trade confirmation should contain all of the information we will require and should be the only documentation you would have to provide us. If trade confirmations are not available, or are too cumbersome to accumulate, your internal investment records would be sufficient for our purposes as long as the information described above can be obtained from your records.

Bank Statements for Interest-Bearing Checking Accounts. In many situations, an interest bearing checking account is used to place maturing investments and miscellaneous fund balances until the proceeds are either reinvested or used on a specified project. The rebate computation requires that all funds related to a bond issue be tracked. It will be necessary therefore, for us to obtain the monthly bank statements related to any interest-bearing account in which bond proceeds or related funds were deposited.

If you have questions as to what would be the best source of information in your situation, please do not hesitate to contact us.

10631 ASSIGN STREET NAME "MELINDA LANE" TO COUNTY MAINTAINED ROAD LOCATED OFF COUNTY ROAD 135 (PCT. 2)

A motion was made by Commissioner Ford, seconded by Commissioner Payne to assign street name "Melinda Lane" to a county maintained road located off County Road #135 in Pct. #2. All present voting "Aye".

\*\*\*\*\*

DISCUSSION - DISPOSING OF TIRES PICKED UP WITHIN THE COUNTY

Commissioner Wayne Ford spoke of State request to identify illegal dumps throughout the county - many old tires are being dumped in county right-of-way - stated that he would like to have a single site to dispose of tires. Commissioner Craig Payne spoke of need for a tire shredder for countywide use - transfer station funds can be used to have someone quarter the tires, however, they will not accept tires that are full of dirt/mud.

10632 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County invoices in the amount of \$ 63,028.09 as presented by the County Auditor. All present voting "Aye".

|                   |             |                   |             |
|-------------------|-------------|-------------------|-------------|
| Auditor           | \$ 260.80   | Treasurer         | \$ 30.00    |
| Extension Ofc     | \$ 126.42   | Juv Prob Ofc      | \$ 173.98   |
| Elec Admin        | \$ 1,008.00 | Community Serv    | \$ 2,100.00 |
| Transfer Sta      | \$ 247.11   | Bldg. Maint       | \$ 510.01   |
| Health Dept.      | \$ 86.70    | Civic Center      | \$ 260.00   |
| Countywide Misc.  | \$29,414.10 | Dist Clerk        | \$ 988.82   |
| County Clerk      | \$ 2,799.58 | Sheriffs Ofc      | \$ 525.12   |
| Jail Operations   | \$ 12.95    | County Judge      | \$ 4.00     |
| Admin Coord       | \$ 14.08    | District Atty     | \$ 192.88   |
| J.P. 1-2          | \$ 150.00   | J.P. 3            | \$ 254.71   |
| J.P. 4            | \$ 60.40    | J.P. 5            | \$ 71.00    |
| D.P.S.            | \$ 490.96   | Constable 1       | \$ 6.95     |
| Constable 2       | \$ 45.00    | Constable 5       | \$ 75.46    |
| Co Crt @ Law 2    | \$ 100.00   | TDH Sanit Grant   | \$ 128.00   |
| TDH M&C Care Grnt | \$ 500.00   | Fire Marshal/EMC  | \$ 16.17    |
| Dist Court Oper   | \$ 1,620.63 | County Court Oper | \$ 142.79   |
| R&B General       | \$ 8.50     | Precinct 1        | \$ 1,063.68 |
| Precinct 2        | \$ 1,982.55 | Precinct 3        | \$ 4,806.47 |
| Precinct 4        | \$ 2,992.04 | Hot Check Fee     | \$ 274.60   |
| Law Library Fund  | \$ 574.40   | Sheriffs Drug Fof | \$ 146.78   |
| D.A. Drug Forf    | \$ 4,260.00 | Adult Prob Oper   | \$ 3,908.34 |
| Adult Prob Fac    | \$ 560.01   | Constable 3       | \$ 34.10    |

10633 AWARD CONTRACT ON PURCHASE OF SHERIFF'S VEHICLES

Cindy Simon - Auditor's office, stated that only one bid was received that being from Red Simon Ford (\$16,595 per unit/1992 LTD Crown Victoria) - State contract was looked at and they offer Chevrolet Caprice (\$14,788.58) and Jeep Cherokee (\$14,602) vehicles (Jeep Cherokee is the low bid) - recommends that the Court go with State Contract for the Jeep Cherokee. Chief Deputy Sherman Brodbeck spoke of the Jeep Cherokee vehicle (6 cy fuel injection) being used by law enforcement agencies. Sheriff Paul Hastings stated that he prefers the Jeep over the Chev Caprice - stated that patrol vehicles are lasting approximately 3 years - would like to be able to purchase 10 vehicles per year. Commissioner Craig Payne stated that the County needs more road building equipment and suggested that the Court approve only 5 vehicles for the Sheriff's Dept. Judge Eddy Etheredge agreed that 10 vehicles per year would be advisable - spoke of need to get away from machinery warrants/financing - court needs to budget for full purchases. Sheriff Hastings spoke of high mileage on vehicles - old cars are used for pool cars.

A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize purchase of ten Jeep Cherokee vehicles through State contract for the Sheriff's Department. Discussion was had on equipping these vehicles - radios and cages will be needed. Judge Etheredge, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "Nay".

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10634 APPROVE RESOLUTIONS AUTHORIZING SUBMISSION OF GRANTS: JUVENILE LAW ENFORCEMENT OFFICER, CHILD ABUSE INVESTIGATOR AND CRIME PREVENTION OFFICER

Juvenile Law Enforcement Officer Larry Sowards spoke of authorization for submission of grants - spoke of costs to the County. Paul Culin, Child Abuse Investigator, spoke of his grant - handles adults who commit crimes against children - County's contribution is \$2,820. Russ Molenaar, Crime Prevention Officer, spoke of his grant - County contribution = \$5,641 - spoke of services provided to the public through this program. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve resolutions authorizing submission of grant request to the Governor's Criminal Justice Division for funding to the County for programs known as: Juvenile Law Enforcement Officer, Child Abuse Investigator and Crime Prevention Officer. All present voting "Aye".

- (RESOLUTION FOR JUVENILE LAW ENFORCEMENT OFFICER - SEE PAGE 579 )
- (RESOLUTION FOR CHILD ABUSE INVESTIGATOR - SEE PAGE 580 )
- (RESOLUTION FOR CRIME PREVENTION OFFICER - SEE PAGE 581 )

POLICY FOR USE OF COURTHOUSE PROPERTY

Patsy Greiner, Admin Coord., spoke of meeting with Department Heads concerning problems at the courthouse and annex - spoke of extra time being spent by maintenance personnel for the events and parking problems - could possibly request a deposit for cleanup. Judge Etheredge spoke of maintenance department being understaffed - when maintenance is involved in assisting the events being held at the courthouse they must neglect county problems that occur - requires personnel to work long hours with no compensation. Kelly Franks (Sights & Sounds of Christmas) spoke of county being a sponsor for the event - county provides maintenance personnel and electricity - spoke of time it takes to clean up afterwards - spoke of civic organizations and citizens that benefit from the events. Judge Etheredge stated that a policy needs to be adopted. No action taken this date.

10635 ACCEPT PROPOSED FORM OF QUITCLAIM DEED FROM DS12 INVESTMENT CORPORATION TO HAYS COUNTY (RR12)

Patsy Greiner, Admin Coord., spoke of dedication of right-of-way by DS12 Investment Corp. (0.0138 & 0.0069 ac Phillip A. Smith League). Right-of-way is along Ranch Road 12 and will be used to enlarge the intersection for school bus traffic. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept the proposed form of Quitclaim Deed from DS12 Investment Corporation to Hays County. All present voting "Aye".

10636 AUTHORIZE TRANSFER OF PCT. #2 TRUCK (55 FORD) TO THE KYLE VOLUNTEER FIRE DEPARTMENT

Commissioner Wayne Ford stated that he would like to donate an old Pct. #2 water truck (without the water tank) to the Kyle Volunteer Fire Department - to be used for spare parts for a vehicle they presently own - unable to get parts for this vehicle and truck is of no use to Pct. #2. A motion was made by Commissioner Ford, seconded by Judge Etheredge to provide the old Pct. 2 truck to the Kyle Volunteer Fire Department for spare parts. All present voting "Aye".

10637 AUTHORIZE THE COUNTY AUDITOR TO DRAW UP SPECS AND ADVERTISE FOR BIDS FOR A RUBBER TIRE LOADER FOR PRECINCT #2

Commissioner Wayne Ford spoke of old trackloader that needs repairs - would like to see what a replacement vehicle would cost. Discussion was had on bidding policy. A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize the County Auditor to draw up specs and advertise for bids for a Rubber Tire Loader for Precinct #2. All present voting "Aye".



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RESOLUTION

STATE OF TEXAS ) (  
COUNTY OF HAYS ) (

A RESOLUTION BY THE COUNTY COMMISSIONERS' OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, TEXAS, FOR A PROGRAM KNOW AS:

"JUVENILE LAW ENFORCEMENT OFFICER"

WHEREAS, THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, TEXAS, have the moral obligation to the citizens and taxpayers of the County of Hays, Texas, to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners feel the addition of the program known as "JUVENILE LAW ENFORCEMENT OFFICER" will materially enhance the administration of Justice in the County of Hays, Texas, for all crime victims; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the County of Hays, Texas, that the County submit a grant request to the Office of the Governor of Texas, Criminal Justice Division, to assist in the funding of the program of "JUVENILE LAW ENFORCEMENT OFFICER".

RESOLUTION PASSED AND ADOPTED ON THIS 25th DAY OF FEBRUARY 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

Eddy Etkeredge  
Eddy Etkeredge, County Judge

Absent  
Ralph Gonzales, Pct. 1

Wayne Ford  
Wayne Ford, Pct. 2

Craig Payne  
Craig Payne, Pct. 3

Oran Rippey  
Oran Rippey, Pct. 4

ATTEST:

Ronnie Dannelley  
Ronnie Dannelley, County Clerk

10634

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RESOLUTION

STATE OF TEXAS ) (

COUNTY OF HAYS ) (

A RESOLUTION BY THE COUNTY COMMISSIONERS' OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, TEXAS, FOR A PROGRAM KNOW AS:

"CHILD ABUSE INVESTIGATOR"

WHEREAS, THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, TEXAS, have the moral obligation to the citizens and taxpayers of the County of Hays, Texas, to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners feel the addition of the program known as "CHILD ABUSE INVESTIGATOR" will materially enhance the administration of Justice in the County of Hays, Texas, for all crime victims; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the County of Hays, Texas, that the County submit a grant request to the Office of the Governor of Texas, Criminal Justice Division, to assist in the funding of the program of "CHILD ABUSE INVESTIGATOR".

RESOLUTION PASSED AND ADOPTED ON THIS 25th DAY OF February 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

Eddy Etheredge  
Eddy Etheredge, County Judge

Absent  
Ralph Gonzales, Pct. 1

Wayne Ford  
Wayne Ford, Pct. 2

Craig Payne  
Craig Payne, Pct. 3

Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:

Ronnie Dannelley  
Ronnie Dannelley, County Clerk

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RESOLUTION

STATE OF TEXAS ) (

COUNTY OF HAYS ) (

A RESOLUTION BY THE COUNTY COMMISSIONERS' OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, TEXAS, FOR A PROGRAM KNOW AS:

"CRIME PREVENTION OFFICER"

WHEREAS, THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, TEXAS, have the moral obligation to the citizens and taxpayers of the County of Hays, Texas, to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners feel the addition of the program known as "CRIME PREVENTION OFFICER" will materially enhance the administration of Justice in the County of Hays, Texas, for all crime victims; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the County of Hays, Texas, that the County submit a grant request to the Office of the Governor program of "CRIME PREVENTION OFFICER".

RESOLUTION PASSED AND ADOPTED ON THIS 25th DAY OF February 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

Eddy A. Etheredge
Eddy Etheredge, County Judge

Absent
Ralph Gonzales, Pct. 1

Wayne Ford
Wayne Ford, Pct. 2

Craig Payne
Craig Payne, Pct. 3

Oran Rippy
Oran Rippy, Pct. 4

ATTEST:

Ronnie Dannelley
Ronnie Dannelley, County clerk

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10638 APPROVE LINE ITEM BUDGET AMENDMENT FOR THE ANIMAL CONTROL FUND

County Auditor Bill Herzog presented line item budget for Animal Control Officer Fund for approval. Commissioner Craig Payne spoke of complaints he has been receiving in the Wimberley area concerning service from the Animal Control Officer. Commissioner Ford requested that complaints be directed to Pct. 2 office - the Animal Control Officer is housed in the Pct. 2 building. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve line item budget amendment for the Animal Control Fund. All present voting "Aye".

|                      |                          |                      |
|----------------------|--------------------------|----------------------|
| SALARIES \$21,000    | UNIFORM ALLOW \$ 240     | ANIMAL CARE \$ 6,433 |
| FICA \$ 1,607        | OFFICE SUPP \$ 400       | MISC \$ 300          |
| RETIREMENTS \$ 1,470 | ANIMAL REG SUPP \$ 1,000 | OFC EQUIP \$ 2,092   |
| INSURANCE \$ 1,548   | CONTIN EDUC \$ 400       | D P EQUIP \$ 3,510   |

10639 APPOINT AN INVESTMENT OFFICER AND ADOPT AN INVESTMENT POLICY FOR HAYS COUNTY

County Auditor Bill Herzog stated that the County is legally required to adopt an Investment Policy. A motion was made by Judge Etheredge and seconded by Commissioner Rippy to appoint Dorothy P. Sims (County Treasurer) as the Hays County Investment Officer and to furthermore adopt the Investment Policy for Hays County as presented. All present voting "Aye".

INVESTMENT POLICY

It being the desire of the Hays County Commissioners Court to establish a sound investment policy which will provide for maximum investment return from funds belonging to Hays County, the following INVESTMENT POLICY FOR HAYS COUNTY is adopted:

OBJECTIVES AND PRIORITIES

The Investment Objectives of the County Commissioners Court are:

1. To comply with the laws of the State of Texas as defined in Article 842a-2, Vernon's Texas Civil Statutes, known as the "PUBLIC INVESTMENT ACT OF 1987" concerning the investment of County Funds.
2. To insurance that sufficient funds are available to meet immediate and short-term needs for the operation of the County.
3. To provide for diversification in the types of investments, the amount of money invested and length of time of investments.
4. To insure the safety of County Funds and to avoid speculative investing.
5. To earn maximum interest rates allowed through prudent and legal investment of County Funds consistent with the current Bank Depository Contract.

TYPES OF INVESTMENTS

As provided in the PUBLIC INVESTMENT ACT OF 1987, the following investments of County Funds are allowed:

- OBLIGATIONS OF THE UNITED STATES, IT'S AGENCIES AND INSTRUMENTALITIES;
- DIRECT OBLIGATIONS OF THE STATE OF TEXAS OR IT'S AGENCIES;
- OTHER OBLIGATIONS INSURED BY THE STATE OF TEXAS OR UNITED STATES;
- OBLIGATIONS OF OTHER GOVERNMENTAL UNITS WITH AT LEAST AN "A" RATING;
- BANK CERTIFICATES OF DEPOSIT THAT ARE GUARANTEED;
- "TEXPOOL"

\*\*\*\*\*

In order to insure timely investment of county funds to obtain maximum interest benefit, the following investments may be made by the investment officer without prior Commissioners Court approval:

- "TEXPOOL"
- OBLIGATIONS OF THE UNITED STATES, IT'S AGENCIES AND INSTRUMENTALITIES
- DIRECT OBLIGATIONS OF THE STATE OF TEXAS OR IT'S AGENCIES
- OTHER OBLIGATIONS INSURED BY THE STATE OF TEXAS OR UNITED STATES
- BANK CERTIFICATES OF DEPOSIT THAT ARE GUARANTEED

All other types of investments allowed under the PUBLIC INVESTMENT ACT OF 1987 must have prior approval of the Commissioners Court before the investment may be made by the designated investment officer. The County shall require delivery of all securities or shall have these securities held in the County's name by an independent third party prior to payment being made by the County for the investment.

INVESTMENT INSTITUTIONS

The County shall invest county funds with any or all of the following institutions or groups consistent with federal and state law and the current Bank Depository Contract:

- "TEXPOOL"
- DEPOSITORY BANK
- OTHER STATE OR FEDERALLY CHARTERED BANKS
- SAVINGS AND LOAN ASSOCIATIONS

All invested County Funds will be fully collateralized or insured consistent with federal and state law and the current Bank Depository Contract, without exception.

All securities pledged as collateral shall be deposited in trust with the Federal Reserve Bank or an independent investment institution under an appropriate legal contract. The amount of securities so pledged shall be determined by their market value.

DESIGNATION OF RESPONSIBILITIES

It shall be the responsibility of the County Treasurer to determine the amount of funds which are available for investment and the types of investments which will yield maximum income to the County.

The County Treasurer shall determine the length of time for which investments shall be made.

It shall be the responsibility of the County Treasurer to:

1. Determine the amount of funds which are available for investment.
2. The types of investments which will yield maximum income to the county.
3. The length of time for which investments shall be made.
4. Insure that sufficient funds are available to meet immediate and short-term needs for the operation of the County.
5. Make recommendations to the Commissioners Court concerning investments which require prior approval from the Court before investments are made.
6. Provide to the Commissioners Court a monthly report of invested County funds.
7. Make the actual purchase of the investments.
8. Receive and provide for the safekeeping of all pledged securities as collateral for invested funds.

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10640 VACATE PLAT OF RAINBOW RIDGE SUBDIVISION

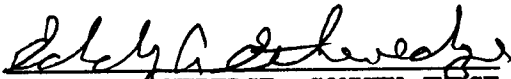
Barbara Humble, Trustee representing the Rainbow Ridge Subdivision, appeared before the Court - Application of Barbara Humble, Trustee, and Georgia H. Johnson for subdivision vacation was filed and Public Notice was given. Barbara Humble, Trstee, is the owner of all of Rainbow Ridge Subdivision and Georgia H. Johnson holds a Deed of Trust Lien on some of the lots - there are no other owners or lienholders of the lots in the subdivision - the right of way and easement along County Road 157 will remain as provided on the existing plat - plat recorded in Volume 4 Pages 23-27 of the Hays County Plat Records (122 lots) - property is currently used for farming purposes.

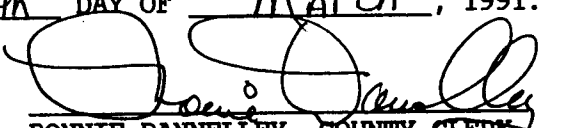
A motion was made by Commissioner Wayne Ford and seconded by Commissioner Oran Rippy to approve vacation of "Rainbow Ridge Subdivision" plat as recorded in Volume 4 on pages 23 through 27 of the Hays County Plat Records - right of way and easements along County Road 157 will remain as provided on the existing plat. All present voting "Aye".

10641 BELL SPRINGS RANCHES SECTION 1 (PCT. #4) - 1ST,2ND,3RD READINGS

Bell Springs Ranches Section 1 consist of 4 lots with a total of 55.447 acres out of the C. C. Rogers Survey No. 1 - Owner/Developer is Jerry D. Yeaman. Patsy Greiner, Admin. Coord., spoke of this property coming out of an unrecorded subdivision - lots are a re-configuration. Vance Mince stated that lots are being sold through the Veterans Land program - roads are private. Terry Ewald, Health Dept. Director, stated that he had no problems with this subdivision. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Bell Springs Ranches Section 1" on first, second and third readings. All present voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 11th DAY OF March, 1991.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y, T E X A S

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y, T E X A S

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 4TH DAY OF MARCH , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10642 HAYS COUNTY GRIEVANCE COMMITTEE - SELECT TWO MEMBERS TO REPLACE TWO REJECTIONS

County Judge Eddy Etheredge selected the following two citizens to serve on the Hays County Grievance Committee for 1991 to replace Andrea Espinoza and Belia Velasquez who declined service: William J. Sandlin (115 Red Bird Trail, Kyle) and Jill Brianne Lucas (17 Whitetail Drive, San Marcos).

10643 APPOINTMENTS TO THE CLAIBORNE KYLE LOG HOUSE COMMISSION

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to appoint Ann Strom (Hays County Historical Comm), Louise Simon (Kyle Heritage Committee), Ann Vliet (At-Large), Jane Kirkham (At-Large) and Bertalee Vaughan (At-Large) to the Clairborne Kyle Log House Commission. All present voting "Aye".

CINCO DE MAYO CELEBRATION-REQUEST FEE REDUCTION FOR USE OF CIVIC CENTER

Albert Sierra, General Chairperson for Cinco De Mayo Celebration, appeared before the Court concerning use of the Hays County Civic Center - they have been using the Civic Center for the past 10 years - the average rentals paid were \$3,000 - this year they were told by James Holtz, Civic Center Manager, that the fee would be \$6,700 - requested a more equitable rate - spoke of celebration being family oriented with free admission. Discussion was had on waiver of fee to Chillypiad. Court will consider the request and make a decision at the next meeting.

10644 HONEYWELL COMPREHENSIVE SERVICES - ENERGY SYSTEM PROGRAM/AUTHORIZE TO PROCEED WITH STUDY

Scott Naab appeared before the Court and explained the Honeywell Energy System Program - four general areas: (1) Personnel Development (2) Automation System (3) Support Services (4) Building Modernization - results are guaranteed - they will look at utility usage and work with maintenance staff for better more efficient maintenance - a five year program - service will pay for itself. Judge Etheredge felt like the program will save the County money - Honeywell will advise what changes need to be made. Scott Naab stated that the study will take approximately 2 weeks - buildings to be studied are the courthouse, annex, Smith bldg., health department and civic center. Commissioner Ford stated that he would like to see a copy of contracts with other counties and see how they obtained figures on savings as presented. A motion was made by Judge Etheredge and seconded by Commissioner Payne to authorize Honeywell Comprehensive Services to proceed with an indepth study and if the savings are evident the County will consider entering into an Energy System Program Agreement. All present voting "Aye".

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DISCUSS PROPOSAL FOR A COUNTY, FIRE DEPARTMENT & EMS BUILDING IN WIMBERLEY

Wimberley Fire Chief Carroll Czichos appeared before the Court - spoke of four fire stations in the Wimberley area - there is a need to expand their facilities - they have purchased 1 acre + on CR 279 & CR 247 to build a new fire station and EMS facility - spoke of possibility of building facility to house all Precinct #3 offices (Commissioner, J.P., Constable & Sheriff) along with the Fire Dept. & EMS - spoke of costs and how it would be divided between the taxing entities (1/3 land, 1/3 sq. footage, 1/3 septic system & 1/3 parking area) - plans for building were presented. District Attorney Marcos Hernandez spoke of concerns and need to research. Commissioner Payne stated that he supports this proposal and would like to see the Court pursue this project.

10645 AWARD CONTRACT ON FENCE CONSTRUCTION AT COUNTY JAIL

Cindy Simon, Auditor's office, presented bid tabulation sheet for chain link fencing and gates:

| Vendor           | Item#1      | Item#2      | Completion |
|------------------|-------------|-------------|------------|
| Curley Fence Co  | \$10,545.00 | \$19,520.00 | 45 days    |
| Sun-Tex Fence Co | \$11,760.00 | \$21,025.00 | 30 days    |
| Tuttle Lumber Co | \$11,510.56 | \$27,394.00 | 30 days    |

Mrs. Simon recommended awarding contract to low bidder Curley Fence Co. - his proposal does meet the specs. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract on fence construction at the County Jail to Curley Fence Company to be paid out of the Jail Construction Fund. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Etheredge abstained.

10646 REJECT BIDS ON SHERIFF'S VEHICLES

County Auditor Bill Herzog stated that the Court failed to reject the bids that were submitted on the Sheriff's vehicles at the last meeting - Court decided at that meeting to go with State Contract vehicles. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to reject bids on Sheriff's Vehicles. All present voting "Aye".

10647 APPROVE SPECIFICATIONS FOR FUEL & LUBRICANTS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS

Cindy Simon, Auditor's Office, spoke of specifications for fuel & lubricants - there were changes made from last year - bid to include State & Federal fees, Texas Water fee and Super Fund. Commissioner Ford spoke of present Vendor not delivering fuel when requested. Commissioner Payne requested that Auditor change Bid Sheet on Antifreeze/Coolant from 5Gal to 55Gal. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve specifications for fuel & lubricants with change and to authorize the County Auditor to advertise for bids. All present voting "Aye".

10648 APPROVE WATER MAIN INSTALLATION ACROSS CENTERPOINT ROAD (CR234) AS PROPOSED BY ELIM WATER SUPPLY

County Judge Eddy Etheredge spoke of proposal from Elim Water Supply to install a water main across Centerpoint Road (CR234). Commissioner Wayne Ford spoke of need to re-write approval form - spoke of variance allowing clear cut project on proposal from GTE in Pct #2. A motion was made by Judge Etheredge, seconded by Commissioner Ford to approve Elim Water Supply proposal to install a water main across Centerpoint Road (CR 234). All present voting "Aye".



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**10649 APPROVE PAYMENT OF COUNTY INVOICES**

Commissioner Wayne Ford requested that the Auditor's office speed up the process of checks that have been previously authorized.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$ 87,499.30 as presented by the County Auditor. All present voting "Aye".

|                   |              |                   |              |
|-------------------|--------------|-------------------|--------------|
| Fines             | \$ 171.26    | Auditor           | \$ 1,188.90  |
| Treasurer         | \$ 561.22    | Extension         | \$ 20.00     |
| Juvenile Prob     | \$ 568.95    | Election Admin    | \$ 1,008.00  |
| Indigent Care     | \$ 3,881.83  | Bldg Maintenance  | \$ 2,418.55  |
| Health Dept.      | \$ 694.77    | Civic Center      | \$ 150.57    |
| Countywide Misc.  | \$ 15,564.06 | Tax A/C           | \$ 30.34     |
| District Clerk    | \$ 194.00    | County Clerk      | \$ 273.00    |
| Sheriff's Ofc     | \$ 2,033.91  | Jail Operations   | \$ 12,998.87 |
| Admin Coord       | \$ 32.55     | District Atty     | \$ 185.38    |
| J.P. #2           | \$ 350.00    | J. P. #3          | \$ 600.00    |
| J.P. #4           | \$ 250.00    | J. P. #5          | \$ 100.00    |
| D.P.S.            | \$ 300.00    | Constable #1      | \$ 12.82     |
| Constable #5      | \$ 37.12     | Veterans Admin    | \$ 72.85     |
| Data Proc Admin   | \$ 795.06    | Co Crt @ Law #2   | \$ 80.00     |
| CJD Resid Grant   | \$ 90.00     | TDH TB Grant      | \$ 185.50    |
| Foster Child Cr   | \$ 392.00    | TDH M&C Care Grnt | \$ 22.26     |
| TJPC ISP Grant    | \$ 35.00     | **Gen Fund Credit | \$1.00*****  |
| District Crt Oper | \$ 3,127.60  | County Crt Oper   | \$ 3,981.44  |
| Precinct 1        | \$ 219.68    | Precinct 2        | \$ 5,864.16  |
| Precinct 3        | \$ 4,070.70  | Precinct 4        | \$ 6,300.23  |
| Hot Check Fee     | \$ 114.50    | Law Library Fund  | \$ 49.50     |
| Jail Const Fund   | \$ 6,850.00  | DA Drug Forf Fund | \$ 917.20    |
| Adult Prob Oper   | \$ 4,198.56  | Adult Prob Fac    | \$ 6,507.88  |

**10650 AUTHORIZE PURCHASE OF FILE CABINET FOR JUSTICE OF THE PEACE PCT. #3**

County Auditor Bill Herzog stated that J.P. #3 has purchased a file cabinet and presented an invoice in the amount of \$301.39 for payment. Commissioner Craig Payne spoke of increased revenues and of \$300 savings on telephone system that was purchased. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize purchase of file cabinet for Justice of the Peace Pct. #3. All present voting "Aye".

**10651 AMEND BUDGET OF MAPPING PROJECT TO ALLOW FOR PURCHASE OF EQUIPMENT TOTALING \$452.88**

A motion was made by Commissioner Payne, seconded by Commissioner Ford to amend the Mapping Project budget to allow for purchase of equipment totalling \$452.88 out of contingency funds. All present voting "Aye".

**J.P.#3 BUDGET**

Budget amendment for Justice of the Peace Pct. #3 was postponed until the next meeting.

**10652 APPROVE PAYMENT OF INVOICES FROM FITZGERALD, MAJORS & STEVENS REGARDING BAIL BOND WORK**

County Auditor Bill Herzog presented invoice for services from Fitzgerald, Majors & Stevens regarding bail bond work in the amount of \$1,853.83. A motion was made by Commisisoner Ford, seconded by Commissioner Payne to approve payment of invoice in the amount of \$1,853.83 from Fitzgerald, Majors & Stevens. All present voting "Aye".

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10653 BRIGHT LAND SUBDIVISION LOTS 1 & 2 (PCT. #4) - 1ST & 2ND READINGS

Jean Bright Land presented "Bright Lane Subdivision" to the Court for consideration. It was determined that this subdivision is located on Farrell Road ( a county maintained roadway) - plat shows road to be private/need to take this statement off the plat. Terry Ewald, Health Dept. Manager, suggested that the Court accept on first and second readings. Commissioner Craig Payne suggested that developer sell the land exclusive of the roadway. Commissioner Wayne Ford stated that roads need to be dedicated to the public on the plat. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept "Bright Lane Subdivision" on first and second readings. All present voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF April, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

oOo

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 11TH DAY OF MARCH, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10654 AUTHORIZATION TO RESOD THE COURTHOUSE LAWN

Maintenance Supervisor Bryan Hoot appeared before the Court - spoke of having met with Cliff Caskey, County Extension Agent, regarding the re-sodding of the Courthouse lawn - Mr. Caskey suggested tilling up the lawn and using organic fertilizer preparation - CSR workers could be used to prepare the lawn and Mr. Caskey has offered use of his personal tiller - Zoysia grass would be planted - no additional funds will be needed - Zoysia grass will require less maintenance - suggested re-sodding of the northside of the courthouse first. County Auditor Bil Herzog stated that the Annex projects will cause the maintenance department to be over in various line items. Bryan Hoot spoke of other line items that could be used for those particular projects. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize re-sodding of the Courthouse lawn as proposed by the Maintenance Supervisor. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Etheredge voting "Nay".

10655 AUTHORIZE PURCHASE OF STORAGE BUILDING AND AMEND BUDGET ACCORDINGLY

Maint. Supv. Bryan Hoot spoke of two portable storage buildings behind the Courthouse Annex - available for purchase for \$409 + \$639 - Commissioner Payne would like to move the larger one to the transfer station and the other would be used by maintenance department. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize purchase of two storage buildings and to amend the budget as follows: Maint. Dept. \$409 from janitorial services Transfer Station \$300 from permits line item and \$339 from contract maint. All present voting "Aye".

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CIVIC CENTER RENTAL FEE SCHEDULE - DISCUSSION

County Judge Eddy Etheredge spoke of rental fee schedule for the Hays County Civic Center which he had received from Manager James Hotz - felt like the 18 days to prepare for activities is too long - discussion was had on removal of dirt by Gary Job Corps students - fees have never been set by the Commissioners' Court. Commissioner Craig Payne spoke of Court's request to Mr. Hotz to increase revenues. Albert Sierra appeared representing the Cinco De Mayo Celebration and suggested that the Court reduce their proposed fee from \$6,700 to \$4,000. Commissioner Wayne Ford stated that a reduction in fees will cost the taxpayers who must make up the difference between revenues and operating expenses - the Court needs to cut down on the losses to the County taxpayers - spoke of expenses for the courthouse lawn upkeep created by allowing use of the lawn for various functions. Commissioner Ford and Commissioner Payne stated that they would support a fee reduction for Cinco De Mayo for this year - to be placed on the agenda for the next meeting. County Judge Eddy Etheredge suggested that a committee be appointed comprised of members of the Commissioners Court and members from various civic organizations.

10656 APPROVE USE OF COURTHOUSE LAWN FOR CINCO DE MAYO MERCADO (MAY 2 & 3) AND RACE (MAY 4)

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve use of the Courthouse lawn for the Cinco De Mayo Mercado and Race to be held May 2, 3 & 4, 1991. All present voting "Aye".

10657 ADOPT RESOLUTION ON PURCHASE OF JUVENILE SERVICES GRANT

Ed Cooper, Chief Juvenile Probation Officer, spoke of Grant through CAPCO and the Governor's Criminal Justice Division - grant is based on the juvenile populations - grant is for \$9,788 - to be used for residential placements (used to get kids out of bad situations at home). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt resolution authorizing the submission of a grant request to the Governor's Criminal Justice Division for funding for a program known as "Purchase of Juvenile Services". All present voting "Aye".

A RESOLUTION BY THE HAYS COUNTY COMMISSIONERS' COURT, SAN MARCOS, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE HAYS COUNTY JUVENILE PROBATION DEPARTMENT, FOR A PROGRAM KNOWN AS

"PURCHASE OF JUVENILE SERVICES"

WHEREAS, THE COMMISSIONERS OF HAYS COUNTY, TEXAS, has the moral obligations to the citizens and taxpayers of Hays County, Texas, to ensure that the juvenile justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners are aware there are limited special services available to or provided to juveniles in Hays County, Texas, and

WHEREAS, the Commissioners feel the addition of the program known as Purchase of Juvenile Services will materially enhance the administration of Juvenile Justice in Hays County, Texas, by making more resources available; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners' of Hays County, Texas, that the County submit a grant request to the office of the Governor of Texas Criminal Justice Division, to assist in the funding of the program of Purchase of Juvenile Services at the Juvenile Probation Department of Hays County, Texas; and

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BE IT FURTHER RESOLVED, that the Chief Juvenile Probation Officer be appointed Project Director of this Program and Bill Herzog, County Auditor, be appointed Fiscal Officer of this Program, and Honorable Judge Eddy Etheredge, County Judge of Hays County, Texas, be and is hereby authorized to sign on behalf of the Commissioners of Hays county any documents, requests, or other instruments in his opinion necessary to support the application and continuation of this program.

PASSED AND APPROVED, this the 11th day of March A.D., 1991.

H A Y S C O U N T Y , T E X A S

s/ Eddy A. Etheredge  
C O U N T Y J U D G E

ATTEST:

s/ Ronnie Dannelley  
Hays County Clerk

10658 MEDICAL INSURANCE COVERAGE - AUTHORIZE TRANSPORT LIFE INSURANCE CO TO PROCESS PREVIOUS CLAIMS

Insurance Representative Jacque Jordan spoke of outstanding claims that have not been paid by Boon-Chapman Insurance - claims were turned in late - Boon-Chapman will process the claims for \$6.00 per claim - Transport Life Insurance will process claims for 10% of claims or for no charge if County continues contract for one more year. Mrs. Jordan stated that she has received 12 claims totalling \$3,100.00. Commissioner Payne suggested letting Transport Life process the claims and extend contract with them for one more year. Discussion was had concerning the bid process and whether the Court had to go out yearly for health insurance bids. County Auditor Bill Herzog stated that it would be cheaper to have Boon-Chapman process the claims for \$6.00 per claim. A motion was made by Commissioner Ford, seconded by Judge Etheredge to allow Transport Life Insurance Company to process the late claims @ 10% of the claims. Commissioner Ford, Judge Etheredge and Commissioner Payne voting "Aye". Commissioner Rippy abstained.

10659 APPROVE PURCHASE OF PERSONAL COMPUTER FOR CONSTABLE PCT. #5

Commissioner Wayne Ford spoke of personal computers that have been purchased for Constable Lupe Cruz Pct. #1 and Indigent Health Care Coordinator Eva Cruz. Constable Billy Reeves has requested a PC for his office to be used for more efficient record keeping and logging his activities - suggested using same specs as those used for the Indigent Health Care Coord - this was not a budgeted item and will cost approximately \$2,000. Commissioner Craig Payne suggested putting off purchase of the PC until next budget year. County Judge Eddy Etheredge spoke of the budget process - items of this nature should be addressed in the budget accordingly. A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize purchase of a personal computer for Constable Pct. #5 out of contingency funds and using the same specifications as the PC for the Indigent Health Care Coord. All present voting "Aye".

10660 APPROVE FULL PAYMENT OF FUNDS TO P.A.W.S.

Commissioner Wayne Ford stated that P.A.W.S. has requested full payment of their annual county contribution - \$1,500 has not been paid of the \$3,000 contribution. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve full payment of funds to P.A.W.S. All present voting "Aye".

10661 APPROVE HIRING OF APPRAISERS FOR ONE-MILE RR12 PROJECT (4 PARCELS)

Admin. Coord. Patsy Greiner spoke of four parcels along the RR12 project that need to be appraised - stated that \$235,000+ still remains in the R-O-W funds. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to authorize hiring Bill Barber as Appraiser and Curtis Jenkins as Review Appraiser for the RR12 Project appraisal for four parcels. All present voting "Aye".

10662 ADOPT PROCLAMATION RE: SOIL AND WATER STEWARDSHIP WEEK (APRIL 28 - MAY 5)

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to adopt proclamation designating April 28, 1991 through May 5, 1991 as "Soil and Water Stewardship Week". All present voting "Aye".

# Proclamation

Whereas our well-being depends on the production of ample food, fiber and other products of the soil; and

Whereas the quality and quantity of these products depends on the conservation, wise use and proper management of soil and water resources; and

Whereas protection of our water from pollution depends on sound conservation practices; and

Whereas conservation districts provide a practical and democratic organization through which landowners take the initiative to conserve and make proper use of these resources; and

Whereas the conservation movement is carrying forward a program of soil and water conservation in cooperation with numerous agencies and countless individuals:

Therefore I, in full appreciation of the value of our soil and water to the public welfare, and desiring to honor those who protect those resources, do hereby proclaim April 28 through May 5, 1991

## Soil and Water Stewardship Week

In witness whereof I have hereunto set my hand and caused the seal of  
HAYS COUNTY, TEXAS to be affixed.

*Shelby A. DeKoven*  
Signature

March 11, 1991  
Date

MARCH 11, 1991

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**10663 SET DEADLINE FOR ACCEPTING APPLICATIONS FOR DATA PROCESSING POSITIONS**

County Judge Eddy Etheredge suggested setting March 11, 1991 as the deadline for accepting applications for the Data Processing positions - named the following to serve as a committee to narrow down the applicants: Judge Etheredge, Commissioner Ford, Commissioner Payne, County Clerk Ronnie Dannelley and a representative from the Sheriff's Office. Commissioner Payne stated that he would like input from former Data Processing Administrator Danny Dever. A motion was made by Commissioner Ford and seconded by Judge Etheredge to set March 11, 1991 as deadline for accepting applications for Data Processing Positions. All present voting "Aye".

**PRESENTATION OF STATE COMMISSIONS TO NEWLY ELECTED COUNTY OFFICIALS**

County Clerk Ronnie Dannelley stated that he had received the newly elected County Officials Commissions from the Secretary of State. Elected Officials that were present to accept their Commissions were: County Judge Eddy Etheredge, Commissioner Wayne Ford, Commissioner Oran Rippy, County Clerk Ronnie Dannelley, County Treasurer Dottie Sims, J.P. 1-2 Becky Sierra, J.P. 2 James Holt, J.P. 3 Jim Stowe, J.P. 4 John Burke, County Court at Law #1 Judge Howard Warner, County Court at Law #2 Judge Linda Rodriguez and County Surveyor Kelly Kilber.

**10664 APPROVE NAME DESIGNATION OF "CALICHE TRAIL" TO ROAD LOCATED OFF NORTHWEST HILLS ROAD**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve name designation of "Caliche Trail" to road located off Northwest Hills Road. All present voting "Aye".

**10665 JUSTICE OF THE PEACE PCT. #3 - BUDGET AMENDMENT TO PROVIDE ADDITIONAL FUNDING**

J.P.#3 Jim Stowe appeared before the Court - additional office supplies was required per audit request as well as stationary, envelopes and printed forms (\$427.33) - J.P. Bond was not budgeted (\$178) - telephone lines transferred not budgeted (\$439.75) - request travel allowance of \$50 per month as given to other J.P.'s. A motion was made by Commissioner Payne, seconded by Commissioner Ford to amend the budget of J.P. Pct. #3 \$1,500.00 from Countywide Misc. line item - increase Office Supplies line item \$430, Misc. Exp \$180, Telephone line item \$440 and Travel Allowance line item \$450. All present voting "Aye".

**10666 HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #5 - APPOINTMENTS**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to re-appoint Tom Faircloth, Bob Barton and Aubrey Bales to the Hays County Rural Fire Prevention District #5 Board of Directors. All present voting "Aye".

**10667 ADMINISTRATIVE COORDINATOR - BUDGET AMENDMENT (\$85)**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of the Administrative Coordinator by transferring \$85.00 from Misc. Expense line item to the Continuing Education line item. All present voting "Aye".

**10668 APPROVE PAYMENT OF COUNTY INVOICES**

Commissioner Craig Payne asked about \$400 expenditure out of Precinct 2 funds for pen/animal control pickup. Commissioner Ford explained that he had contract welding done in his precinct and had authorized this project - animal control fund will reimburse Pct. 2.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$228,033.83 as presented by the County Auditor. All present voting "Aye".

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|                  |               |                  |              |
|------------------|---------------|------------------|--------------|
| Auditor          | \$ 304.66     | Treasurer        | \$ 250.31    |
| Extension Ofc    | \$ 529.55     | Juv Probation    | \$ 141.00    |
| Election Admin   | \$ 46.09      | Indigent Care    | \$ 992.00    |
| Transfer Station | \$ 52.44      | Bldg. Maint.     | \$ 5,514.77  |
| Health Dept.     | \$ 444.48     | Civic Center     | \$ 2,864.92  |
| Countywide Misc. | \$167,409.44  | Tax A/C          | \$ 369.67    |
| District Clerk   | \$ 119.05     | County Clerk     | \$ 442.90    |
| Sheriff's Ofc    | \$ 1,965.14   | Jail Operations  | \$ 16,766.71 |
| County Judge     | \$ 259.08     | Admin Coord.     | \$ 73.31     |
| Co Crt @ Law 1   | \$ 88.38      | Dist Attorney    | \$ 488.99    |
| J.P. 1-1         | \$ 61.57      | J.P. 1-2         | \$ 108.67    |
| J.P. 2           | \$ 80.33      | J.P. 3           | \$ 37.65     |
| J.P. 5           | \$ 79.83      | D.P.S.           | \$ 953.47    |
| Constable 1      | \$ 120.76     | Constable 2      | \$ 732.89    |
| Constable 5      | \$ 62.26      | Veterans Admin   | \$ 54.81     |
| Data Proc Admin  | \$ 118.97     | Co Crt @ Law 2   | \$ 48.70     |
| TDH TB Grant     | \$ 81.30      | TDH M&C Care     | \$ 88.21     |
| Fire Marsh/EMC   | \$ 37.63      | TABC             | \$ 50.81     |
| *GEN FUND CREDIT | \$ 99.98***** | Dist Court Oper  | \$ 5,570.39  |
| Co Court Oper    | \$ 523.85     | Dist Crt Reportr | \$ 269.79    |
| R & B General    | \$ 26.23      | Precinct 1       | \$ 10,282.05 |
| Precinct 2       | \$ 947.84     | Precinct 3       | \$ 551.40    |
| Precinct 4       | \$ 103.25     | Hot Check Fee    | \$ 59.73     |
| D.A. Drug Forf   | \$ 199.80     | Adult Prob Oper  | \$ 7,417.16  |
| Adult Prob Fac   | \$ 134.27     | Animal Control   | \$ 207.30    |

10669 APPROVE TREASURER'S REPORT FOR JANUARY 1991

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve Treasurer's report for January 1991 as presented. All present voting "Aye". (see Page 604 for report)

10670 APPROVE MINUTE OF FEBRUARY 1991

A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve Minutes of February 1991 with one change: Resolution #10611 dated Feb. 11, 1991 - variance was granted to cut roadway rather than bore/trench. All present voting "Aye".

VALLEY VIEW WEST LOTS 8A,8B & 8C SUBDIVISION

No one appeared - water abatement plan has not been filed.

BRIGHT LAND SUBDIVISION LOTS 1 & 2

No one appeared - floodplain study needed.

10671 MCCARTY OAKS REPLAT LOT 17A - PCT. 1 - 1ST,2ND,3RD READINGS

Charles Swart presented "McCarty Oaks Replat Lot 17A" for first, second and third readings. Patsy Greiner, Admin. Coord., stated that the City of San Marcos has approved the plat for filing - all requirements by the County have been met. Terry Ewald, Health Dept. Manager, stated that it meets with his approval. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve "McCarty Oaks Replat Lot 17A" on first, second and third readings. All present voting "Aye".

10672 THE COUNTRYSIDE SUBDIVISION - PCT. 1 - 1ST & 2ND READINGS

Patsy Greiner stated that the City of San Marcos has not yet approved this subdivision - all County requirements have been met. A motion was made by Commissioner Ford, seconded by Commissioner Payne to accept "The Countryside" subdivision on first and second readings. All present voting "Aye".

10672 HEALTH DEPARTMENT NURSE POSITION

County Judge Eddy Etheredge spoke of the Home Health Care Program transfer to the Central Texas Medical Center - felt like there is no advantage to making the transfer - recommended contracting on a case by case basis for indigent home health care. Commissioner Wayne Ford stated that he would like for the Health Department to retain the permit for possible future use. Judge Etheredge recommended that a committee be appointed to select a home health care company to contract with - spoke of need to reorganize. It was stated that research had been done and that no one was able to produce a contract in writing regarding the City-County Health Department. A motion was made by Judge Etheredge, seconded by Commissioner Ford to direct Terry Ewald and Dr. Charles Von Henner to not fill the Chief Nurse position at this time without first meeting with the City of San Marcos and Health Department Staff to work out problems. All present voting "Aye".

District Attorney Marcos Hernandez gave a report on status of lawsuits regarding the Precinct 1 County Commissioner position - Judge has ruled the appointment of John Diaz as County Commissioner Pct. 1 by former County Judge Don Rains is Void - Judge Nowlin can appoint a temporary Commissioner - lawsuit to remove Rafael Gonzales as County Commissioner if granted would allow the County Judge to make an Appointment to the unexpired term.

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF April, 1991.

Eddy A. Etheredge
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS

Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 18TH DAY OF MARCH, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
LINDA C. FRITSCH DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10673 APPROVE CLAIM BY DANNY DEVER FOR PAYMENT OF ACCRUED VACATION

Danny Dever, Former Data Processing Administrator, appeared before the Court - spoke of County not having a personnel policy, therefore, he had created his own policy for his department (1st year = 1 week 2nd year = 2 weeks 3rd - 10th = 3 weeks) - spoke of the hours he has worked - he is not asking for comp time pay which is over 130 hours. Judge Etheredge spoke of need for a County personnel policy so that all departments will be uniform. Commissioner Craig Payne spoke of copies of policies that he has obtained from various departments - stated his appreciation to Danny Dever for his services. A motion was made by Judge Etheredge, seconded by Commissioner Ford to approve payment for accrued vacation as requested by Danny Dever. All present voting "Aye".



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10674 APPROVE RENTAL FEE FOR CIVIC CENTER FOR CINCO DE MAYO

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Civic Center rental fee of \$4,000 for Cinco De Mayo Celebration. All present voting "Aye".

10675 ACCEPT "PINON TRAIL" FOR COUNTY MAINTENANCE (LOCATED IN LEA ACRES SUBD) & PRESENTATION OF \$6,000 CHECK BY CLAUDE SPEARS

Claude Spears, resident of Lea Acres Subdivision, appeared before the Court with a contribution of \$6,000.00 to go towards upgrading of Pinon Trail roadway. Commissioner Payne spoke of criteria he has concerning taking over new roads - contributions are requested to offset costs - road will be improved, however, he makes no commitment to pave to 50' r-o-w. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to accept "Pinon Trail" in Lea Acres Subdivision (.73 mile) for county maintenance and to furthermore accept contribution of \$6,000.00 presented this date. All present voting "Aye".

10676 APPROVE TAX ABATEMENT REQUEST FOR H.E.B. DISTRIBUTION CENTER ON HUNTER ROAD

County Judge Eddy Etheredge spoke of two year abatement given to H.E.B. Distribtuion Center by the City of San Marcos (50% abatement for 2 years with minimum of \$2 million in improvements and 135 new job positions locally. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve tax abatement request for H.E.B. Distribution Center on Hunter Road and authorize the County Judge to sign the Tax Abatement Agreement. All present voting "Aye".

RESOLUTION

STATE OF TEXAS \*

COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS APPROVING THE TERMS AND CONDITIONS OF A TAX ABATEMENT AGREEMENT BETWEEN THE COUNTY OF HAYS AND H. E. BUTT GROCERY COMPANY, AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE AGREEMENT AND DECLARING AN EFFECTIVE DATE.

WHEREAS, H. E. Butt Grocery Company wishes to enter into a tax abatement agreement with the County of Hays pertaining to its development of certain property located within Hays County, Texas; and

WHEREAS, the Commissioners court has voted to authorize a tax abatement for H. E. Butt Grocery Company; and

WHEREAS, the terms and conditions of the tax abatement are available in the Tax Abatement Agreement and the terms of such Agreement, by state law, must not differ from those accepted by the City of San Marcos, and they do not; and

WHEREAS, the County Judge is the agent for the Commissioners Court;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

The County Judge is hereby authorized to sign on behalf of Hays County the Tax Abatement Agreement with H. E. Butt Grocery Company as approved by the City of San Marcos and the Hays County Commissioners' Court.

RESOLUTION PASSED AND ADOPTED ON THIS 18TH DAY OF MARCH, 1991

(Tax Abatement Agreement recorded in Volume Page Official Public Records - Hays County, Texas)

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10677 APPROVE ELECTION ADMINISTRATOR CONVERSION TO COMPUTER SYSTEM COMPATIBLE TO THAT OF THE SECRETARY OF STATE

Joyce Cowan, Election Administrator, spoke of funding available that allows for purchase of a Personal Computer that could be hooked into the Secretary of State system - spoke of current lease of \$1100 per month - felt like money could be saved if we purchase the PC - spoke of advantages with the new system. Commissioner Wayne Ford commended Miss Cowan on her job performance. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve Election Administrator conversion to compute system that is compatible with the Secretary of State system. All present voting "Aye".

10678 APPROVE CONTRACT WITH UTILITY REBATE SERVICES

Mr. Eastman appeared with proposed contract for utility rebate services. District Attorney Marcos Hernandez stated that he had reviewed the contract and did not see any problems with it - there is a question concerning the 2 year provision - he had checked references from other Counties and response was favorable - spoke of funding over the next two years. County Judge Eddy Etheredge recommended the 18 month discount payout proposal. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve contract with Utility Rebate Services with the 18 month 20% discount payment. All present voting "Aye".

10679 FENCE CONSTRUCTION AT JAIL - REJECT PREVIOUSLY AWARDED BID AND AWARD CONTRACT TO SECOND LOWEST BIDDER

Cindy Simon, Auditor's Office, spoke of problems with the previously awarded bid - Memo from Curly Sachtleben (Curly Fence Co) was presented - Mr. Sachtleben withdrew his bid because he misunderstood the specs in respect to the performance bond requirement. Cindy suggested awarding the bid to Sun-Tex Fence Co (2nd lowest bidder) in the amount of \$32,785.00 (#1 \$11,760 #2 \$21,025). A motion was made by Commissioner Rippy, seconded by Commissioner Payne to rescind Resolution #10645 adopted March 4, 1991 awarding fence contract to Curly Fence Company and to award the contract for fence construction at the Jail to Sun-Tex Fence Co. to be paid out of the Jail Construction Fund. Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Etheredge abstained.

10680 AMEND BUDGET OF BUILDING MAINTENANCE DEPT.

County Auditor Bill Herzog spoke of line item adjustments that need to be made:

|                           |                      |           |
|---------------------------|----------------------|-----------|
| BUILDING MTC. DEPT. (410) |                      |           |
| 01.410.5211               | Office Supplies      | + 50.00   |
| 01.410.5271               | Fuel & Lubes         | + 300.00  |
| 01.410.5272               | Vehicles Supplies    | + 500.00  |
| 01.410.5281               | Janit. Supplies      | - 1219.00 |
| 01.410.5391               | Misc. Exp.           | - 100.00  |
| 01.410.5413               | Veh Mtc. Repairs     | + 400.00  |
| 01.410.5419               | Misc Eqp. Mtc. & Rep | - 200.00  |
| 01.410.5459               | Janitorial Svc.      | - 400.00  |
| 01.410.5241               | Bldg. Mtc. Supp.     | - 3000.00 |
|                           |                      |           |
| COUNTYWIDE MISC. (414)    |                      |           |
| 01.414.5733               | Annex 3rd Flr Rmd.   | + 3669.00 |
|                           |                      | + 4919.00 |
|                           |                      | - 4919.00 |

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to amend budget of Building Maintenance Dept. and Countywide Misc. as proposed by the County Auditor. All present voting "Aye".

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10681 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$226,054.01 as presented by the County Auditor. All present voting "Aye".

|                    |              |                   |              |
|--------------------|--------------|-------------------|--------------|
| Wastewater Fee     | \$ 50.00     | Fine Overpymnt    | \$ 217.50    |
| Auditor            | \$ 283.00    | Treasurer         | \$ 52.69     |
| Extension Ofc.     | \$ 79.85     | Juvenile Prob     | \$ 329.90    |
| Transfer Station   | \$ 4,654.00  | Bldg. Maint.      | \$ 2,205.53  |
| Civic Center       | \$ 448.45    | Countywide Misc   | \$138,489.36 |
| Tax A/C            | \$ 13.44     | County Clerk      | \$ 52.15     |
| Sheriff's Ofc      | \$ 3,104.94  | Jail Operations   | \$ 27,699.63 |
| Dist Atty          | \$ 232.34    | J. P. 1-1         | \$ 27.80     |
| J.P. 1-2           | \$ 30.00     | D.P.S.            | \$ 18.00     |
| Constable 1        | \$ 147.75    | Constable 5       | \$ 53.62     |
| Social Services    | \$ 1,500.00  | Veterans Admin    | \$ 234.63    |
| Data Proc Admin    | \$ 1,254.39  | CJD Resid Grant   | \$ 80.00     |
| TDH TB Grant       | \$ 3.50      | Foster Child Care | \$ 9,214.00  |
| TDH M&C Care Grant | \$ 700.00    | Fire Marshal/EMC  | \$ 43.95     |
| HC Historical Comm | \$ 551.90    | TJPC Div Plcmnt   | \$ 400.00    |
| **Gen Fund Credit  | \$ 128.34*** | Dist Court Oper   | \$ 576.18    |
| County Court Oper  | \$ 423.42    | R&B General       | \$ 211.31    |
| Precinct 1         | \$ 3,244.77  | Precinct 2        | \$ 5,035.85  |
| Precinct 3         | \$ 2,445.53  | Precinct 4        | \$ 15,614.87 |
| Self Insurance     | \$ 1,290.74  | Hot Check Fee     | \$ 115.00    |
| Springlake Rd Dst  | \$ 391.67    | Public Works      | \$ 1,267.00  |
| Pioneer Rd Dist    | \$ 29.21     | Adult Prob Oper   | \$ 2,529.25  |
| Adult Prob Fac     | \$ 304.97    | Animal Control    | \$ 530.26    |

10682 CALL PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON VARIOUS ROADWAYS IN PRECINCT #2

A motion was made by Commissioner Ford, seconded by Commissioner Payne to call a public hearing for April 8, 1991 at 10:00 o'clock A.M. to establish traffic regulations in Precinct #2 as follows:

1. Placement of Additional "STOP" signs at Treetop Way and Fox Hollow Streets
2. 40MPH SPEED LIMIT on Dove Drive from FM967 to Ranger Drive
3. 25MPH SPEED LIMIT on Treetop Way, Fox Hollow Street, Dewberry Cove, Lantana Trail, Lazy Oak Cove, Daybreak Cove and Larkspur Lane (Coves of Cimmaron Subd. Section 1)
4. Removal of "STOP" sign at intersection of County Road #204 and County Road #157 with replacement of a "YIELD" sign
5. Removal of 2 "STOP" signs from Chaparral Drive at the intersection of Hawk Drive

All present voting "Aye".

10683 EXECUTIVE SESSION - APPROVE SETTLEMENT FOR LITIGATION RE: BAIL BOND FEES

A motion was made by Commissioner Ford, seconded by Commissioner Payne for the Court to recess into Executive Session concerning pending litigation. All present voting "Aye". Executive Session was held and Court returned to open meeting. A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve settlement for litigation concerning bail bond fees as per legal counsel. All present voting "Aye".

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10684 CIRCLE C WEST SUBDIVISION - FIRST READING APPROVAL

Patsy Greiner, Admin. Coord, spoke of the Master Plan for the Circle C West Subdivision - most of the subdivision lies in Travis County (62.4534 ac in Hays Co and 540.0683 acres in Travis Co) - spoke of notes references requiring approval, permits, etc. through the City of Austin. Tom Heath, Barton Springs/Edwards Aquifer Conservation Dist Representative, appeared - requested addition of plat note as follows:

This development lies over the Recharge Zone of the Barton Springs segment of the Edwards Aquifer. It is a Regulated Development as defined in 31 TAC Section 313.3, known as the Edwards Aquifer Rules of the Texas Water Commission. As a regulated development, this development is subject to all requirements of the Edwards Aquifer Rules, and must have a Texas Water Commission approved water pollution abatement plan which is recorded in the deed records prior to the commencement of any regulated activity as defined in 31 TAC Section 313.3.

A motion was made by Commissioner Ford, seconded by Commissioner Rippey to accept the "Circle C West" Subdivision on first hearing with addition of plat note as proposed regarding the Barton Springs Recharge Zone. All present voting "Aye".

NOT ON THE AGENDA - SHERIFF'S REPORT OF STATUS OF JAIL PRISONERS

Sheriff Paul Hastings spoke of contract he has received from Harris County concerning housing of their prisoners - the contract required Hays County to take care of all medical expenses - this is not acceptable - his recommendation is to charge \$40.00 per day with in-house medical care up to \$250 per inmate - there will be a 7 day termination period for either party - stated that Federal prisoner population has increased - spoke of transportation costs to be paid by Harris County @ \$200 - average daily count at the jail currently is 237.

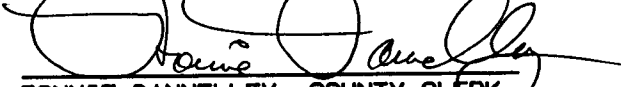
WORKSHOP SESSION - DATA PROCESSING PERSONNEL JOB APPLICATIONS

Commissioner Payne requested that the Court recess until Thursday @ 9:00 A.M. - the committee with the exception of Commissioner Ford and Judge Etheredge met on Friday and narrowed the applicants down to 6 people to be interviewed. Commissioner Ford stated that he was not notified of the meeting and he will review all applications.

Court was recessed until Thursday March 21, 1991 at 9:00 o'clock A.M.

MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF April, 1991.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 21ST DAY OF MARCH, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DATA PROCESSING ADMINISTRATOR POSITION - WORKSHOP RE: JOB APPLICATIONS

County Judge Eddy Etheredge spoke of Committee's recommendation to narrow down the applicants to be interviewed. County Court at Law #1 Judge Howard Warner spoke in support of Marilyn Blackley, Software Support Specialist - current county employee. Judge Etheredge stated that Marilyn was in the running for Administrator - seven applications had been considered at this point for Administrator and two for Software Support (Administrator = Alfred Danat, Debra Pope, Marilyn Blackley, Bruce Peoples, Jack Kay, Ron Miller and Lance Renfrow Software Support = Jan Farrell and Kathy Weber). Judge Etheredge stated that Marilyn Blackley does not have the qualifications as advertised for Administrator - the person hired must be willing to work nights, weekends, and holidays on any problems that might come up (not an 8 to 5 job). Earl Hunt, Alpha Micro Systems, spoke of types of qualifications to look for - multi-user systems differ from business systems - needs knowledge of how the system works. Commissioner Wayne Ford spoke of growth - we need someone that has skills and background towards growth (systems analysis). Commissioner Craig Payne spoke of computer expansion - does not foresee any major expansion for the next five years. Commissioner Ford spoke of possibly tying in the Election Administrator, mapping, 9-1-1, etc. to make it available countywide. Judge Etheredge spoke of other priorities for the County budget and Court needs to determine what kind of person they are looking for in this position. Commissioner Ford spoke of programming skills. Earl Hunt spoke of applicants with technical skills - felt like Marilyn could grown into DP Administrator if given the chance. Commissioner Payne spoke in support of Marilyn. Commissioner Rippy voiced his concern that Marilyn may not be able to handle all situations. Commissioner Ford felt like we need to hire someone in the skills that Marilyn is lacking - Danny hooked up printers and wired terminals. Judge Etheredge suggested re-writing job specs so that Marilyn could be the Administrator and an Assistant could be hired that is capable of hardware skills - Marilyn could make \$25,000 and Assistant \$21,500. Jeri Skroki, Sheriff's Dept., spoke of need for hardware knowledgeable person and one that is available 24 hours per day. W. H. Moore, District Clerk, stated that the people who use the system should be the ones interviewing the applicants.

Applicants were narrowed down to Marilyn Blackley, Jack Kay, Ron Miller and Lance Renfrow - interviews to be conducted March 25, 1991 beginning at 1:30 P.M.

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF April, 1991.

Eddy A. Etheredge signature
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS

Ronnie Dannelley signature
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 25TH DAY OF MARCH, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

PRESENTATION OF PLACQUE IN APPRECIATION OF SERVICE TO "GUADALUPE GARCIA"
38-YEAR EMPLOYEE OF HAYS COUNTY PRECINCT #1

County Judge Eddy Etheredge read Certificate of Appreciation of Service to Hays County Pct. #1 employee Guadalupe Garcia for 38 years of service.

10685 HAYS COUNTY GRIEVANCE COMMITTEE SELECTION

Two people were selected to service on the Hays County Grievance Committee due to rejections - those two selected were Dorothy R. Compton (Buda) and Esmeralda Flores Duran (Kyle).

HOME HEALTH CARE PROGRAM - DISCUSSION

Commissioner Wayne Ford stated that he had spoken with Joel Haas of Central Texas Medical Center - they still desire the County to transfer our permit to them - current patients have been re-assigned. Cindy McAllister, Health Dept. Nurse, spoke of need to keep Jennifer employed at the Health Department as Accounting Clerk for Health Services.

10686 APPOINTMENT OF CINDY MCALLISTER AS ACTING DIRECTOR OF NURSING

A motion was made by Commissioner Payne, seconded by Commissioner Ford to appoint Cindy McAllister as Acting Director of Nursing at the Health Department. All present voting "Aye".

10687 APPROVE WORK TO BE DONE ON WIMBERLEY ISD PROPERTY USING COUNTY EQUIPMENT

Commissioner Craig Payne spoke of blade work that needs to be done on the baseball field owned by Wimberley ISD - work to be done on a Saturday. Judge Etheredge requested an Interlocal Agreement. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve work to be done on Wimberley ISD property using County Equipment by entering into an Interlocal Agreement. All present voting "Aye".

10688 APPROVE AMENDMENT TO SUBDIVISION FEE SCHEDULE

Admin. Coord. Patsy Greiner spoke of subdividers paying review fees to the County and the Cities - felt like two review fees is unreasonable for subdivisions with no new roads. Commissioner Ford stated that he would support if limits were set on the number of lots in the subdivision - spoke of problems such as drainage that have to be addressed. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve waiving of review fee for plats with five lots or less that have no new roads and are in incorporated municipality's ETJ. All present voting "Aye".

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10689 APPROVE SUBDIVISION APPLICATION FORM

Admin Coord Patsy Greiner presented a Subdivision Application form for approval - contains a Utility checklist which would require each Utility to review the plat, make recommendations for easements, etc. and to sign off - application to be filed prior to second reading of the plat. Commissioner Ford requested that easements be defined. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve Subdivision Application form with Utilities defining any easements and required locations. All present voting "Aye".

REQUEST AMENDING SUBDIVISION ORDINANCE BY ADDING REQUIREMENT FOR DEFINITION OF RECHARGE ZONE LOCATION

Patsy Greiner, Admin. Coord., spoke of need to have a note on plats stating whether or not they are located over the aquifer recharge zone. Commissioner Wayne Ford suggested adding the plat note that was proposed at the last meeting of the Court by Tom Heath. A note will be prepared for approval at the next meeting of the Court.

10690 ROAD NAME DESIGNATIONS IN COUNTRY ESTATES SUBDIVISION: BRONCO TRAIL (CR 243) AND SHETLAND LANE (CR 258)

A letter was submitted from the San Marcos Telephone Company requesting the naming of two roads in the Country Estates Subdivision located off RR12 - naming the roads is necessary for 9-1-1 emergency service - suggested names were Bronco Trail and Shetland Lane which follow the equestrian theme of other roads in the subdivision. A motion was made by Commissioner Payne, seconded by Commissioner Ford to designate road names in the Country Estates Subdivision as follows: Bronco Trail to County Road #243 and Shetland Lane to County Road #258. All present voting "Aye".

10691 APPROVE ADMINISTRATIVE AIDE POSITION FOR PRECINCT #2

Commissioner Wayne Ford spoke of 16 positions authorized in his precinct - he would like to designate one of these positions as an Administrative Aide (to be J. L. Houze) - this would not be a salaried position, however, he would like to reimburse Mr. Houze for travel expenses. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve Administrative Aide Position for Precinct #2. All present voting "Aye".

10692 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog spoke of budget amendments that will be needed for the mapping project and for building maintenance - additional funds will need to be transferred.

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of invoices as presented by the County Auditor in the amount of \$74,326.07. All present voting "Aye".

|                 |             |                   |              |
|-----------------|-------------|-------------------|--------------|
| Fines Refunded  | \$ 243.00   | Auditor           | \$ 359.46    |
| Treasurer       | \$ 123.58   | Extension Ofc     | \$ 9.70      |
| Juvenile Prob   | \$ 669.60   | Election Admin    | \$ 46.54     |
| Indigent Care   | \$ 246.14   | Transfer Station  | \$ 956.24    |
| Building Maint. | \$ 3,165.60 | Health Dept.      | \$ 28.00     |
| Civic Center    | \$ 453.44   | Countywide Misc.  | \$ 20,774.91 |
| Tax A/C         | \$ 495.40   | County Clerk      | \$ 3,139.17  |
| Sheriff         | \$ 1,781.46 | Jail Operations   | \$ 5,587.59  |
| County Judge    | \$ 1.46     | Admin Coord       | \$ 12.71     |
| Co Crt @ Law 1  | \$ 10.00    | Dist Attorney     | \$ 385.16    |
| J.P. 1-1        | \$ 109.25   | J.P. 1-2          | \$ 150.00    |
| J.P. 3          | \$ 340.12   | J.P. 4            | \$ 46.64     |
| D.P.S.          | \$ 24.14    | Constable 1       | \$ 5.59      |
| Constable 3     | \$ 32.80    | Constable 5       | \$ 290.07    |
| D.P. Admin      | \$ 1,039.51 | Co Crt @ Law 2    | \$ 12.77     |
| CJD Resid Grant | \$ 440.00   | Foster Child Care | \$ 440.00    |

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|                   |              |                   |             |
|-------------------|--------------|-------------------|-------------|
| Fire Marshal/EMC  | \$ 99.63     | TJPC ISP Grant    | \$ 225.00   |
| **Gen Fund Credit | \$ 44.04**** | Dist Court Oper   | \$ 6,983.18 |
| Co Court Oper     | \$ 708.29    | R & B General     | \$ 152.69   |
| Precinct 1        | \$ 2,097.93  | Precinct 2        | \$ 3,812.27 |
| Precinct 3        | \$ 3,671.91  | Precinct 4        | \$ 1,506.81 |
| Hot Check Fee     | \$ 294.09    | Law Library Fund  | \$ 910.54   |
| Public Works      | \$ 920.00    | Sheriff Drug Forf | \$ 187.38   |
| Adult Prob Oper   | \$ 10,634.71 | Adult Prob Fac    | \$ 653.87   |
| Animal Control    | \$ 2.84      | Dist Clerk        | \$ 88.92    |

10693 REJECT HARRIS COUNTY PRISONER CONTRACT AND DIRECT SHERIFF TO CONTACT STATE OF COLORADO REGARDING HOUSING PRISONERS

Sheriff Paul Hastings spoke of negotiations with Harris County - Hays County's proposal is \$40.00 per day with \$250.00 maximum in-house medical care per inmate plus transportation fee of \$20 per prisoner - Harris County's response was that they would not pay for transportation and Hays County would be responsible for all medical expenses - contract could be terminated with 7 days notice - spoke of contract with out-of-state agencies. District Attorney Marcos Hernandez spoke of 7 day termination - his concern is with medical expenses - County could reject individual prisoners that are considered a risk at time transfer is being made - there are counties who have accepted the Harris County contract as is and Harris County is not willing to revise that contract for Hays County. Sheriff Hastings spoke of medical problems that could be associated with drug addicts and the homeless (heart and liver problems). Commissioner Wayne Ford spoke in support of contracting with the State of Colorado for prisoners. County Auditor Bill Herzog stated that the Jail is losing \$2700 per day at the present time. Sheriff Hastings spoke of laying off 10 employees by Wednesday - stated that they are always looking for additional paying prisoners - feels like the Harris County contract is too risky - will check on status of out-of-state prisoners - reducing employees will save salaries & benefits and closing down sections of the jail would reduce food costs and janitorial supplies costs. A motion was made by Commissioner Ford, seconded by Judge Etheredge to reject the Harris County contract and to direct the Sheriff to contact the State of Colorado to see if prisoners are available and to report back to the Commissioners' Court. Commissioner Craig Payne spoke of risk with Harris County contract - felt like we could screen the prisoners. Rippy spoke of unemployment costs and retraining cost for new employees when the time comes. All present voting "Aye"

10694 VALLEY VIEW WEST LOTS 8A, 8B & 8C - 2ND & 3RD READINGS (PCT.4)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Valley View West Lots 8A, 8B & 8C" subdivision on second and third readings. All present voting "Aye".

10695 BRIGHT LAND SUBDIVISION - 3RD READING (PCT. 4)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Bright Lane Subdivision" on third reading. All present voting "Aye".

CIRCLE C SUBDIVISION (PCT. 4)

Patsy Greiner, Admin. Coord., stated that a Letter of Credit was needed, water note #22 needs change and change County Clerk's name from Lydell Clayton to Ronnie Dannelley. No action taken this date.

HEALTH DEPARTMENT DISCUSSION

Those present were: San Marcos City Manager Larry Gilley, County Judge Eddy Etheredge, Commissioner Wayne Ford, Commissioner Craig Payne, Commissioner Oran Rippy and County Clerk Ronnie Dannelley. Judge Etheredge spoke of problems with the Health Dept. that need to be addressed - spoke of home health program that had to be shut down. Commissioner Ford spoke of indigents. Judge Etheredge spoke of



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restructuring of the Health Dept. - we need more interest in environmental problems out in the County - Director is a City employee and Sanitarians are County employees - we have been unable to locate a contract or interlocal agreement between the City and the County concerning the Health Dept. Discussion was had concerning funding percentages and services provided. Judge Etheredge spoke of County citizens are not getting the same services as those in the City of San Marcos - spoke of Director of Nursing is a County employee. Discussion was had concerning regulations for garbage collectors.

**WORKSHOP - INTERVIEWS FOR DATA PROCESSING POSITIONS**

Committee members present: Judge Etheredge, Commissioner Ford, Commissioner Payne, County Clerk Ronnie Dannelley and Sheriff's Dept. Representative Jeri Skroki. Also present were Commissioner Rippy, Deputy County Clerk Linda Fritsche and County Auditor Bill Herzog.

The first interview was with Marilyn Blackley (Hays County Software Support Specialist). Marilyn stated that she has had 11 years experience with county government with the Alpha Micro System. Commissioner Ford stated his concern about her lack of a hardware background. Marilyn stated that she has done some wiring, soldering and installation - spoke of having worked weekends backing up the data - could be on call every other weekend (has an elderly father she takes care of) - agrees that a hardware person could assist her in that area - Marilyn stated that she would consider leaving if someone else was hired for Administrator - stated that problems are handled as soon as possible - \$25,000 salary is fair - stated that she is not a programmer but she is familiar with basic language and system programming.

Ron Miller stated that he had applied for the job so that he could be closer to his parents and friends where he grew up and he would like to continue his education. Earl Hunt of Alpha Micro Systems asked various questions concerning hardware. Ron stated that his experience started with hardware - he worked for the Attorney General's office (phone support & trouble shooting & repair) - presently in a network support system - is use to 24 hour on-call 7 days a week - feels like he could help the county expand their system - salary expectations/prefers \$28,000.

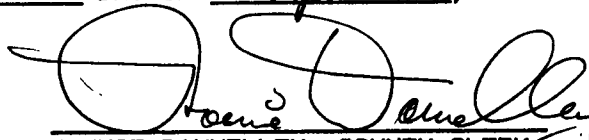
Jack Kay (Buda resident) stated that he had been out of mainframe for 3 years - he is use to 24 hour on-call situation, hardware support experience and would prioritize jobs - no county government experience - salary offered is not a problem - he has another source of income (USDA software package he developed).

Lance Renfrow stated that Commissioner Ford has advised him of the job and he would like to move to either south Austin or North Hays County (his wife is a teacher in Del Valle) - stated that most computer problems were the result of lack of training of users - his primary experience has been with PC's - has no experience in submitting a Departmental budget - looking for professional growth and to make a contribution to the County - Salary expectations/high \$20's low \$30's.

Discussion was had concerning strong points and weaknesses of each applicant. Commissioner Payne and Ronnie Dannelley supported hiring Jack Kay. Jeri Skroki, Commissioner Ford and Judge Etheredge supported hiring Lance Renfrow to be hired at \$26,000 with a probationary period.

MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF April, 1991.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANDELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 11TH day of MARCH, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of JANUARY, 1991 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

[Signature]  
COUNTY JUDGE

ABSENT  
COMMISSIONER, PRECINCT 1

Wayne Ford  
COMMISSIONER, PRECINCT 2

[Signature]  
COMMISSIONER, PRECINCT 3

Oran Hill Rippey  
COMMISSIONER, PRECINCT 4

ATTEST:  
[Signature]  
HAYS COUNTY CLERK



**County of Hays**  
**Summary of Receipts and Disbursements**  
**For the Period January 1991**

|                                           | General      | July       | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Fund |
|-------------------------------------------|--------------|------------|------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Checking Balance on 1/1/91                | 273,994.16   | 37,403.96  | 916.73           | 455.66            | 754.61            | 43,080.35         | 7,970.78          | 364,576.25    |
| Money Market Interest                     | 1,962.65     |            |                  |                   |                   |                   |                   | 1,962.65      |
| Deposits (receipts)                       | 2,088,847.99 | 143,136.88 | 66,187.18        | 91,480.48         | 142,646.62        | 100,628.48        | 132,646.63        | 2,765,574.26  |
| Disbursements (Claims)                    | 2,045,282.57 | 159,536.40 | 42,443.09        | 90,116.23         | 112,101.29        | 122,264.85        | 119,147.28        | 2,690,891.71  |
| Total                                     | 319,522.23   | 21,004.44  | 24,660.82        | 1,819.91          | 31,299.94         | 21,443.98         | 21,470.13         | 441,221.45    |
| Certificates of Deposit Balance on 1/1/91 | 1,000,000.00 | -0-        | -0-              | -0-               | -0-               | -0-               | -0-               | 1,000,000.00  |
| New C. D. 's                              | 850,000.00   | 121,000.00 | 23,000.00        | 26,000.00         | 32,000.00         | 102,000.00        | 86,000.00         | 1,240,000.00  |
| Matured C. D.'s transferred to Checking   | 1,850,000.00 | 121,000.00 | 23,000.00        | 26,000.00         | 32,000.00         | 102,000.00        | 86,000.00         | 2,240,000.00  |
| <b>Total</b>                              |              |            |                  |                   |                   |                   |                   |               |

|                                                                    | Unemployment<br>Self Insurance | Hot Check<br>Fee Fund | Law<br>Library | Cummings | County Jail<br>Construction | Jail Addition<br>Construction | Hays County<br>Public Works | Pioneer Trails<br>Road District |
|--------------------------------------------------------------------|--------------------------------|-----------------------|----------------|----------|-----------------------------|-------------------------------|-----------------------------|---------------------------------|
| Checking Balance on 1/1/91                                         | 15,306.72                      | 2,680.45              | 6,800.65       | 106.68   | 108,681.69                  | 31,215.40                     | 3,449.78                    | 497.52                          |
| Money Market Interest                                              |                                |                       |                |          | 79.17                       | 27.00                         | 12.87                       |                                 |
| Deposits (receipts)                                                | 181.09                         | 1,360.23              | 1,260.00       |          | 175,000.00                  | 30,000.00                     | 15,000.00                   |                                 |
| Disbursements (Claims)                                             | 15,577.31                      | 3,365.36              | 1,747.62       | 106.68   | 244,640.40                  | 30,000.00                     | 13,994.01                   | 497.52                          |
| Total                                                              | 30,000.00                      | -0-                   | -0-            | -0-      | 1,300,000.00                | 100,000.00                    | 250,000.00                  | -0-                             |
| Certificates of Deposit Balance on 1/1/91                          |                                |                       |                |          | 105,000.00                  | 30,000.00                     | 250,000.00                  | -0-                             |
| New C. D. 's                                                       |                                |                       |                |          | 105,000.00                  | 30,000.00                     | 250,000.00                  | -0-                             |
| Matured C. D.'s transferred to Checking                            |                                |                       |                |          | 105,000.00                  | 30,000.00                     | 250,000.00                  | -0-                             |
| Total                                                              | 30,000.00                      | -0-                   | -0-            | -0-      | 1,700,000.00                | 100,000.00                    | 250,000.00                  | -0-                             |
| Temporary Transfers #4-91 From General To Public Works \$15,000.00 |                                |                       |                |          |                             |                               |                             |                                 |

*Dorothy P. Sims*  
Dorothy P. Sims, County Treasurer

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 1ST DAY OF APRIL , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                  |                           |
|------------------|---------------------------|
| EDDY A ETHEREDGE | COUNTY JUDGE              |
| WAYNE FORD       | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE   | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY    | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

HAYS COUNTY SOIL AND WATER CONSERVATION DISTRICT BUDGET DISCUSSION

B. R. Wranitzky appeared before the Court and spoke of services that are provided by the Hays County Soil and Water Conservation District that are not presently being utilized - spoke of additional cost to operate - State matches funds received up to \$7,500 - request from County for next budget year is \$5,000 (presently receiving \$3,000) - services available are Engineering.

10696 ADOPT PROCLAMATION "WORLD HEALTH DAY - APRIL 8, 1991"

Peggy Byas appeared before the Court requesting approval of proclamation designating April 8, 1991 as "World Health Day". A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt Proclamation recognizing April 8, 1991 as "World Health Day". All present voting "Aye".  
(SEE PAGE 608 FOR PROCLAMATION)

10697 ADOPT PROCLAMATION DESIGNATING APRIL 15 - 22, 1991 AS "EARTH DAY WEEK"

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt Proclamation designating April 15 through April 22, 1991 as "Earth Day Week". All present voting "Aye".  
(SEE PAGE 608 FOR PROCLAMATION)

10698 ADOPT PROCLAMATION RECOGNIZING "NATIONAL COUNTY GOVERNMENT WEEK - APRIL 7-13, 1991" AND "TEXAS COUNTY GOVERNMENT DAY - APRIL 9, 1991"

County Judge Eddy Etheredge read proclamation - stated that the Texas Association of Counties is having a display and program at the State Capitol beginning April 9th and to last through the week - encouraged those present to attend celebration on April 9th.  
A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt Proclamation recognizing April 7 - 13, 1991 as "National County Government Week" and April 9, 1991 as "Texas County Government Day". All present voting "Aye".  
(SEE PAGE 610 FOR PROCLAMATION)

10699 ADOPT PROCLAMATION DESIGNATING APRIL 14-20, 1991 AS "ARCHEOLOGY AWARENESS WEEK"

Hays County Historical Commission Chair Lila Stilson spoke of their Archeology Committee - a number of events will take place - proclamations will be signed by all cities located in Hays County as well as by the Commissioners' Court. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to adopt proclamation designating April 14 - 20, 1991 as "Archeology Awareness Week". All present voting "Aye".  
(SEE PAGE 611 FOR PROCLAMATION)

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PROCLAMATION

STATE OF TEXAS )(

COUNTY OF HAYS )(

WHEREAS, one true measure of a nation or a county is the health of its people; and

WHEREAS, the health of Americans is inseparably linked with the health of people throughout the world; and

WHEREAS, all the nations of the world, acting through the World Health Organization, of which the United States is an active member, are pledged to the goal of Health For All by the year 2000; and

WHEREAS, the World Health Organization has established April 8 of 1991 as World Health Day, an occasion to celebrate advancements in health and rededicate ourselves to further achievements; and

WHEREAS, the theme for World Health Day 1991, "Health For All - Pass It Along", reflects the growing importance of communication, at all levels, in the promotion of health through both personal and collective responsibility;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas that April 8, 1991 be recognized as

WORLD HEALTH DAY

and be it further proclaimed that all citizens be encouraged to take part in observances and activities designed to increase awareness of the health needs of all people and advance the cause of "Health For All" through communication throughout our County, nation and world.

Hereto we have set our hands this 1st day of APR. 2, 1991.

Eddy Etheredge  
EDDY ETHEREDGE  
County Judge

ATTEST:

Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk



#10696

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PROCLAMATION

STATE OF TEXAS )(

COUNTY OF HAYS )(

WHEREAS, Earth Day 1991 is a special occasion for directing attention to individuals, schools, communities and corporations working toward a better environment; and

WHEREAS, Earth Day provides a time for focus, organization and support for developing environmental awareness to foster greater cooperation on environmental matters among citizens, educators, business and government; and

WHEREAS, the challenge for Earth Day 1991 is to heighten the awareness generated by the 20th anniversary observance in 1990 and to promote continued growth of millions of personal actions begun then; and

WHEREAS, the County of Hays encourages the effort to bring together the public and private sectors to restate support of Earth Day and bettering our environment;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas that April 15-22, 1991 be recognized as

EARTH DAY WEEK

and be it further proclaimed that citizens be encouraged to recognize Earth Day Every Day and participate in this special observance.

Hereto we have set our hands this 15th day of APRIL, 1991.

Eddy Etheredge  
EDDY ETHEREDGE  
County Judge

ATTEST:

Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk



10697

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PROCLAMATION

STATE OF TEXAS )(

COUNTY OF HAYS )(

WHEREAS, county officials across the State have realized many accomplishments; and

WHEREAS, these same county officials have concerns to present to the State leaders; and

WHEREAS, the Texas Association of Counties will have a display in the Capitol rotunda and a legislative briefing at the TAC offices in conjunction with National County Government Week, April 7-13, 1991; and

WHEREAS, Texas is planning County Government Day for April 9, 1991 to coincide with the national recognition;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas that April 7-13, 1991 be recognized as

NATIONAL COUNTY GOVERNMENT WEEK

and April 9, 1991 be recognized in Texas as

COUNTY GOVERNMENT DAY

and be it further proclaimed that citizens and officials be encouraged to participate in special ceremonies and communicate with State and National leaders on topics of concern to county government.

Hereto we have set our hands this 1st day of April, 1991.

Eddy Etheredge  
EDDY ETHEREDGE  
County Judge

ATTEST:  
Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk



# 10698



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PROCLAMATION

STATE OF TEXAS )(

COUNTY OF HAYS )(

WHEREAS, Texas' heritage is rich in cultural diversity as represented by the numerous archeological and historic sites within our State; and

WHEREAS, preservation of Texas' prehistoric and historic archeological sites offer significant cultural, educational and economic benefits to all citizens; and

WHEREAS, each archeological and historic site is a unique and irreplaceable part of Texas history; and

WHEREAS, knowledge and understanding of our past is threatened by intentional and unintentional destruction; and

WHEREAS, many professional and avocational archeologists and other citizens and organizations strive to preserve and protect Texas' archeological and historic sites; and

WHEREAS, the Texas Historical Commission, Texas Archeological Society, Council of Texas Archeologists and the Texas Historical Foundation have joined with museums, local archeological societies, county historical commissions and other preservation groups to promote public awareness and involvement in protecting these significant cultural resources; and

WHEREAS, Archeology Awareness Week offers an opportunity for all citizens to reflect on Texas' unique legacy and the contributions archeological investigations offer in interpreting and understanding our past;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas that April 13-19, 1991 be recognized as

TEXAS ARCHEOLOGY AWARENESS WEEK

and be it further proclaimed that citizens be encouraged to recognize Texas Archeology Awareness Week and participate in this special observance.

Hereto we have set our hands this 1st day of APRIL, 1991.

Eddy Etheredge  
EDDY ETHEREDGE  
County Judge



ATTEST:

Ronnie Dannelley  
RONNIE DANNELLEY  
County Clerk

#10699

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 10700 APPROVE FINANCIAL ARRANGEMENTS WITH HAYS COUNTY HISTORICAL COMMISSION

Lila Stilson, HCHC, stated that all finances will be run through the County funds - spoke of monies collected from sale of the first marker book will be used to finance the second volume. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approval financial arrangements with the Hays County Historical Commission. All present voting "Aye".

10701 ACCEPTANCE AND REJECTION OF SEALED TAX BIDS

County Judge Eddy Etheredge spoke of properties acquired through Judicial foreclosure of tax lien and advertised for sealed bid offers - bids came in low and some have already been rejected by the School Districts - suggested that all bids be rejected except for #1 and #3 (problems with access easements). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to reject all bids except for #1 and #3 listed on the Re-Cap of Hays County Sealed Bids list. All present voting "Aye".

- #1 - 1/8 acre, John Pharras Survey, Abstract No. 361, Hays County, Texas, being the same property described in Volume 71, Page 64, Deed Records of Hays County, Texas. (Accounty No. 10-0361-0083-00000-2, Suite No. 2485, Redemption Period Expires: 11/9/92) HIGH BID = \$115.00
- #3 - Lots 28 and 29, Block 2, Timmeron Section 1, Hays County, Texas. (Account Nos. 11-8835-0200-2 and 11-8835-0200-02900-2, Suite No. 2639, Tract #3 Redemption Period Expires: Expired) HIGH BID = \$115.00

10702 APPROVE FOURTH AMENDED SUBDIVISION ORDINANCE CLARIFYING PLAT DESIGNATION OF RECHARGE ZONE BOUNDARIES OF EDWARDS AQUIFER

Tom Health, Senior Environmental Analyst with the Barton Springs Edwards Aquifer appeared before the Court - spoke of minor changes that need to be made to the ordinance - spoke of Geologist making the water pollution abatement plans - Geologist are not licensed - Hydrologist are licensed. Commissioner Ford spoke of Letter of Credit not being worth the paper they are written on. A motion was made by commissioner Payne, seconded by Commissioner Ford to approve Fourth Amended Subdivision Ordinance. All present voting "Aye". (SEE PAGE 614 )

10703 APPROVE HIRING EMORY & YOUNG AND ASSOCIATES TO ASSIST IN REDISTRICTING

County Judge Eddy Etheredge spoke of time drawing near to begin redistricting - has received several proposals to assist with redistricting project - proposal from Emory, Young & Associates will do technical parts to get through the Justice Department - estimated cost is \$8-9,000 - they will conduct public hearings and make changes on plats if necessary. Patsy Greiner, Admin. Coord., spoke of getting the data from the mapping computer Re: population and areas out in the county - CAPCO census count is available on floppy disk for \$27 or hard copy for \$10 - redistricting must be submitted by October 1, 1991. A motion was made by Commissioner Ford, seconded by Judge Etheredge to hire Emory, Young & Associates to assist in redistricting. All present voting "Aye".

10704 HIRE DATA PROCESSING ADMINISTRATOR

Judge Etheredge spoke of applicants for Data Processing Administrator - 16 applicants were narrowed down to four who were interviewed - committee recommended hiring Lance Renfrow - he has accepted the position at salary of \$27,000.00 per year. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to hire Lane Renfrow as Hays County Data Processing Administrator at a salary of \$27,000 per year. All present voting "Aye".

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10705 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$135,918.70. All present voting "Aye".

|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Fines            | \$ 52.50     | Auditor           | \$ 411.48    |
| Extension Ofc.   | \$ 256.61    | Election Admin    | \$ 1,050.08  |
| Community Serv   | \$ 20,325.00 | Indigent Care     | \$ 4,464.38  |
| Transfer Station | \$ 54.25     | Bldg. Maint.      | \$ 1,059.26  |
| Health Dept.     | \$ 100.22    | Civic Center      | \$ 318.95    |
| Countywide Misc. | \$ 43,215.80 | District Clerk    | \$ 436.76    |
| County Clerk     | \$ 295.57    | Sheriff's Ofc.    | \$ 2,132.85  |
| Jail Operations  | \$ 13,114.07 | Dist. Attorney    | \$ 167.40    |
| J.P. 1-1         | \$ 38.50     | J.P. 1-2          | \$ 18.50     |
| J.P. 2           | \$ 350.00    | J.P. 3            | \$ 600.00    |
| J.P. 4           | \$ 250.00    | J.P. 5            | \$ 109.58    |
| D.P.S.           | \$ 410.00    | Constable 1       | \$ 12.95     |
| Constable 5      | \$ 1,801.40  | Social Services   | \$ 26,487.75 |
| Veterans Admin   | \$ 256.55    | Data Proc Admin   | \$ 88.90     |
| TDH TB Grant     | \$ 16.00     | TDH M&C Care      | \$ 4.20      |
| Historical Comm  | \$ 15.50     | District Court Op | \$ 3,213.85  |
| County Court Op  | \$ 1,029.10  | Precinct 1        | \$ 1,145.17  |
| Precinct 2       | \$ 2,671.66  | Precinct 3        | \$ 4,792.07  |
| Precinct 4       | \$ 3,164.90  | Hot Check Fee     | \$ 34.02     |
| Law Library Fund | \$ 45.00     | Adult Prob Oper   | \$ 1,514.32  |
| Adult Prob Fac   | \$ 393.60    |                   |              |

CIRCLE C, LOTS 1-10 SUBDIVISION - PCT. 4

No one appeared for second and third readings - no action taken.

10706 LEGEND OAKS SECTION 1 - LOTS 1, 2 & 3 (PCT. 4) - 1ST,2ND,3RD READINGS

David Williamson presented "Legend Oaks Section 1 " subdivision on first, second and third readings - all lots are over 5 acres each - PEC and GTE have signed off on the applications form - lots are located on RM 3237/east side of Rolling Oaks Subd. - a subdivision of 15.057 acres in the Jesus Perez League No. 14 owned by Michael V. Stewart of San Antonio, Texas. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Legend Oaks Section 1" subdivision on first, second and third readings. All present voting "Aye".

Court recessed until April 8, 1991 at 9:00 o'clock A.M.

MINUTES APPROVED IN OPEN COURT ON THE 13th DAY OF MAY, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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FOURTH AMENDED SPECIFICATIONS

REGULATING THE FILING FOR RECORD OF SUBDIVISION PLATS AND OTHER REQUIREMENTS PERTINENT THERETO AND ESTABLISHING CONSTRUCTION STANDARDS FOR ALL SUBDIVISIONS SITUATED OUTSIDE THE BOUNDARIES OF ANY INCORPORATED CITY IN HAYS COUNTY, TEXAS

THE STATE OF TEXAS  
COUNTY OF HAYS

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IN THE COMMISSIONERS COURT  
H A Y S COUNTY, TEXAS

It is order by the Commissioners Court of Hays County, Texas on the twenty-third (23) day of July, 1984 that the requirements and policies for the subdivision of land as defined by the Acts of the Legislature of the State of Texas (Vernon's Texas Codes Annotated, Chapter 232, page 544), the recording of subdivision maps or plats and the construction of roads and streets in subdivisions in Hays County, Texas be amended this the 1st day of April, 1991, and become effective immediately as follows:

GENERAL

Every owner (hereinafter called "Subdivider") of any tract of land situated without the corporate limits of any city in Hays County, Texas who may hereafter divide the same into two (2) or more parts for laying out lots or for the purpose of laying out streets, alleys, or parks or other portions intended for public use shall cause a plat to be made thereof which shall accurately describe all of said subdivision or addition by metes and bounds and locate the same with respect to an original corner of the original survey of which it is a part, giving the dimensions of all lots, streets, or other portions intended to be dedicated to public use or for the use of purchasers or owners of lots. Said map or plat shall be prepared in compliance with this ordinance and with the subdivision statutes of the State of Texas and shall be submitted to the Commissioners Court for approval prior to filing with the County Clerk.

In areas within the Extraterritorial Jurisdiction of a City, no plat shall be filed with the County Clerk without the authorization of both the City and the County. If any conflicts exist between the requirements of this County and those of the City in whose Extraterritorial Jurisdiction the proposed subdivision is located, the more stringent provisions shall govern.

In the event that the proposed development is a resubdivision or replat of a recorded subdivision, the Subdivider will be required to meet the requirements of the State Statutes for resubdivisions to include posting a Public Hearing as well as these specifications. An existing subdivision plat may be vacated by the owners thereof in conformance with the State Statutes and upon approval by the Commissioners Court of Hays County.

PLATTING PROCEDURES

The following procedures shall be followed in the process of review and approval of all subdivision plats by the Hays County Commissioners Court.

Subdivision plats shall be submitted to the Commissioners Court for review and approval on three (3) readings before they may be recorded with the County Clerk. If the proposed development does not require the construction of any additional roads or any major drainage improvements, the Commissioners Court may consolidate the readings (Short Form).

All subdivisions shall be submitted for Third Reading (Record Plat) within one (1) year after the date of First Reading (Preliminary Plan) approval.

All subdivisions which have received First or Second Reading approval prior to December 1, 1984 shall have until December 1, 1985 to obtain Third Reading approval under the previous county subdivision ordinances upon which the original approvals were granted. All approvals previously given will expire if the subdivisions are not completed within the above stated time period.

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All submissions of information required herein shall be made a minimum of seven (7) calendar days prior to the date of the Commissioners Court meeting at which action is being requested. The information will be deemed to have been submitted when it is delivered to the County Administrator. Ten (10) copies of the plan and one (1) copy of all other required information shall be submitted.

All submissions shall be accompanied by a Letter of Transmittal which shall include the name, address and telephone number of the person who will be representing the request before the Commissioners Court and stating what action is being requested.

It is recommended that the Subdivider meet with the Commissioner in whose precinct the proposed subdivision is located prior to the Commissioners Court meeting to review the plan.

SHORT FORM

The Subdivider shall cause to have prepared a Short Form Plan for subdivision of property which does not require the construction of additional roads or any drainage improvements to be submitted for approval at one (1) hearing before the Commissioners Court. This Short Form Plan must be in compliance with all requirements of the Record Plat and shall be accompanied by a Short Form Review Fee of fifty dollars (\$50.00) plus two dollars (\$2.00) per lot submitted to the County Administrator seven (7) calendar days prior to the date of the Commissioners Court meeting at which approval is being requested.

FIRST READING - Preliminary Plan

The Subdivider shall cause to have prepared a Preliminary Plan of the proposed development which shall show: (See Checklist)

1. Typical lot dimensions
2. Street right-of-way widths
3. Areas for recreational use, such as parks or greenbelts
4. Proposed land use of all lots being subdivided
5. Names of all owners of the property surrounding the proposed subdivision
6. Land use of all contiguous tracts, i.e. undeveloped, subdivided, etc.
7. All major topographic features such as rivers, creeks, bluffs, etc. on or adjacent to the property as well as elevation contours at no greater than twenty (20') foot intervals. (Interpolation of contour information from U.S.G.S. 7-1/2 minute series Topographic Quadrangle Maps may be deemed adequate to meet this requirement.)
8. Areas of Special Flood Hazard as shown by the current Flood Hazard Boundary Maps prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration and a statement that "According to H.U.D. Federal Insurance Administration Flood Hazard Boundary Map No. \_\_\_\_\_, this tract is/is not within Zone A, a special flood hazard area." If flood area exists, all requirements of the "Regulations for Floodplain Management for Hays County, Texas" must be met.
9. Master Development Plan. (If subdivision is portion of a larger tract of land, exterior boundary of the parent tract shall be shown on the Preliminary Plan and future plans for the remaining property noted. If the parent tract is larger than 320 acres, the Preliminary Plan may be prepared at a scale no smaller than one inch (1") equals one thousand (1000') feet, with the area proposed to be subdivided detailed at a scale no smaller than one inch equals two hundred feet (1"=200').)
10. North arrow
11. Location map showing the location of the proposed subdivision in relation to major roads, towns or cities, and topographic features.
12. Name and address of owner of the property
13. Name and address of developer
14. Total acreage within the proposed subdivision
15. Total number of lots
16. Total area within road rights-of-way and length of roads

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- 17. Statement as to the jurisdiction with responsibility for the maintenance of roads within the subdivision, i.e. County or homeowners association. (If privately maintained roads are proposed, the Subdivider will be required to create a Homeowners Association to insure the maintenance of the roads with the power to lien land for cost related thereto and to meet the Texas Veterans Land Board requirements.)
- 18. Name of proposed subdivision, said name shall not conflict in spelling, pronunciation or any way with the name of any other subdivision within Hays County, unless the proposed subdivision is contiguous to an existing subdivision and is an additional phase of that development.
- 19. Names of roadways, said names shall not duplicate any other streets within Hays County unless they are extensions of said streets.

A Preliminary Plan Review Fee of one hundred dollars (\$100.00) plus two dollars (\$2.00) per lot shall be paid at the time of submission of the Preliminary Plan to the County Administrator.

SECOND READING - Final Plan

Upon approval of the Preliminary Plan, the Subdivider shall revise the plan in accordance with the requirements and recommendations of the Commissioners Court and shall cause to be prepared a Final Plan of the proposed subdivision which incorporates these changes.

The Final Plan shall contain all information required herein for the Preliminary Plan as well as the following: (See Checklist)

- 1. All information required for the Preliminary Plan
- 2. Lot and Block numbers
- 3. Proposed street names which shall not duplicate the name of any existing street unless the proposed street is an extension thereof
- 4. Acreage, to two decimal points, of all lots and tracts
- 5. Name and address of the surveyor and/or engineer
- 6. Location and size of all proposed drainage structures
- 7. Location, size and proposed use of all easements required for the proper drainage and/or utility service
- 8. Boundaries of incorporated city limits and/or extraterritorial jurisdictions and a statement that "This property is/is not located within the municipal limits or extraterritorial jurisdiction boundaries of any community."
- 9. Boundaries of the Recharge Zone of the Edwards Aquifer as provided by the Texas Water Commission official maps and a statement that either "This property lies within the boundaries of the Recharge Zone of the Edwards Aquifer and is subject to an approved Texas Water Commission Water Pollution Abatement Plan on record. This development is/is not a Regulated Development in accordance with the Texas Water Commission Edwards Rule as defined in 31 Texas Administrative Code Section 313.3" or "This property does not lie within the boundaries of the Recharge Zone of the Edwards Aquifer." (Note: If the proposed development lies over or within one-half (1/2) mile of the Recharge Zone of the Edwards Aquifer, special consideration may be necessary.)
- 10. Statement of how utilities will be provided to the development, including names of utility companies, i.e. water, sewer, power, etc. If not available, a statement so indicating shall be placed on the plan.

In addition, the Subdivider shall submit with the Final Plan the following:

- 1. Proposed restrictive covenants
- 2. Tax certificate showing that all taxes are currently paid on the property to be subdivided
- 3. In the event the Subdivider proposes to use privately maintained roads, the proposed Articles of Incorporation and By-Laws of the Homeowners' Association or other entity responsible for road maintenance.

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THIRD READING - Record Plat

Upon approval of the Final Plan, the Subdivider shall revise the plan in accordance with the requirements and recommendations of the Commissioners Court and shall cause to have prepared a Record Plat of the proposed subdivision which shall incorporate all previous changes.

The Subdivider shall submit the Record Plat, a blueline on white linen and a mylar positive reproducible at the original scale or at a scale no smaller than one inch equals two hundred feet (1"=200'), of the approved subdivision to the County Administrator with a recording fee of fifty dollars (\$50.00) per page within seven (7) calendar days of Commissioners Court approval. In the event that more than one page is required to show the proposed subdivision, the first sheet shall contain an index map depicting the entire subdivision.

The Record Plat shall contain the following information: (See Checklist)

1. Name of proposed subdivision
2. Location map as required by Preliminary Plan
3. North arrow
4. Lot and block numbers
5. Total acreage within the subdivision with a breakdown of the approximate acreage within each original survey if the development is within more than one original survey
6. Total number of lots
7. Acreage, to two (2) decimal places, of each lot or tract within the subdivision
8. Total length of roads to the nearest one-tenth mile
9. Total area within rights-of-way
10. Street names
11. Bearings and dimensions of the boundary of the subdivision, as well as of all lots, blocks, street rights-of-way, parks, reserves, and other tracts shown on the plat. Dimensions shall be shown to the nearest one-hundredth of a foot (0.01') and bearings shall be shown to the nearest one minute of angle (01'). Length of radius and arcs of all curves, with bearings and distances of all chords, shall be shown.
12. Location, width and dedicated use of all existing and proposed easements within or adjoining the subdivision
13. Location of original survey line and school district boundaries, and city limits or limits of extraterritorial jurisdictions and boundaries of Recharge Zone of the Edwards Aquifer and appropriate notes
14. Description of monumentation used to mark all boundary lot and block corners, and all points of curvature and tangency on street rights-of-way
15. Names and widths of adjoining streets
16. Names of adjoining subdivisions or owners of adjoining undeveloped property
17. Areas of Special Flood Hazard as shown on the current Flood Hazard Boundary Maps prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration and appropriate note
18. Acknowledgement and certificate of dedication by the Owner, to-wit:

a. Individual

STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, That I Owner, owner of Deeded Acreage acres of land out of the Original Survey, Hays County, Texas as conveyed to me by deed dated     , and recorded in Volume     , Page     , Hays County Deed Records, DO HEREBY SUBDIVIDE Subdivision Acreage acrs of land out of the Original Survey, (Note: If the subdivision lies in more than one survey, determine the acreage in each survey and repeat for each original survey within the subdivision) to be known as the Subdivision Name, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted, and do hereby dedicate to the public (or: "owners of the property shown hereon" for private streets) the use of the streets and easements shown hereon.

WITNESS MY HAND, this the      day of     , A.D., 19    .

(Owner's Name) Owner

\*\*\*\*\*

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE ME, the undersigned authority, on this day personally appeared Owner's Name known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_ day of \_\_\_\_\_, A.D., 19 \_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for Hays County, Texas

b. Corporation

STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, That I Corporation Name, a corporation organized and existing under the laws of the State of Texas, with its home address at Address, City, State, owner of Deeded Acreage acres of land out of the Original Survey, Hays County, Texas as conveyed to it by deed dated \_\_, and recorded in Volume \_\_, Page \_\_, Hays County Deed Records, DOES HEREBY SUBDIVIDE Subdivision Acreage acrs of land out of the Original Survey, (Note: If the subdivision lies in more than one survey, determine the acreage in each survey and repeat for each original survey within the subdivision) to be known as the Subdivision Name, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted, and do hereby dedicate to the public (or owners of the property shown hereon" for private streets) the use of the streets and easements shown hereon.

IN WITNESS WHEREOF the said Corporation Name has caused these presents to be executed by its Corporate Title, Name, thereunto duly authorized, this the \_\_\_ day of \_\_\_\_\_, A.D., 19\_\_.

\_\_\_\_\_  
(Owner's Name) Owner

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE ME, the undersigned authority, on this day personally appeared Name known to me to be the person whose name is subscribed to the foregoing instrument as Title of Corporate Name and acknowledged to me that he executed the same in such capacity as the act and deed of said corporation for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_ day of \_\_\_\_\_, A.D., 19 \_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for Hays County, Texas

14. Certificate for Road Maintenance, to-wit:

(Public Roads)

"In Approving this plat by the Commissioners Court of Hays County, Texas, it is understood that the building of all streets, roads and other public thoroughfares delineated and shown on this plat and all bridges and culverts necessary to be constructed or placed in such streets, roads or other public thoroughfares or in connection therewith shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Hays county, Texas, and the Commissioners court of Hays County, Texas assumes no obligation to build the streets, roads or other public thoroughfares shown on this plat or of constructing any bridges or culverts in connection therewith."



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(Private Roads)

"In approving this plat by the Commissioners Court of Hays County, Texas it is understood that all roads shown hereon are private roads and shall remain the property of the Subdivider and/or subsequent owners of the property. the construction, repair and maintenance of these roads and any associated drainage improvements will be the responsibility of the Subdivider and/or subsequent owners of the subdivision and will not be the responsibility of Hays County."

15. Certificate of County Approval, to-wit:

STATE OF TEXAS  
COUNTY OF HAYS

I, Ronnie Dannelley, County Clerk of Hays County, Texas, do hereby certify that on the \_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_, the Commissioners Court of Hays County, Texas passed an order authorizing the filing for record of this plat, and said order has been duly entered in the minutes of the said Court in Book \_\_\_, Page \_\_\_\_\_.

WITNESS MY HAND AND SEAL OF OFFICE this the \_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_.

\_\_\_\_\_  
EDDY ETHEREDGE  
COUNTY JUDGE  
HAYS COUNTY, TEXAS

\_\_\_\_\_  
RONNIE DANNELLEY  
COUNTY CLERK  
HAYS COUNTY, TEXAS

16. Certificate of Recording, to-wit:

STATE OF TEXAS  
COUNTY OF HAYS

I, Ronnie Dannelley, County Clerk of Hays County, Texas, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the \_\_\_ day of \_\_\_\_\_, 19\_\_\_, at \_\_\_ o'clock \_\_.m., and duly recorded on the \_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_ at \_\_\_ o'clock \_\_.m., in the Plat Records of Hays County, Texas, in Book \_\_\_, Page \_\_\_\_.

\_\_\_\_\_  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

17. Sewage Disposal Certification, to-wit:

"No structure in this subdivision shall be occupied until connected to a Public Sewer System or to an Individual Sewage Disposal System which has been approved and permitted by the San Marcos-Hays County Health Department.

\_\_\_\_\_  
Terry Ewald, Sanitarian  
San Marcos-Hays County Health Department"

\_\_\_\_\_  
Date

18. Water Supply Certificate, to-wit:

(Public Water Supply Systems)\

"No structure in this subdivision shall be occupied until connected to the Water Supply System Name, an approved public water supply system.

\_\_\_\_\_  
Terry Ewald, Sanitarian  
San Marcos-Hays County Health Department"

\_\_\_\_\_  
Date

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Water Supply System Name, an approved public water supply system, has adequate quantity to supply this subdivision and provisions have been made to provide service to each lot in accordance with the policies of the water supply system.

\_\_\_\_\_  
(Name and Title of Official)  
(Water Supply System Name)"

\_\_\_\_\_  
Date

(Individual Water Supply Systems)

"No structure in this subdivision shall be occupied until connected to an individual water well which has been approved and permitted by the San Marcos-Hays County Health Department.

\_\_\_\_\_  
Terry Ewald, Sanitarian  
San Marcos-Hays County Health Department"

\_\_\_\_\_  
Date

- 19. Certificate of City Approval, to-wit, or as prescribed by the local authority: (Only required if subdivision is within the extraterritorial jurisdiction of an incorporated city.)

"Approved this the \_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_, by the Planning Commission of the City of \_\_\_\_\_, Texas.

\_\_\_\_\_  
(Name), Chairman

\_\_\_\_\_  
(Name), Secretary

Approved for Acceptance:

\_\_\_\_\_  
(Name), Director of Public Works

\_\_\_\_\_  
(Name), Director of Planning

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

- 20. Certificate of Surveyor, to-wit:

STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned, a Registered Public Surveyor in the State of Texas, hereby certify that this plat complies with the survey related requirements of the Hays County Subdivision Specifications and further certify that this plat is true and correctly made and is prepared from an actual survey of the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision.

\_\_\_\_\_  
(Name)  
Reg. Public Surveyor No. \_\_\_

- 21. Drainage and street improvements required herein shall be designed by a Registered Professional Engineer who shall affix his signature and seal to the following certification on the Record Plat:

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned, a Registered Professional Engineer in the State of Texas, hereby certify that this plat complies with the engineering related requirements of the Hays County Subdivision Specifications.

\_\_\_\_\_  
(Name), P.E. No. \_\_\_\_\_

\_\_\_\_\_  
Date

When submitted, the Record Plat shall contain the signatures of all parties required to sign the plat, i.e. Owner, Health Department, City Officials, Water Suppliers, Surveyor, etc.

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Submitted with the Record Plat shall be:

1. Construction Plans of all required streets and drainage improvements,
2. Road Construction Security as specified herein,
3. Copy of the approved Texas Water Commission Water Pollution Abatement Plan and the approval letter, and
4. If subdivision is to have private roads, a final "ready for recording" copy of the Home Owners' Association Charter and By-Laws.

DESIGN STANDARDS

Subdivisions

The following criteria shall be deemed the minimum standard by which subdivisions in Hays County shall be designed:

Minimum lot sizes for subdivisions which utilize conventional septic tank and drain field systems shall be determined by the "Rules of Hays County, Texas for Private Sewage Facilities". In no case shall a building lot which utilizes private conventional septic tank and drain field systems have an area of less than twenty thousand square feet (20,000 sq.ft.), exclusive of any area within road right-of way, except those lots which are located over the Recharge Zone of the Edwards Aquifer in which case all lots shall have a minimum area of not less than one acre (1.000 ac.) exclusive of any area within road easements/right-of-way.

Any proposed development which is located over the Recharge Zone of the Edwards Aquifer or within one-half mile (1/2 mi.) of the boundary of the Recharge Zone of the Edwards Aquifer as shown by the official maps of the Texas Water Commission shall have a certified geologist or hydrologist conduct an on-site inspection of the property proposed to be developed to determine the precise location of the out crops, if any, of the Edwards limestone which recharge the aquifer. The geologist or hydrologist shall submit a written report and map showing the location of the out crops, if any. This report shall accompany the Preliminary Plan.

All areas which are shown by the above report to recharge the aquifer shall be developed with a minimum one acre (1.000 ac.) lot area. All requirements for development within the Recharge Zone shall apply to these recharge areas with the exception of the requirement to obtain a development permit from the Texas Department of Water Resources.

Subdivisions which are proposed to be developed with lots which have an area of less than one (1.000) acre shall conduct tests to determine that the rate of percolation of the soil within the subdivision is acceptable for the proposed lot size as specified by the "RULES OF HAYS COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES".

All roads which are proposed to be maintained by the County shall be connected to other State or County roads which are publicly maintained.

All roads intended for two way traffic shall have a minimum of sixty feet (60') of right of way which, in the case of public roads, shall be cleared of all begetation. Private roads shall have a minimum of forty feet (40') cleared of all vegetation Excepted from the clearing provisions of this requirement shall be roads which utilize esplanades between two lanes of traffic when constructed as specified herein.

Streets which utilize esplanades between two lanes of traffic shall have a minimum width of right of way of eighty feet (80'). The minimum length of esplanades shall be fifty feet (50') or twenty five feet (25') on either side of any obstruction or improvement located on the esplanade, which ever is greater. Esplanades shall be a minimum of twenty feet (20') wide and no obstructions or improvements located on them shall be within ten feet (10') of the traveled road surface. When esplanades are to be inserted into standard sixty foot rights of way, there shall be a smooth transition between the sixty foot right of way and the eighty foot right of way but in no case shall this transition be shorter than fifty feet (50'). Proper signing indicating divided roads and reflectors shall be installed at all esplanades.

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If a subdivision is proposed to be developed adjoining an existing road which has less than sixty feet (60') of right of way or easement, the proposed subdivision shall provide for additional right of way such that the distance from the centerline of the existing right of way to the property lines of the proposed lots shall not be less than thirty feet (30').

A forty foot (40') right of way will be permitted on one way traffic roads which shall be required to be built in pairs and shall be limited to no greater length than one quarter mile (1/4 mi. = 1320 ft.)

Dead end roads shall not be permitted. All roads shall terminate at intersections or at a cul-de-sac. Cul-de-sacs shall have a minimum diameter of one hundred ten feet (110'). Temporary turn-around easements of one hundred ten feet (110') in diameter may be used at the ends of roads which will be extended in future sections of the subdivision. The dedication of these temporary easements shall be such that they will remain in effect until such time as the street is extended and at that time automatically become abandoned.

The centerlines of street rights of way shall intersect within ten (10) degrees of a ninety (90) degree angle.

All street intersections shall utilize return curves having radius of twenty five feet.

All changes in direction of street centerlines in excess of ten (10) degrees shall be accomplished by means of regular curves with a minimum centerline radius of two hundred seventy five feet (275').

In cases where proposed streets are platted to intersect with established streets, the proposed streets shall be extensions, without offset of existing intersecting streets on the opposite side of the said established street. Street offsets of less than one hundred and twenty five feet (125') between centerlines shall be prohibited.

A minimum of ten foot (10') easements shall be provided along each side of the dedicated street right of way or easement for the purpose of utilities.

DRAINAGE

The following criteria shall be deemed the minimum standard by which drainage improvements in subdivisions in Hays County shall be designed:

All natural water courses which have a defined drainage channel and drain an area of fifty acres (50) or more upstream of the subdivision shall be provided with drainage easements of adequate width to provide for a twenty five year (25) storm water run off and also adequate width to maintain the drainage channel but in no case shall these drainage easements be less than twenty feet (20') wide.

All subdivisions which contain lots five acres (5.000) and smaller in size, exclusive of area within road easements, shall have all drainage structures under road associated with the development designed to pass a twenty five year (25) storm run off with no more than five inches (5) of water over the structure. Drainage channels and ditches within these subdivisions shall be designed to carry the twenty five year (25) storm run off. All drainage structures under private driveways, where required, shall be constructed in such a manner that they do not create a permanent backwater pond or cause water to flow over the adjacent properties or roads.

All subdivisions which contain lots larger than five acres (5.000) but smaller than fifteen acres (15.000) in size, exclusive of area within road easements, shall have all drainage structures under roads associated with the development designed to pass a ten year (10) storm run off with no more than five inches (5) of water over the structure. Drainage channels and ditches within these subdivisions shall be designed to carry the ten year (10) storm run off. All drainage structures under private driveways, where required, shall be constructed in such a manner that they do not create a permanent backwater pond or cause water to flow over the adjacent properties or roads.

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The requirements for drainage structures under roads in the above two paragraphs may be waived if all lots in a subdivision have an alternate legal access to a publicly maintained road such that all lots are accessible during periods of high water.

No design standards are established herein for subdivisions which contain lots larger than fifteen acres (15.000).

All drainage structures intended to pass water over the top of them shall be equipped with flood gauge poles such that the depth of water passing over the structure can be readily determined.

All drainage structures under roads shall have concrete rip-rap or retaining walls at each end of the structure. Concrete rip-rap shall conform to the clope of the embankment which shall not be steeper than three feet horizontally for each one foot vertically (3:1).

Roadside drainage ditches (bar ditches) shall have a side slope no steeper than five feet horizontally for each one foot vertically (5:1) on the street side of the ditch and three feet horizontally for each one foot vertically (3:10) on the back (property) side of the ditch.

All drainage structures shall have a minimum clear opening of one and three quarter square feet (1.75 SF) and shall have a minimum diameter of eighteen inches (18").

All drainage structures under streets shall have a minimum of twelve inches (12") of cover over the structure unless the structure is designed and constructed for direct vehicle traffic, i.e. bridge decks, and low water crossings, etc.

ROADS AND STREETS

The following criteria shall be deemed the minimum standard by which street or road improvements in subdivision in Hays County shall be designed:

All subdivisions which contain lots two acres (2.000) and smaller in size, exclusive of area within road easement, shall construct paved streets. The paved surface of these streets shall have a minimum width of twenty feet (20') and shall be placed on a compacted flexible base course with a minimum width of twenty six feet (26'). The paving shall be minimum of Two course Surface Treatment Asphalt or one and one half inches (1 1/2) of Hot Mix Asphalt Cement paving as specified in the Construction Specifications attached hereto. The base course shall have a thickness of not less than six inches (6") after compaction for streets constructed on subgrade material with a plasticity Index of less than thirty (30). The base course shall have a thickness of not less than eight inches (8") after compaction for streets constructed on subgrade material exceeds forty five (45'), the flexible base course shall not be less than ten inches (10") thick after compaction.

When the Subdivider proposes to use a concrete curb and gutter street section, the street shall have thirty feet (30') of width between the faces of the curb and shall provide for adequate subsurface drainage on the basis of a twenty five year (25) storm water run off. Using a curb and gutter street section as a channel to convey run off shall not be accepted.

All subdivisions which contain lots larger than two acres (2.000) in size, exclusive of area within road easements, whose roads are intended to be maintained by the County, shall construct roads in accordance with the above design standards.

All subdivisions which contain lots larger than two acres (2.000) but smaller than fifteen acres (15.000) in size, exclusive of area within road easements, whose roads are intended to be Privately maintained, may construct roads of compacted flexible base material with a minimum width of twenty six feet (26'). The base course shall have a thickness of not less than six inches (6") after compaction for streets constructed on subgrade material with a Plasticity Index of less than thirty (30). the base course shall have a thickness of not less than eight inches (8") after compaction for streets constructed on subgrade material with a Plasticity Index greater than thirty (30) but less than forty five (45). In the event that the Plasticity Index of the subgrade material exceeds forty five (45), the flexible base

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course shall not be less than ten inches (10") thick after compaction. The compaction testing required in the Construction Specifications attached hereto shall not be applicable to Privately maintained streets.

Embankments and cuts required for road construction shall not have side slopes which exceed three feet horizontally for each one foot vertically (3:1).

No design standards are established herein for subdivisions which contain lots larger than fifteen acres (15.000).

Esplanade streets shall have two lanes, each with a minimum width of eighteen feet (18') of traveled road surface on a base course which is six feet (6') wider than the traveled road surface.

Where cul-de-sacs are constructed within a subdivision, they shall have a base course with a minimum diameter of one hundred feet (100') and, if paved, the paving shall have a minimum diameter of ninety feet (90'). Cul-de-sacs shall have a uniform cross slope which shall not exceed six percent (6%).

All streets shall have street name signs and safety signs as required to provide for the public safety. These signs shall be regulation metal signs installed on metal pipe posts. The installation of these signs shall be done in donformance with the Texas Uniform Traffic Safety Regulations. Reflector posts shall be located at each end of all culverts under streets. The subdivider shall place a minimum of one sign at the entrance to the subdivision which prohibits open fires and provides the name and telephone number of the local fire department.

All above ground utilities placed within street rights of way shall be located no more than two feet (2) inside the right of way line. All underground facilities located within street rights of way shall have a minimum of thirty inches (30) of cover over the utility line and shall be placed no more than six feet (6) inside the right of way line.

PERFORMANCE SECURITY

The subdivider of a tract of land shall provide a good and sufficient Construction Security in the form of a Bond, Irrevocable Letter of Credit, or other security as may be deemed acceptable by the Commissioners Court, for the proper construction of such roads or streets and drainage improvements within his subdivision. In the event that a Surety Bond is provided, it shall be provided by a corporate surety company authorized to do business in the State of Texas. The Construction Security shall be made payable to the County Judge or his successor in office, and shall include the condition that the subdivider shall construct all roads or streets and drainage improvements within the subdivision as required by this specification; that he shall begin construction of such streets and other improvement within a period of ninety (90) days from the date of the Third Reading approval of the Record Plat; that he shall prosecute the work in a timely manner; an that he shall complete such construction in accordance with the specification herein provided. The said Construction Security shall remain in full force and effect until one year (1) after being accepted by the Commissioners Court. The Construction Security when delivered to the Commissioners' Court shall be guaranteed by the maker thereof not to expire for a term of not less than three (3) years. The Construction Security shall be in such an amount as shall be computed from the following schedule:

PAVED ROADS

The length of the subdivision roads measured along the centerline of the right of way from centerline to center line (or radius point of cul-de-sac) intersections plus two hundred seventy feet (270') for each cul-de-sac times fifteen dollars (\$15.00) for the road or street construction, plus seventy five cents (0.75) time the length of the drainage culverts, in feet, for the drainage improvements construction.

That is Street length + 270 X number of Cul-de-sacs X \$15.00

Plus Pipe diameter, inches X pipe length, feet X \$ 0.75

Equals amount of the Construction Security for Paved Roads.

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UNPAVED ROADS

The length of the subdivision roads measured along the centerline to centerline (or radius point of cul-de-sac) intersections plus two hundred seventy feet (270') for each cul-de-sac times seven and one half dollars (\$7.50) for the road or street construction, plus seventy five cents (0.75) times the length of the drainage culverts, in feet, for the drainage improvements construction.

That is Street length + 270 X number of Cul-de-sacs X \$7.50

Plus Pipe diameter, inches X pipe length, feet X \$0.75

Equals amount of the Construction Security for Unpaved Roads.

In the event that any or all of the streets and or drainage improvements as constructed by the Subdivider fail to meet the requirements of the specifications herein and or not accepted by the Commissioners court, and the said Subdivider fails or refuses to correct the defects, then the Commissioners Court, after due written notification, may enforce the specific performance of the Construction Security and may use any and all other remedies available under the law to enforce these specifications.

The condition of the said Construction Security shall be that the Subdivider shall guarantee to maintain, to the satisfaction of the Commissioners Court, all streets and drainage improvements within the subdivision, in a good state of repair for a period of one (1) year from the date of completion and acceptance of the construction. This maintenance shall include mowing of vegetation along rights of way and cleaning of drainage improvements.

Periodic inspections of the street and drainage improvements within the subdivision will be made by the Commissioners Court during the period in which the subdivider is responsible for maintenance. In the event that the improvements are not being maintained in a good state of repair, the Subdivider will be so notified in writing. If after a reasonable time, he fails or refuses to properly maintain the said improvements, the Commissioners Court may provide for the required maintenance at the cost and expense of the subdivider.

The Construction Security shall provide that should the same be unenforceable as a statutory bid, the obliges shall be bounded by their contract as common law obligation.

That recovery on said Bonds shall not be limited or exhausted by one or more, recoveries less than the total amounts of such bond.

VARIANCE PROCEDURE

The Commissioners Court may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Commissioners Court shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings hereinbelow required, the Commissioners court shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of the land; and
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
3. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and

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- 4. That the granting of the variance will not have the effect of preventing the orderly subdivision of the land in the area in accordance with the provisions of this ordinance.

Variances may be granted only when in harmony with the general purpose and intent of this ordinance so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the Subdivider, standing alone, shall not be deemed to constitute undue hardship.

OTHER ADDITIONAL PENALTIES FOR NONCOMPLIANCE

At the request of the Commissioners Court of Hays County, the Criminal District Attorney or other prosecuting attorney representing the County may file an action in court of competent jurisdiction to:

- 1. enjoin the violation or threatened violation of a requirement established by or adopted by the Commissioners' Court.
- 2. recover damages in an amount adequate for the County to undertake any construction or activity necessary to bring about compliance with a requirement established by the Commissioners' Court.
- 3. A person commits an offense if the person knowingly or intentionally violates a requirement established by the Commissioners Court.

An offense of this nature is a Class B Misdemeanor.

SUBDIVISION FEE SCHEDULE

Floodplain Development Permit:

- \$ 35.00 if no floodplain
- \$ 150.00 + \$5.00 per lot if in the floodplain (hazard area)

Review Fee:

- \$ 50.00 + \$2.00 per lot if no new roads
- \$ -0- if no new roads and five (5) lots or less and inside an incorporated municipality's ETJ
- \$ 100.00 + \$2.00 per lot if roads are being built

Health Department Review:

- \$ 50.00 + \$2.00 per lot if the following conditions are met:
  - (a) two (2) lots or less,
  - (b) not over the Edwards Recharge Zone,
  - (c) no floodplain exists on the property,
  - (d) lots are greater than one (1) acre in size and
  - (e) no new roads are to be built.

\$ 100.00 + \$2.00 per lot all others.

Letter of Credit:

- Public - Street length + 270 X number of cul-de-sacs X \$15.00
  - Plus
  - Pipe diameter (inches) X pipe length (feet) X \$ 0.75
- Private - Street length X 270 X number of cul-de-sacs X \$ 7.50
  - Plus
  - Pipe diameter (inches) X pipe length (feet) X \$ 0.75

Filing Fee:

\$50.00 per page



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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 8TH DAY OF APRIL , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                    |                           |
|--------------------|---------------------------|
| EDDY A ETHEREDGE   | COUNTY JUDGE              |
| PETER RODRIGUEZ JR | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD         | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE     | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY      | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY   | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10707 APPROVE OFFICIAL BOND OF PETER RODRIGUEZ, JR., AS HAYS COUNTY COMMISSIONER PRECINCT #1

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the Official Bond of Peter Rodriguez, Jr., as Hays County Commissioner Precinct #1. Judge Etheredge, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Rodriguez abstained.

CONSIDER PROPOSAL BY CARTS REGARDING DESIGNATION OF PROPERTY FOR PARK AND RIDE GRANT

Dave Marsh, Executive Director of CARTS, appeared before the Court - proposed the development of a Park & Ride Facility at the old hospital site property owned by Hays County - felt like it would enhance both the value and utility of the property at no cost to the county - funding will be obtained through a grant which uses fuel overcharge funds (will pay for improvements but not for the land itself) - proposes to use area at the back of the property towards Thorpe Lane - the county would retain ownership of the property - sale of the property by the County prior to the end of the development's useful life (20 years) would require that the depreciated value of the development be reimbursed to the Highway Department - improvements to the property would be a paved parking area with lighting and a sheltered area. Commissioner Payne spoke of his concerns about the length of the lease being 20 years. Mr. Marsh stated that this could possibly be reduced to 15 years - spoke of alternate location on property off IH 35 at the Blanco River Bridge. Commissioner Ford felt like State Highway property would be more appropriate for this project. County Judge Eddy Etheredge stated that he preferred Option #2 (120 spaces - 1.322 acres) with an East & West lot on either side of easement coming off Thorpe lane at the very back of the hospital property. Commissioner Ford spoke of preferring to see the County sell this property for a hotel or convention center. Commissioner Craig Payne stated that he felt like the proposed improvements would be beneficial to whomever owns the property. A special meeting will be held Thursday April 11, 1991 at 10:00 A.M. to consider authorizing lease.

10708 APPROVE CONTRACT RATES FOR INDIGENT HOME HEALTH CARE

Contract rates for providing indigent home health care for Hays County residents:

|        |                                        |
|--------|----------------------------------------|
| R.N.   | \$ 56.00/visit plus mileage (.24/mile) |
| L.V.N. | \$ 32.00/visit plus mileage (.24/mile) |
| P.T.   | \$ 48.00/visit plus mileage (.24/mile) |

\*Maximum mileage of 65 miles per visit.

Contract rates will be valid for one year from date contract is initiated.

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To qualify for indigent home health care, the client:

- 1. must be a Hays County resident
- 2. must be homebound
- 3. must be in need of reasonable and necessary skilled medical services
- 4. must have no method of payment, i.e.-Medicare, Medicaid, third party payor, or personal funds
- 5. after initial client assessment or evaluation visit by Outreach Health Services, Hays County Health Department staff should be notified as to the projected number of visits that will be covered by Hays County.

Health Department contact persons: Cindylea McAllister, R.N.  
 Jennifer Smith  
 Eva Cruz

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve contract rates for Indigent Home Health Care as proposed. All voting "Aye".

10709 STREET NAME DESIGNATION - APPROVE NAMING PRIVATE ROAD (APPRX. 2 MILES) WHICH RUNS SOUTH OFF FISCHER STORE ROAD "G. W. HASCHKE LANE".

Commissioner Craig Payne spoke of easement that serves several subdivision in his precinct - original property owner was G. W. Haschke who is now deceased. Letter of request was submitted by Imogene Haschke Koch, Carl Philip Koch, III, and Philip W. Koch - road begins to the immediate west of the new bridge over the Blanco River from the Fischer Store Road (CR181) and extends in a southerly direction for approximately 2 miles and ends at the entrance to the Blanco River Rapids and the Blanco River Estates subdivisions - this private road is totally within the original ranch of the late G. W. Haschke who bought the property in 1941 - most of the property currently accessed by this road belongs to the heirs of Mr. Haschke. Commissioner Payne stated that a name is needed for 9-1-1 services. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve street name designation for private road running south off Fischer Store Road - to be designated as "G. W. Haschke Lane". All voting "Aye".

10710 ACCEPT PETITIONS FROM PROPERTY OWNERS OF "RIVER OAKS OF WIMBERLEY SUBDIVISION" REQUESTING COUNTY MAINTENANCE OF PRIVATE ROADS

Commissioner Craig Payne stated that he had received petitions for property owners in the River Oaks Subdivision located off CR 179 requesting that the County take over maintenance of the roads - stated that he would like to accept the petitions for filing with the Court records at this time - does not accept maintenance of the roads. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to accept petitions only from property owners of "River Oaks of Wimberley Subdivision" requesting county maintenance of private roads. All voting "Aye".  
 (see petitions in resolution file)

PAYMENT TO VALERO FOR LOWERING 2" GAS LINE AT TWO LOCATIONS WHERE IT CROSSES FM 2001 IN CONJUNCTION WITH SDHPT IMPROVEMENTS

Commissioner Wayne Ford stated that approval of the Commissioners' Court is not necessary because no County Right-of-Way was involved. District Attorney Marcos Hernandez spoke of need to relay information to the State Highway Department.

AMEND ANIMAL CONTROL ORDINANCE

District Attorney Marcos Hernandez stated that proposed amendment is not ready for consideration at this time - will present at a later date. Sheriff Paul Hastings stated that he would provide members of the Court with a report of activities as requested.

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10711 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR METAL PIPE, HAULING OF SOLID WASTE AND RADIOS FOR SHERIFF'S AUTOMOBILES

Cindy Simon, Auditor's office, spoke of need to advertise for bids for (1) radios for the Sheriff's autos (no specs at this time and no funding), (2) metal pipe (no change from last year) and (3) hauling of solid waste (minor changes to specs made). A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize County Auditor to advertise for bids for metal pipe and hauling solid waste. All voting "Aye".

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize County Auditor to advertise for bids for radios for the Sheriff's automobiles by cash payment or financing. Judge Etheredge, Commissioner Rodriguez, Commissioner Ford and Commissioner Ripy voting "Aye". Commissioner Payne voting "No".

10712 APPROVE BID SPECIFICATION FOR METAL PIPE & HAULING SOLID WASTE

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve the bid specifications for metal pipe and hauling of solid waste as presented by the County Auditor. All voting "Aye".

10713 AWARD ANNUAL CONTRACTS FOR THE PURCHASE OF FUEL AND LUBRICANTS

Cindy Simon, Auditor's office, submitted bid tabulations for fuel and lubricants - recommended awarding contract to Alexander Oil Co. - low bidder. A motion was made by Commissioner Payne, seconded by Commissioner Ford to award annual contracts for fuel and lubricants to Alexander Oil Company. All voting "Aye".

10714 PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN PCT. #2

Judge Etheredge called public hearing open. Commissioner Ford spoke of proposed traffic regulations:

1. Place additional STOP signs at Treetop Way and Fox Hollow Streets
2. Establish 40 MPH SPEED LIMIT on Dove Drive from FM967 to Ranger Drive
3. Establish 25 MPH SPEED LIMIT on Treetop Way, Fox Hollow Street, Dewberry Cove, Lantana Trail, Lazy Oak Cove, Daybreak Cove and Larkspur Lane in Coves of Cimmaron Subdivision Section 1
4. Remove STOP sign at intersection of CR 204 and CR 157 and replace with YIELD sign
5. Remove two (2) STOP signs from Chaparral Drive at its intersection with Hawk Drive

Constable Pct. #5 Billy Reeves spoke of problems with removing the Stop signs at Intersection of CR 204 & CR 157 (#4) - changing a 4-Way Stop to a 2-Way Stop - requested that warning signs be posted prior to removal to get the attention of people who use this roadway to help prevent accidents - spoke of need to remove brush from a corner lot at this location that is obstructing the view at a curve. Commissioner Ford stated that he would try to notify the property owner of the obstruction and see if he can assist in that matter. Public hearing was closed. A motion was made by Commissioner Ford and seconded by Commissioner Rippy to establish the traffic regulations as proposed in Precinct #2 (Items #1-#5). All voting "Aye".

10715 AUTHORIZE PURCHASE OF LIGHT BARS AND PROTECTIVE SCREENS FOR SHERIFF'S DEPARTMENT VEHICLES

County Auditor Bill Herzog stated that the costs for the light bars and protective screens that are needed is \$5,027.00. Sheriff Paul Hastings spoke of utilizing some equipment that they currently have, however, some equipment is needed to use on the new vehicles that were purchased. Bill Herzog stated that there are no funds available for the purchase and contingency and misc. funds are depleted. Judge Eddy Etheredge spoke of need to budget payments on debt - we need to look farther down the road when we go through the budget process. Commissioner Wayne Ford spoke of

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the tight budget that was adopted - it will be necessary to make emergency budget amendments. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize purchase of light bars and protective screens for the Sheriff's vehicles - to be financed. Judge Etheredge, Commissioner Rodriguez, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

10716 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of County invoices as presented by the County Auditor in the amount of \$83,461.95. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Auditor           | \$ 220.78    | Treasurer        | \$ 167.78    |
| Extension Ofc.    | \$ 145.57    | Juvenile Prob    | \$ 296.93    |
| Election Admin    | \$ 33.51     | Indigent Care    | \$ 39.00     |
| Transfer Sta      | \$ 249.90    | Bldg Maint.      | \$ 4,358.62  |
| Health Dept.      | \$ 364.59    | Civic Center     | \$ 2,541.45  |
| Countywide Misc.  | \$ 3,806.59  | Tax A/C          | \$ 1,493.39  |
| District Clerk    | \$ 303.66    | County Clerk     | \$ 2,084.16  |
| Sheriff's Ofc     | \$ 1,475.58  | Jail Operations  | \$ 10,909.00 |
| County Judge      | \$ 102.73    | Admin Coord.     | \$ 83.46     |
| Co Crt @ Law 1    | \$ 82.36     | Dist. Attorney   | \$ 638.68    |
| J.P. 1-1          | \$ 47.06     | J.P. 1-2         | \$ 121.75    |
| J.P. 2            | \$ 309.44    | J.P. 3           | \$ 28.64     |
| J.P. 5            | \$ 84.41     | D.P.S.           | \$ 884.58    |
| Constable 1       | \$ 63.95     | Constable 2      | \$ 712.51    |
| Constable 4       | \$ 4.50      | Constable 5      | \$ 442.32    |
| Veterans Admin    | \$ 33.24     | Data Proc Admin  | \$ 1,552.24  |
| Co Crt @ Law 2    | \$ 141.11    | TDH Sanit Grant  | \$ 72.00     |
| TDH M&C Care Grnt | \$ 600.00    | Fire Marshal/EMC | \$ 32.29     |
| TABC              | \$ 53.67     | Historical Comm  | \$ 187.91    |
| Dist Crt Oper     | \$ 2,902.08  | Co Crt Oper      | \$ 1,406.78  |
| Dist Crt Reprtr   | \$ 176.37    | R&B General      | \$ 171.92    |
| Precinct 1        | \$ 5,947.20  | Precinct 2       | \$ 967.39    |
| Precinct 3        | \$ 4,014.58  | Precinct 4       | \$ 597.67    |
| Self Ins Fund     | \$ 4,250.00  | Hot Check Fee    | \$ 58.00     |
| Jail Cnstrctn     | \$ 18,700.00 | Adult Prob Oper  | \$ 8,612.39  |
| Adult Prob Fac    | \$ 888.21    |                  |              |

10717 HAYS COUNTY GRIEVANCE COMMITTEE SELECTION

Esmeralda Duran has rejected service on the Grievance Committee - Chester Boyd Banks of San Marcos was selected this date.

10718 APPROVE ENTERING INTO CONTRACT WITH HARRIS COUNTY FOR HOUSING PRISONERS

Sheriff Paul Hastings spoke of Harris County contract that was previously rejected largely due to risk regarding medical services - Harris County has reconsidered contract and has agreed to assume any medical costs outside of the Hays County jail facility - they will transport prisoners - contract can still be cancelled with 7 days notice. District Attorney Marcos Hernandez spoke of concern with payment is still there - did not feel like this is too much of a risk - 247 paying prisoners could help make up for the present loss of \$300,000+. Sheriff Hastings spoke of present count of 317 prisoners (203 Federal prisoners) - they are still in contact with State of Colorado for prisoners.

A motion was made by Judge Etheredge, seconded by Commissioner Rippy to approve entering into a contract with Harris County for housing their prisoners. All voting "Aye".

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10719 OAK HOLLOW SUBDIVISION (PCT. 4) - 1ST & 2ND READINGS

Patsy Greiner, Admin. Coord., spoke of variance request:

Jimmy F. Johnson, Agent for Owner, submitted variance request in writing regarding the 60 ft. minimum width for a roadway - the centerline of the 30 ft. roadway easement is also the west boundary and property line of this proposed subdivision - they are dedicating an additional 15 feet of roadway easement to the east of the existing 30 ft. roadway easement - dedicating 45 feet for roadway easement would be impractical due to the considerable drop in grade slope beyond 30 feet parallel to the west boundary line and being the centerline of the existing 30 ft. roadway easement.

Patsy stated that Terry Ewald, Health Dept., is unable to be here today, however, he has advised that he is not ready to sign off on the plat and has requested that the Court approve the subdivision on first and second readings only today - City of Dripping Springs has not signed off on plat - roads are private. Commissioner Craig Payne spoke of his concerns about the 15 ft. easement on the opposite side of the roadway.

A motion was made by Commissioner Rippy, seconded by Judge Etheredge to accept "Oak Hollow" subdivision on first and second readings and to grant variance of 30 ft. wide roadway easement. All voting "Aye".

Court recessed until Thursday April 11, 1991 at 10:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 13th DAY OF MAY, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 11TH DAY OF APRIL, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10720 APPROVE AGREEMENT TO ENTER INTO A LEASE WITH C.A.R.T.S. FOR A PARK AND RIDE FACILITY

County Judge Eddy Etheredge spoke of meeting previously held concerning lease of county property by CARTS for a Park & Ridge facility - action was postponed and community input was sought - standard Highway Dept. procedure will be followed - use of county property is contingent on CARTS obtaining the grant. Ofelia Vasquez, Community Action Inc., stated that they were not informed of this project through the local CARTS program, however, they are not opposed to the proposal. Commissioner Oran Rippy (CARTS Board member) stated that the project as he understands it can be used by any interested parties - no restrictions.

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Commissioner Wayne Ford spoke of his concerns about the best use of this proposed site - a grant could have been obtained by the County - State property could have been used - felt like this was a rushed request - no interlocal agreement was presented for approval. District Attorney Marcos Hernandez spoke of liability concerns. Commissioner Ford felt like a total commitment is necessary for the State to approve the Grant request - concerned about cost that might be incurred in order to buy out the project if we change our minds - would like to see a more defined agreement to consider. Commissioner Pete Rodriguez spoke of his concerns about making a commitment at this time. Judge Etheredge stated that he supports the project using option #2 proposal - we are not making a total commitment at this time.

A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve agreement with C.A.R.T.S. authorizing lease of county property for a Park-And-Ride Facility using Option #2 proposal and with lease not to exceed 15 years. Judge Etheredge, Commissioner Rodriguez and Commissioner Rippy voting "Aye". Commissioner Ford voting "No".

INTERLOCAL AGREEMENT

STATE OF TEXAS \*
COUNTY OF HAYS \*

AN AGREEMENT OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, AUTHORIZING ENTERING INTO A LEASE FOR A PARK-AND-RIDE FACILITY WITH CARTS

WHEREAS, CARTS is currently providing public transportation services within Hays County; and

WHEREAS, CARTS desires to enhance its current public transportation services in Hays County by developing a park-and-ride facility within San Marcos to encourage ridesharing in local commuter transportation and as a component of proposed community transportation system under study by the City of San Marcos; and

WHEREAS, Hays County owns an 8.57-acre parcel of land located along Interstate 35 South which was formerly the site of the Hays County Memorial Hospital which is suitable as a site for a park-and-ride facility; and

WHEREAS, upon full and due consideration of the matter, the Commissioners' Court of Hays County had determined that it is in the best interest of the County to lease a portion of the parcel to CARTS for the purpose of developing a park-and-ride facility on that site;

NOW, THEREFORE, BE IT AGREED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

Contingent upon funding for the development of the facility being awarded to CARTS, the County Judge is hereby authorized and directed to enter into a lease with CARTS for \$1.00 per year for the term of the lease for approximately 1.3 acres and should a suitable use be developed for the remaining land, the County will retain the right to have joint access to the park-and-ride facility.

AGREEMENT PASSED AND ADOPTED ON THIS 11th Day of April, 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy Etheredge
Eddy Etheredge, County Judge

s/ Pete Rodriguez
Pete Rodriguez, Pct. 1

s/ Oran Rippy
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley
Ronnie Dannelley, County Clerk

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10721 TRANSFER HAYS COUNTY PROVIDER NUMBER FOR THE HOME HEALTH CARE PROGRAM TO CENTRAL TEXAS MEDICAL CENTER

County Judge Eddy Etheredge spoke of committee consisting of Commissioner Ford and Commissioner Payne and others to consider best way to handle the Home Health Care Program. Commissioner Wayne Ford spoke of options. Joel Haas, Central Texas Medical Center, appeared before the Court - spoke of contract for 3 years @ \$8,000 - CTMC would like to enter into a contract with Hays County to transfer the Provider Number from Hays County to CTMC. District Attorney Marcos Hernandez spoke of contract - concerned about County employees losing their jobs. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Judge to sign contract transferring Hays County Provider Number for the Home Health Care Program to the Central Texas Medical Center - contingent on contract being approved by the District Attorney. All present voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 13th DAY OF MAY, 1991.

Eddy A. Etheredge
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS

Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 15TH DAY OF APRIL, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Pete Rodriguez was not present at the beginning of the meeting.

DISCUSSION REGARDING THE WATER SYSTEM IN THE INWOOD FOREST AREA OF HAYS COUNTY

Mary Powell and Lisa Conner, residents of the Inwood Forest Subdivision, appeared before the court. Mary Powell spoke of this area being served by the Dan Roberts Water System - Mr. Roberts is under court order to upgrade the water system to the standards set by the State Dept. of Health - residents were notified by Mr. Roberts that he was going to turn the water off on April 9th - residents have been researching other alternatives for water service to their homes: (1) Individual wells for each homeowner, (2) Locate another operator to take over the Dan Roberts Water System (property owners perhaps), (3) Residents unable to afford a private water well would move & try to recoup their losses, and (4) Connect to a Wimberley Water Supply Corp. well site. Mrs. Powell stated that #4 choice seems to be the best, however, it will be costly - 6" water main line would have to be laid from the nearest Wimb Water Supply well site to Inwood Forest and installation of new distribution lines (rough estimate ranging from \$89,000 - \$100,000) - Texas Dept. of Commerce Program Specialist Karen Kibbe suggested that the County apply for a Community Development Block Grant based on urgent need - grants are awarded on a first come first serve basis and are awarded in the amounts of \$50,000 - \$400,000. Commissioner Ford spoke of rights of Dan Roberts. Lisa Conner stated that if the County received the grant that they would own the distribution lines and they could

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then donate them to the Wimberley Water Supply Co. Commissioner Wayne Ford spoke of a similar experience in his area - residents signed petitions to become members of a Cooperative - they obtained a FHA loan - suggested creation of a Cooperative that could also deal with any future problems. It was suggested that Commissioner Ford work with the property owners to see if a Cooperative would be the best alternative to follow (to be placed on the next Commissioners' Court agenda).

**10722 AUTHORIZE TRANSFER OF HAYS COUNTY PROVIDER NUMBER FOR THE HOME HEALTH CARE PROGRAM TO CENTRAL TEXAS MEDICAL CENTER**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve transfer of Hays County Provider Number for the Home Health Care Program to the Central Texas Medical Center for a fee of \$1.00 and to authorize the County Judge to sign contract with Central Texas Medical Center for Home Health Care. All present voting "Aye".

**ANIMAL CONTROL OFFICER - MONTHLY REPORT**

Commissioner Ford spoke of monthly report showing the calls answered, animals picked up and animals disposed of - receipts and expenditures for this department can be obtained from the Auditor's office - approximately 500 animals have been registered so far.

**10723 1991 FARMER'S MARKET - APPROVE USE OF PARKINGS SPACES AT COURTHOUSE**

Request in writing from Kelly Franks of Main Street San Marcos was submitted - Farmer's Market scheduled to begin Tuesday May 21 from 4:00 P.M. until sell out - request is for 12 parking spaces. Patsy Greiner, Admin. Coord., spoke of request - parking spaces need to be block off after lunch on Tuesday - Maintenance personnel is not always available to block off spaces - need to make sponsors responsible for this duty. Commissioner Wayne Ford spoke of his concerns about taking parking spaces away from County employees especially since the City will issue parking tickets to employees who must park across the street from the courthouse. A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to approve ten parking spaces on the East side of the Courthouse to be use for 1991 Farmer's Market with stipulation that Hays County Extension Service will be responsible for blocking of the spaces in the afternoon on Tuesdays. All present voting "Aye".

**10724 CONSTABLE PCT. #1 - APPROVE APPOINTMENT OF DEPUTY CONSTABLE**

Constable Pct. #1 Lupe Cruz appeared before the Court requesting approval of appointment of Deputy Constable Stephen Velasquez - position was authorized in the FY91 budget process with a salary of \$16,000 per year - Stephen has recently become fully certified as a peace officer - spoke of duties performed. Commissioner Wayne Ford spoke of differences between a Reserve Deputy Constable and a Deputy Constable. Stephen Velasquez appeared before the Court requesting approval of the appointment. Commissioner Craig Payne stated that he is reluctant to approve Deputy Constable positions in general - felt like other Constables will be asking for Deputies - he will make an exception in this case. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve appointment of Deputy Constable Stephen Velasquez for Precinct #1. All present voting "Aye".

**10725 APPROVE MINUTES OF MARCH 1991**

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve Minutes of March 1991 as presented by the County Clerk. All present voting "Aye".



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10726 APPROVE PAYMENT OF COUNTY INVOICES

Commissioner Wayne Ford spoke of various departments that need budget amendments. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$90,858.19. All present voting "Aye".

|                   |              |                     |              |
|-------------------|--------------|---------------------|--------------|
| Wastewater Fee    | \$ 290.00    | Fines               | \$ 162.00    |
| Auditor           | \$ 137.52    | Treasurer           | \$ 7.15      |
| Juv Probation     | \$ 2,957.20  | Community Serv      | \$ 19,438.00 |
| Transfer Station  | \$ 4,645.65  | Bldg. Maint.        | \$ 1,341.90  |
| Health Dept.      | \$ 809.12    | Civic Center        | \$ 315.01    |
| Countywide Misc   | \$ 12,225.81 | Dist. Clerk         | \$ 1,117.82  |
| Sheriff's Ofc     | \$ 1,297.13  | Jail Oper           | \$ 23,284.95 |
| County Judge      | \$ 5.84      | Admin. Coord.       | \$ 29.88     |
| Co Crt @ Law 1    | \$ 54.00     | District Atty.      | \$ 281.25    |
| J.P. 1-1          | \$ 33.71     | J.P. 1-2            | \$ 297.20    |
| J.P. 3            | \$ 107.04    | D.P.S.              | \$ 18.00     |
| Constable 1       | \$ 16.95     | Constable 5         | \$ 338.00    |
| Veteran's Admin   | \$ 44.66     | Data Proc Admin     | \$ 687.00    |
| Co Crt @ Law 2    | \$ 37.95     | In-Home Spec        | \$ 304.97    |
| TDH M&C Care Grnt | \$ 57.33     | Fire Marshal/EMC    | \$ 52.29     |
| Historical Comm   | \$ 272.00    | **Gen Fund Credit = | \$140.33**   |
| Dist Crt Oper     | \$ 1,103.04  | Co Crt Oper         | \$ 1,691.46  |
| R & B General     | \$ 61.25     | Precinct 1          | \$ 5,796.51  |
| Precinct 2        | \$ 3,674.12  | Precinct 3          | \$ 4,753.86  |
| Precinct 4        | \$ 91.10     | Public Works        | \$ 953.92    |
| Adult Prob Oper   | \$ 2,168.74  | Animal Control      | \$ 37.19     |

FISCHER STORE ROAD BRIDGE PROJECT - FENCING

Patsy Greiner, Adm Coord., spoke of Steven Townsend property - 2 bids were submitted. Commissioner Wayne Ford spoke of concerns about fence into the river. Commissioner Craig Payne spoke of 2-strand barbwire fence that was there - felts like replacement fence proposed is exceptional in this case. No action taken.

10727 WILLOW CREEK REPLAT LOTS 116 & 117 - PCT. 1 - 1ST,2ND,3RD READINGS

Patsy Greiner, Admin. Coord., stated that the City of San Marcos has approved the replat - replat was done to change centerline between the lots because the driveway was built on the wrong side of the property line. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve "Willow Creek Replat of Lots 116 & 117" on first, second and third readings. All present voting "Aye".

10728 OAK HOLLOW SUBDIVISION - PCT. 4 - 3RD READING

Patsy Greiner, Admin. Coord., stated that this subdivision was exempt from the Dripping Springs Ordinance due to tract sizes. Cotton Johnson spoke of roadway easement - will be dedicated to Hays County - roads will remain private with a homeowners association. Commissioner Craig Payne stated that the Homeowners Assn. needs to be able to assess liens against property owners to maintain roads. Commissioner Wayne Ford spoke of need to adopt a policy that does not allow the property owners in subdivisions to own to the centerline of the road. Commissioner Pete Rodriguez came to the meeting at this time. Patsy Greiner spoke of 45' roadway variance was granted at the first & second reading - need to show 45' easement on the plat on all the roadway. Cotton Johnson stated that he was presently platting the property on the other side of the road for Gilbrator and allowing an additional 15' on that property for roadway - road is a rough caliche road - spoke of not being able to file maintenance liens against Veteran land Board tracts (individuals must be sued). A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Oak Hollow" subdivision on third reading contingent on Patsy Greiner receiving copy of HomeOwners Association By-Laws prior to filing plat. Commissioner Rodriguez abstained, Commissioner Ford and Commissioner Rippy voting "Aye", Commissioner Payne voting "No".

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FITZHUGH PLACE REPLAT LOT 13A - PCT. 4

Patsy Greiner, Admin. Coord., spoke of need to hold Public Hearing that was published. Commissioner Craig Payne, presiding officer, called public hearing open. Terry Ewald, Health Dept. Admin., stated that this was a one acre tract that was repossessed out of a larger tract - water well and septic system are outside of the one acre tract. Commissioner Payne closed the public hearing. No action was taken.

10729 NANCY & GUS ELBEL - VARIANCE TO PLATTING REQUIREMENT

Gus Elbel appeared before the Court - requested that they not have to plat one acre tract that they are giving to their son out of their 60 acres - the property will be surveyed. Commissioner Wayne Ford spoke of plat requirement - will be needed by loaning institutions - would like for the lot to be platted and recorded - willing to waive fees. Mr. Elbel assured the Court that he would not be subdividing any more of his property. A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to grant variance to platting requirement to Nancy and Gus Elbel as requested. All present voting "Aye".

Court was recessed until April 22, 1991 at 9:00 o'clock A.M.

MINUTES APPROVED IN OPEN COURT ON THE 13th DAY OF MAY, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 22ND DAY OF APRIL, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

NIEDERWALD DAY - PRESENTATION

Mrs. Fern Houze spoke of annual celebration of Niederwald Day to be held April 27th from Noon until Dusk - presented members of the Court with caps with the Niederwald Fire Dept. Emblem.

10730 APPROVE PROJECT AGREEMENT WITH SOIL CONSERVATION SERVICE AND THE UPPER SAN MARCOS RECLAMATION AND FLOOD CONTROL DISTRICT FOR INITIAL AND FOLLOW-UP VEGETATION WORK ON A FLOOD RETARDING STRUCTURE - SITE 3

Marion Johnson spoke of project agreement to vegetate Site #3 and initial follow-up estimate = \$9,000 (seed, fertilizer, weed control) - site is 51 acres - spoke of workshop needed to go over county's responsibilities (operation and maintenance) - presented as-built plans for Site #5. A motion was made by Commissioner Ford,

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seconded by Commissioner Rippy to approve project agreement with Soil Conservation Service ant the Upper San Marcos Reclamation and Flood Control District for initial and follow-up vegetation work on a flood retarding structure Site #3. All voting "Aye".

10731 APPROVE PAYMENT OF LEGAL SERVICES RE: STATE OF TEXAS VS. JOHN DIAZ AND AMEND BUDGET ACCORDINGLY

District Attorney Marcos Hernandez spoke of legal fee due to Attorney Buck Wood:

|                                     |             |
|-------------------------------------|-------------|
| Professional Services               | \$ 3,225.00 |
| Expenses (copies,postage,telephone) | \$ 48.70    |
| Balance forward                     | \$ 2,573.00 |
|                                     | =====       |
|                                     | \$ 5,846.70 |

Marcos spoke of money that has not been spent for salary and benefits in Pct. #1 (Dec-Mar) Attorney Buck Wood has agreed to charge only \$5,500 (\$346.70 savings) - savings could be used for DPS to purchase video tapes for their new auto-video cameras. Commissioner Wayne Ford spoke of his concerns - using Pct. #1 salary funds for legal fees, etc. - Court was originally advised that legal fees would come from the Hot Check Fee Fund in the District Attorney's office - stated that the Commissioners Court did not authorize the suit filed by the D.A. and Ralph Gonzales' case in on appeal - felt like Pct. 1 funds should be used for Road & Bridge expenses. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve payment of legal fees in the amount of \$5,500.00 to Ray, Wood & Fine - Re: State of Texas v. John Diaz - to be paid out of Road & Bridge Pct. #1 salary line item. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Ford voting "No".

10732 APPROVE PURCHASE OF VIDEO TAPES FOR DPS VEHICLES

DPS Sgt. Ralph Meyer spoke of video cameras that have been obtained for DPS vehicles - would like to purchase 3 adapters and 50 blank tapes (uses a smaller tape than VHS)- spoke of Video Fee (\$15) collected on all DWI cases - request \$400 budget amendment to purchase tapes and adapters. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve purchase of video tapes and adapters for DPS vehicles not to exceed \$400.00. All voting "Aye".

10733 APPROVE PAYMENT FOR FENCING - RE: FISCHER STORE ROAD BRIDGE PROJECT

Commissioner Craig Payne spoke of estimate for fencing on the Townsend property - low estimate was submitted by Tatsch & Sons in the amount of \$1,875.21. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment for fencing on Fischer Store Road Bridge Project to Tatsch & Sons in the amount of \$1,875.21 out of R-O-W funds. All voting "Aye".

10734 AUTHORIZE COMMISSIONERS' COURT OR DESIGNEE TO ASSIST PROPERTY OWNERS IN THE INWOOD FOREST AREA OF HAYS COUNTY TO OBTAIN FUNDING TO UPGRADE THEIR WATER SYSTEM

Commissioner Wayne Ford spoke of follow-up to last weeks meeting - the residents need to all work towards one end - there is presently a class-aciton suit filed against Dan Roberts by part of the residents - we will assist them to obtain funding by grant or other means. A motion was made By Commissioner Ford, seconded by Judge Etheredge to authorize the Commissioners' Court or its designee to assist the property owners in the Inwood Forest Area of Hays County to obtain funding to upgrade their water system. All voting "Aye".

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10735 APPROVAL FOR COUNTY TO ABANDON ALL RIGHTS & CLAIMS TO USE OF "OLD BARTON CEMETERY ROAD"

Commissioner Wayne Ford spoke of prescriptive easement being used on the Old Barton Cemetery Road - additional r-o-w obtained on FM1626 makes use of this road unnecessary - the property owners own the roadway. A motion was made by Commissioner Ford, seconded by Commissioner Payne to abandon all rights and claims to use of the "Old Barton Cemetery Road". All voting "Aye".

10736 APPROVE PARTIAL PAYMENT AND REDISTRICTING SCHEDULE AS PRESENTED BY EMORY, YOUNG & ASSOCIATES

Bill Emory spoke of redistricting process - deadline is October 1st - need to allow NAACP and other to assist in the process - need to have surveys and legal documents ready by August 5th - spoke of census undercount - suggested that County Clerk keep separate records of any meetings, newspaper clipping, etc. pertaining to redistricting - minorities must be identified in the election records - main objective is 1 man 1 vote - ethnic population must be considered - computer files are being obtained from the State Data Center. Judge Etheredge spoke of need to create a line item for redistricting expenses. Invoice for redistricting services \$2,000.00.

SCHEDULE

- APR 22.....Approve redistricting schedule
- MAY 6.....Approve redistricting standards
- JUN 3.....Analysis of current Commissioner, JP, Constable and Election Precincts presented to the Court. Redistricting instructions given
- JUN 24.....Public Hearing on Commissioner, JP & Constable Dists.
- JUL 8.....Public Hearing on Election Precinct lines, Court approves plan
- JUL 9-AUG 2. Surveyor prepares metes and bounds of districts
- AUG 5.....Court officially adopts Commissioner, JP, Constable and Election precinct boundaries
- SEP 9.....VRA submission sent to the Justice Department

A motion was made by Judge Etheredge, seconded by Commissioner Ford to approve partial payment in the amount of \$2,000.00 to Emory, Young and Associates, Inc. and to furthermore accept the redistricting schedule as presented. All voting "Aye".

10737 APPROVE TREASURER'S REPORTS FOR FEBRUARY & MARCH 1991

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve Treasurer's reports for February & March 1991 as presented. All voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
COUNTY OF HAYS \*

On this the 22ND day of APRIL, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's reports for the Months of FEBRUARY & MARCH, 1991 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ Eddy A. Etheredge  
COUNTY JUDGE  
s/ Peter Rodriguez  
COMMISSIONER, PRECINCT 1  
s/ W. R. Ford  
COMMISSIONER, PRECINCT 2  
s/ Craig Payne  
COMMISSIONER, PRECINCT 3  
s/ Oran Hill Rippy  
COMMISSIONER, PRECINCT 4

ATTEST:  
s/ Ronnie Dannelley  
HAYS COUNTY CLERK

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period February 1991

|  | General      | Jury         | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |
|--|--------------|--------------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|
| Checking Balance on 2/1/91   | 319,522.23   | 21,004.44    | 24,660.82        | 1,819.91          | 31,299.94         | 21,443.98         | 21,470.13         | 441,221.45     |
| Money Market Interest Deposits (receipts)  | 2,149.11     | 97,124.00    | 8,835.50         | 83,805.00         | 121,517.18        | 92,596.55         | 121,560.74        | 2,259,956.44   |
| Disbursements (Claims)   | 1,818,760.57 | 88,059.43    | 23,276.50        | 54,599.07         | 116,215.15        | 80,555.20         | 109,111.10        | 2,290,577.02   |
| Total  | 237,498.24   | 30,069.01    | 10,219.82        | 31,025.84         | 36,601.97         | 33,485.33         | 33,919.77         | 412,749.98     |
| Certificates of Deposit Balance on 2/1/91  | 1,850,000.00 | 121,000.00   | 23,000.00        | 26,000.00         | 32,000.00         | 102,000.00        | 86,000.00         | 2,240,000.00   |
| New C. D. 's   | 1,050,000.00 | 52,000.00    | 10,000.00        | 37,000.00         | 90,000.00         | 58,000.00         | 85,000.00         | 1,382,000.00   |
| Matured C. D.'s transferred to Checking  | 200,000.00   | 2,700,000.00 | 173,000.00       | 33,000.00         | 63,000.00         | 122,000.00        | 160,000.00        | 200,000.00     |
| Total  | 2,700,000.00 | 173,000.00   | 33,000.00        | 63,000.00         | 122,000.00        | 160,000.00        | 171,000.00        | 3,422,000.00   |
| Checking Balance on 2/1/91   | 15,577.31    | 684.32       | 6,327.03         | 106.68            | 39,112.17         | 31,242.49         | 4,468.64          | 497.52         |
| Money Market Interest Deposits (receipts)  | 33,601.67    | 2,738.41     | 440.00           | 440.00            | 19,853.12         | 1,271.68          | 43,553.38         |                |
| Disbursements (Claims)   | 44,506.85    | 2,072.39     | 813.40           | 5,953.63          | 59,166.30         | 32,642.93         | 33,137.88         | 497.52         |
| Total  | 4,672.13     | 1,350.34     | 5,953.63         | 106.68            | 59,166.30         | 32,642.93         | 33,137.88         |                |
| Certificates of Deposit Balance on 2/1/91  | 30,000.00    | -0-          | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 250,000.00        | -0-            |
| New C. D. 's   |              |              |                  |                   |                   |                   |                   |                |
| Matured C. D.'s transferred to Checking  | 30,000.00    | -0-          | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 210,000.00        | 40,000.00      |
| Total  | 30,000.00    | -0-          | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 210,000.00        | -0-            |
| Temporary Transfers #5-91 2/1/91 \$3,000.00 from Adult Probation Facilities to Adult Probation Oper. |              |              |                  |                   |                   |                   |                   |                |

*Dorothy P. Sims*  
 Dorothy P. Sims, County Treasurer

County of Hays  
Summary of Receipts and Disbursements  
For the Period February 1991

|   | County Jail<br>I & S | Jail Addition<br>I & S | Hays County<br>I & S | Public Works<br>I & S | Springlake<br>I & S | Pioneer Trails<br>I & S |           |           |  |
|---|----------------------|------------------------|----------------------|-----------------------|---------------------|-------------------------|-----------|-----------|--|
| Checking Balance on 2/1/91                | 1,503.83             | 1,247.11               | 154,144.11           | 1,731.06              | 1,944.96            | 1,696.96                |           |           |  |
| Money Market Interest Deposits (receipts) | 582,918.26           | 139,910.37             | 82,927.05            | 532.82                | 331,378.25          | 71,314.93               | 3,400.00  |           |  |
| Disbursements (Claims)                    | 584,047.50           | 140,775.00             | 160,118.40           | 332,526.25            | 72,810.00           | 5,096.96                |           |           |  |
| Total                                     | 374.59               | 382.48                 | 77,485.58            | 583.06                | 449.89              | 3,000.00                |           |           |  |
| Certificates of Deposit Balance on 2/1/91 | 622,000.00           | 148,000.00             | 35,000.00            | 346,000.00            | 86,000.00           | 3,000.00                |           |           |  |
| New C. D. 's                              | 290,500.00           | 75,000.00              | 140,000.00           | 200,000.00            | 49,000.00           |                         |           |           |  |
| Matured C. D.'s transferred to Checking   | 359,000.00           | 88,000.00              | 5,000.00             | 234,000.00            | 61,000.00           | 3,000.00                |           |           |  |
| Total                                     | 553,500.00           | 135,000.00             | 170,000.00           | 312,000.00            | 74,000.00           | -0-                     |           |           |  |
| Checking Balance on 2/1/91                | 8,971.99             | 6,920.34               | 73,884.57            | 1.00                  | -0-                 | 11,280.50               | 9,329.94  | 13,637.52 |  |
| Money Market Interest Deposits (receipts) | 50.39                | 19.41                  | 310.44               | 137.12                | 48,305.69           | 380.00                  | 28,591.75 | 49.89     |  |
| Disbursements (Claims)                    | 140,995.75           | 4,641.03               | 98,442.81            | 137.12                | 48,305.69           | 2,240.89                | 6,279.93  | 6,403.77  |  |
| Total                                     | 11,601.96            | 2,385.91               | 44,698.96            | 1.00                  | -0-                 | 9,619.61                | 31,746.21 | 7,283.64  |  |
| Certificates of Deposit Balance on 2/1/91 | 100,000.00           | 90,000.00              | -0-                  | -0-                   | -0-                 | -0-                     | -0-       | -0-       |  |
| New C. D. 's                              |                      |                        | 50,000.00            |                       |                     |                         |           |           |  |
| Matured C. D.'s transferred to Checking   | 50,000.00 *          | 20,000.00              | 50,000.00            | -0-                   | -0-                 | -0-                     | -0-       | -0-       |  |
| Total                                     | 50,000.00            | 20,000.00              | 50,000.00            | -0-                   | -0-                 | -0-                     | -0-       | -0-       |  |

\*General Fund purchased CD#74870 from Adult Probation Operating

**County of Hays  
Summary of Receipts and Disbursements  
For the Period March 1991**

|   | General      | Jury       | R & B<br>General | R & B<br>Pct. # 1 | R & B<br>Pct. # 2 | R & B<br>Pct. # 3 | R & B<br>Pct. # 4 | Total<br>Funds |
|---|--------------|------------|------------------|-------------------|-------------------|-------------------|-------------------|----------------|
| <b>Checking</b><br>Balance on 3/1/91                | 237,498.24   | 30,069.01  | 10,219.82        | 31,025.84         | 36,601.97         | 33,485.33         | 33,919.77         | 402,819.98     |
| Money Market Interest                               | 2,527.74     |            | 12,974.34        | 54,295.84         | 78,728.92         | 66,077.39         | 78,907.16         | 2,527.74       |
| Deposits (receipts)                                 | 1,274,831.15 | 31,636.60  | 11,655.12        | 54,883.43         | 84,645.17         | 69,553.90         | 82,092.62         | 1,597,351.40   |
| Disbursements (Claims)                              | 1,239,601.65 | 36,493.42  | 11,539.04        | 30,438.25         | 30,685.72         | 30,008.32         | 30,634.31         | 1,578,930.31   |
| <b>Total</b>  | 275,255.48   | 25,207.19  | 33,000.00        | 63,000.00         | 122,000.00        | 160,000.00        | 171,000.00        | 3,422,000.00   |
| <b>Certificates of Deposit</b><br>Balance on 3/1/91 | 2,700,000.00 | 173,000.00 |                  | 25,000.00         | 48,000.00         | 49,000.00         | 41,000.00         | 363,000.00     |
| <b>New C. D. 's</b>                                 | 200,000.00   |            |                  |                   |                   |                   |                   | 670,000.00     |
| <b>Matured C. D.'s transferred</b><br>to Checking   | 650,000.00   | 20,000.00  |                  | 88,000.00         | 170,000.00        | 209,000.00        | 212,000.00        | 3,115,000.00   |
| <b>Total</b>  | 2,250,000.00 | 153,000.00 | 33,000.00        | 88,000.00         | 170,000.00        | 209,000.00        | 212,000.00        | 3,115,000.00   |
| <b>Checking</b><br>Balance on 3/1/91                | 4,672.13     | 1,350.34   | 5,953.63         | 106.63            | 59,166.30         | 32,642.93         | 33,137.88         | 497.52         |
| Money Market Interest                               |              | 3,955.38   | 1,265.00         |                   | 223.15            | 136.16            | 135.32            |                |
| Deposits (receipts)                                 |              |            | 960.04           |                   | 6,850.00          |                   | 2,187.00          |                |
| Disbursements (Claims)                              | 1,290.74     | 1,968.17   | 6,258.59         | 106.68            | 52,539.45         | 32,779.09         | 31,086.70         | 497.52         |
| <b>Total</b>  | 3,381.39     | 3,337.55   | 6,258.59         | 106.68            | 52,539.45         | 32,779.09         | 31,086.70         | 497.52         |
| <b>Certificates of Deposit</b><br>Balance on 3/1/91 | 30,000.00    | -0-        | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 210,000.00        | -0-            |
| <b>New C. D. 's</b>                                 |              |            |                  |                   |                   |                   |                   |                |
| <b>Matured C. D.'s transferred</b><br>to Checking   |              |            |                  |                   |                   |                   |                   |                |
| <b>Total</b>  | 30,000.00    | -0-        | -0-              | -0-               | 1,700,000.00      | 100,000.00        | 210,000.00        | -0-            |

*Dorothy P. Sims*  
Dorothy P. Sims, County Treasurer





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10738 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve payment of county invoices as presented by the County Auditor in the amount of \$56,211.74. All voting "Aye".

|                                |             |                   |             |
|--------------------------------|-------------|-------------------|-------------|
| Fine Ovrpymnt                  | \$ 15.00    | Auditor           | \$ 429.76   |
| Extension Ofc                  | \$ 34.50    | Juv Probation     | \$ 1,250.00 |
| Election Admin                 | \$ 358.82   | Indigent Care     | \$ 4,038.67 |
| Bldg. Maint.                   | \$ 1,098.00 | Civic Center      | \$ 133.45   |
| Countywide Misc.               | \$ 1,792.51 | Co. Clerk         | \$ 597.69   |
| Sheriff                        | \$ 2,221.08 | Jail Operations   | \$ 4,796.83 |
| County Judge                   | \$ 200.25   | District Atty.    | \$ 60.00    |
| J.P. 4                         | \$ 219.00   | J.P. 5            | \$ 116.00   |
| D.P.S.                         | \$ 153.29   | Constable 1       | \$ 238.52   |
| Constable 5                    | \$ 87.45    | Data Proc Admin   | \$ 19.86    |
| CJD Resid Grant                | \$ 2,240.00 | TDH TB Grant      | \$ 3.50     |
| Foster Child Cr                | \$ 7,919.00 | TDH M&C Care Grnt | \$ 344.14   |
| *GEN FUND CREDIT = \$49.90**** |             | Dist. Court Oper  | \$ 6,258.10 |
| Dist. Court Reprt              | \$ 30.40    | Precinct 1        | \$ 431.07   |
| Precinct 2                     | \$ 6,078.72 | Precinct 3        | \$ 1,981.99 |
| Precinct 4                     | \$ 6,888.37 | Hot Chk Fee Fund  | \$ 70.00    |
| Law Library Fund               | \$ 144.30   | D.A.'s Drug Forf  | \$ 300.00   |
| Adult Prob Oper                | \$ 4,774.28 | Adult Prob Fac    | \$ 671.14   |
| Animal Control                 | \$ 220.95   | Co. Court Oper    | \$ 45.00    |

10739 TEXAS ASSOCIATION OF CONCERNED CITIZENS FUNDING DELAYED

Joe Ptak, TAC Secy., spoke of reorganization taking place - request funding to pursue grant applications (low income housing, weatherization, etc.). County Auditor Bill Herzog spoke of \$3,000.00 that was budgeted to TAC - the checks were returned by Mary Compton who is no longer associated with this organization. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to delay any action until the Court receives a current audit, list of TAC officers as filed with the Secretary of State's office, report of activities and a signed social services contract for the Texas Assn of Concerned Citizens . All voting "Aye".

10740 SET SALARY OF SUPPORT SPECIALIST POSITION IN THE DATA PROCESSING DEPT.

Commissioner Wayne Ford spoke of County Clerk employee that was hired as the new DP Support Specialist - Court needs to set the salary for this position - proposed salary of \$1,425 per month/\$17,100 annually . Commissioner Craig Payne spoke of position advertised at a salary range of \$14,000 - \$18,000 - salary should have been approved prior to hiring the person - Marilyn Blackley was in this position at a salary of \$15,478 annually. A motion was made by Commissioner Ford, seconded by Judge Etheredge to set salary of Data Processing Support Specialist position at \$1,425.00 per month. Judge Etheredge, Commissioner Rodriguez, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "Nay".

10741 FITZHUGH PLACE REPLAT LOT 13-A - PCT. 4 - 1ST,2ND,3RD WITH VARIANCE

Leroy Bush, Surveyor, presented a variance request on the requirement of one residence per one acre of land - one acre of land was financed separately and this land was foreclosed upon - existing water well and septic system lies outside of the one acre tract and will have to be replaced. Judge Etheredge was concerned about placement of the well and septic system on the one acre. A motion was made by Judge Etheredge and seconded by Commissioner Rippy to approve "Fitzhugh Place Replat Lot 13-A" on first, second and third reading and to grant variance on requirement of one residence per one acre tract of land. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 13<sup>th</sup> DAY OF MAY, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 29TH DAY OF APRIL, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10742 AUTHORIZE USE OF COURTHOUSE LAWN FOR "PEACE OFFICER'S MEMORIAL DAY" & ADOPT PROCLAMATION RECOGNIZING MAY 13-17, 1991 AS "PEACE OFFICERS' MEMORIAL WEEK"

Larry Sowards, Hays County Deputy Sheriff and Member of the Hill Country Fraternal Order of Police Lodge #23, appeared before the Court and requested authority to use the courthouse lawn for their annual "Peace Officer's Memorial Day" service - to be held May 15, 1991. Court requested that the northeast side of the courthouse lawn be used. A motion was made by Commissioner Ford, seconded by commissioner Rippy to authorize use of the courthouse lawn on May 15, 1991 for the "Peace Officer's Memorial Day" and adopt proclamation recognizing May 13-17, 1991 as "Peace Officers' Memorial Week". All voting "Aye".

PROCLAMATION

STATE OF TEXAS \*
COUNTY OF HAYS \*

- 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
WHEREAS, in 1963 President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day; and
WHEREAS, since times subordinate, and states' auxiliaries have been marking the occasion with memorial services in their own jurisdiction; and
WHEREAS, through the efforts of the Grand Lodge Ladies Auxillary, the first national peace officers 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 #23 has made a commitment to share, support and serve the law enforcement community; and
WHEREAS, the Hill Country Fraternal Order of Police Lodge #23 actively contributed to and supports this worthwhile endeavor;

NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas that May 13-17, 1991 be recognized as

PEACE OFFICERS' MEMORIAL WEEK

and be it further proclaimed that citizens and officials be encouraged to participate in observance of this special occasion.

Hereto we have set our hands this 29th day of April, 1991.

s/ Eddy A. Etheredge
EDDY ETHEREDGE
County Judge

ATTEST:

s/ Ronnie Dannelley
RONNIE DANNELLEY
County Clerk

(SEAL)

10743 APPROVE RESOLUTION SUPPORTING ADOPTION OF STATE TAX MEASURES TO RAISE SUFFICIENT REVENUES TO REMOVE THE BACKLOG OF FELONS FROM COUNTY JAILS

Judge Etheredge spoke of request by TAC to support - spoke of overcrowding in jails. Commissioner Wayne Ford spoke of adequate room in county jails if State would pay Counties for housing State prisoners. Judge Etheredge spoke of HB2798 - removes State's obligation to accept inmates in the future. Sheriff Paul Hastings spoke of Sheriff's Assoc. being opposed to HB 2798 - would allow 3rd Degree Felons to serve their sentence in county jails. Judge Etheredge felt like the Court should come up with a resolution of their own speaking more specifically to what we would like to do and forward that to TAC. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve resolution regarding support of measures to fund prison construction. Commissioner Rodriguez, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Ford voting "Nay".

STATE OF TEXAS \*
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, REGARDING SUPPORT OF MEASURES TO FUND PRISON CONSTRUCTION

WHEREAS, the State of Texas is experiencing difficulties in meeting its financial obligations with existing tax revenues but possesses the legal ability to raise such revenues; and

WHEREAS, the Hays County Commissioners Court is aware that numerous counties are financially oppressed due to the fact that the Texas Department of Criminal Justice lacks adequate capacity and declines to accept all of the felons whose commitment documents are completed and, in addition, releases its inmates so early that public safety is threatened; and

WHEREAS, Texas Counties, due to the limited sources of revenue available and the inability to raise further revenues from continued increases in property taxes, can no longer bear the financial burden resulting from holding the backlog of prisoners; and

WHEREAS, any continuation of this crisis constitutes a threat to the traditional creative partnership between County and State government;

NOW, THEREFORE, BE IT AGREED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

Support be given to the adoption of any State tax measures which the Legislature may deem necessary to raise sufficient revenue for the State of Texas to remove the backlog of felons from County jails and meet its obligations to the citizens to avoid unnecessary local property tax burdens to restore public safety.

RESOLUTION PASSED AND ADOPTED ON THIS 29TH DAY OF APRIL, 1991 TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge
Eddy Etheredge, County Judge

s/ Peter Rodriguez
Pete Rodriguez, Pct. 1

s/ Wayne Ford
Wayne Ford, Pct. 2

s/ Craig Payne
Craig Payne, Pct. 3

s/ Oran Rippy
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley
Ronnie Dannelley, County Clerk

(SEAL)

10744 DISCUSSION OF LACK OF DOCUMENTATION OF MAIN FRAME COMPUTER SYSTEM AND AUTHORIZE HIRING OF DANNY DEVER TO ASSIST DATA PROCESSING ADMINISTRATOR

Data Processing Administrator Lane Renfrew spoke of his main concerns - documentation that needs to be provided:

- Cabling Diagrams - provided but have been found inaccurate.
- Hardware Configuration - no documentation
- Operating System - partial initialization sequences were provided but no version or revision information - no documentation for DPS computer or PC's
- Software packages - no documentation concerning kinds, locations or usage
- Utilities & Command files - no documentation
- Security - no documentation established procedures or password/username
- Backup Procedures - no documentation/procedures or storage locations of backup media

Spoke of time involved in figuring out the configurations, etc. - No problems performance wise - unable to determine if some files were temporary or permanent and where the files go - no day to day operation documentation. Danny Dever, Past DP Administrator, was present. Judge Etheredge spoke of need to make sure documentation is available - we need to have a policy that requires documentation by the Data Processing Department to the Commissioners Court. Danny Dever spoke of two man department and demands placed on them - spoke of transition that occurred and problems associated with it. Lance Renfrew stated that it is not OK to say that because you are overworked that you were unable to put down documentation - spoke of his current workload - need to obtain information from Danny Dever - does not feel that Danny should receive a fee for documentation that should have been provided. Danny Dever spoke of other employees do not have to leave complete documentation of their jobs in detail when they leave the County - will work with Lance on his off hours - spoke of assisting other departments (Drug Task Force) with computer problems. Commissioner Craig Payne spoke in support of hiring Danny Dever to obtain the information. Commissioner Payne made a motion to hire Danny Dever to assist Data Processing Dept., seconded by Judge Etheredge. Danny stated that his fee would be \$500 per day. Lance Renfrew spoke - asking for general standard operating procedure documentation. Discussion was had on length of time needed to obtain this information. Commissioner Wayne Ford spoke of need to amend Ethics Policy - spoke of employees that leave the county and are then hired back as consultants/contractors. Lance Renfrew spoke of files that are unaccounted for (election night processing). Commissioner Rodriguez, Commissioner Ford and Judge Etheredge voting "No" and Commissioner Payne and Commissioner Rippy voting "Aye".(FAILED). A motion was made by Commissioner Payne to authorize the Data Processing Administrator to enter into an agreement with Danny Dever not to exceed \$500.00 expenditure to obtain specific information about the computer operating system, motion was seconded by Judge Etheredge. Judge Etheredge spoke of need for documentation from this point forward so that the county will not be held hostage by the system. Danny Dever spoke of the fact that he gave the County one month notice on his resignation and a replacement was not hired in that length of time so that he could disseminate the information. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Ford voting "Nay".

10745 ADOPT PROCLAMATIONS: "WATER RESOURCES AWARENESS MONTH" "DRINKING WATER AWARENESS WEEK" AND "WATER UTILITIES AWARENESS WEEK"

Commissioner Ford presented proclamation to the Court for adoption - spoke of need to stay on top of water issues - need to promote public awareness of the water resources, water utilities and potable water supply systems.

- Water Resources Awareness Month - May 1991
- Drinking Water Awareness Week - May 5 - 11, 1991
- Water Utilities Awareness Week - May 5 - 11, 1991

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to adopt Proclamations "Water Resources Awareness Month", "Drinking Water Awareness Week" and "Water Utilities Awareness Week" as presented. All voting "Aye".

Proclamation

WHEREAS, Water is one of the few basic and essential needs of mankind; and

WHEREAS, Our health, comfort and standard of living depend upon an abundant supply of safe water; and

WHEREAS, Water plays an important role through its contributions to public health, agriculture, recreation, and economic development; and

WHEREAS, Texans are committed to preserving the quality and quantity of the state's drinking water supply

NOW, THEREFORE, WE, the Commissioners Court of Hays County by the virtue and the authority vested in the Court, do hereby proclaim the month of May, 1991 as

Water Resources Awareness Month

in Hays County and urge all citizens to recognize the importance of water and to take due note of the observance.

The Honorable Eddy Etheredge  
County Judge

Eddy A. Etheredge  
(Signature)

Commissioner Pete Rodriguez  
Precinct 1

Pete Rodriguez  
(Signature)

Commissioner Wayne Ford  
Precinct 2

Wayne Ford  
(Signature)

Commissioner Craig D. Payne  
Precinct 3

Craig D. Payne  
(Signature)

Commissioner Oran H. Rippey  
Precinct 4

Oran Hill Rippey  
(Signature)

April 29, 1991  
COMMISSIONERS' COURT # 10745  
HAYS COUNTY, TEXAS

Proclamation

**WHEREAS,** Water is one of the few basic and essential needs of mankind; and

**WHEREAS,** Our health, comfort and standard of living depend upon an abundant supply of safe water; and

**WHEREAS,** The State of Texas has insured that facilities and systems provide our citizens with a safe, dependable quality of water both now and in the future; and

**WHEREAS,** Dedicated men and women have made significant contributions in developing, operating and maintaining these systems;

**NOW, THEREFORE, WE,** the Commissioners Court of Hays County by the virtue and the authority vested in the Court, do hereby proclaim May fifth through eleventh, 1991 as

Drinking Water Awareness Week

in Hays County and urge all citizens to recognize the importance of water and to take due note of the observance.

The Honorable Eddy Etheredge  
County Judge

Eddy Etheredge  
(Signature)

Commissioner Pete Rodriguez  
Precinct 1

Pete Rodriguez  
(Signature)

Commissioner Wayne Ford  
Precinct 2

Wayne Ford  
(Signature)

Commissioner Craig D. Payne  
Precinct 3

Craig D. Payne  
(Signature)

Commissioner Oran H. Rippy  
Precinct 4

Oran Hill Rippy  
(Signature)

Proclamation

WHEREAS, It is recognized that Water is an extremely precious natural resource, second only to air in sustaining life for the citizens of Travis County; and

WHEREAS, It is known tht Water is a non-replenishing resource, it is required that Water must have been constantly recycled since earliest days and that it must continue to be recycled throughout all that may be known as the future;

WHEREAS, The treatment of Water, (whether to produce potable water for the many needs of the citizens or for its return to our environment after we have used it for our sanitary and other needs) must always be performed by highly skilled professionals such as Water and Wastewater Facility Operators, Chemists and others;

WHEREAS, The citizens of Hays County must be made aware that their continued good health, comfort and standard of living are dependent upon an abundant supply of safe and high quality water, upon adequate water and wastewater treatment facilities being provided, and upon competent and highly trained water utilities professionals to assume the ultimate responsibility for this valuable resource;

NOW, THEREFORE, WE, the Commissioners Court of Hays County by the virtue and the authority vested in the Court, do hereby proclaim the week of May 5th through 11th, 1991 as

Water Utilities Awareness Week

in Hays County and urge all citizens to recognize the importance of water utilities and to take due note of the observance.

The Honorable Eddy Etheredge  
County Judge

Eddy Etheredge  
(Signature)

Commissioner Pete Rodriguez  
Precinct 1

Pete Rodriguez  
(Signature)

Commissioner Wayne Ford  
Precinct 2

Wayne Ford  
(Signature)

Commissioner Craig D. Payne  
Precinct 3

Craig D. Payne  
(Signature)

Commissioner Oran H. Rippy  
Precinct 4

Oran Hill Rippy  
(Signature)

10746 APPROVE PAYMENT OF COUNTY INVOICES

Discussion was had concerning District Court Reporters expense for cassette tapes - Sheriff's Dept. fax machine (\$1,000 was from donations and remainder from discretionary fund). A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$ 49,674.99. All voting "Aye".

|                  |             |                    |             |
|------------------|-------------|--------------------|-------------|
| Auditor          | \$ 162.50   | Treasurer          | \$ 339.09   |
| Extension Ofc    | \$ 45.33    | Indigent Care      | \$ 227.51   |
| Transfer Station | \$ 77.93    | Bldg. Maint.       | \$ 1,837.51 |
| Health Dept.     | \$ 39.75    | Civic Center       | \$ 195.51   |
| Countywide Misc  | \$ 5,821.77 | Tax A/C            | \$ 136.71   |
| District Clerk   | \$ 186.16   | County Clerk       | \$ 2,923.61 |
| Sheriff's Dept.  | \$ 4,637.02 | Jail Oper          | \$ 6,960.37 |
| Co Crt @ Law 1   | \$ 22.50    | Dist. Atty.        | \$ 218.57   |
| J.P. 1-2         | \$ 135.50   | J.P. 2             | \$ 350.00   |
| J.P. 3           | \$ 653.48   | J.P. 4             | \$ 305.93   |
| J.P. 5           | \$ 185.27   | D.P.S.             | \$ 410.00   |
| Constable 1      | \$ 33.81    | Constable 3        | \$ 457.33   |
| Constable 5      | \$ 89.18    | Veterans Admin     | \$ 63.49    |
| Data Proc Admin  | \$ 232.50   | TDH TB Grant       | \$ 160.50   |
| Dist Crt Oper    | \$ 2,908.61 | Co Crt Oper        | \$ 1,871.76 |
| Dist Crt Reprtr  | \$ 461.68   | **Jury Fund Credit | \$36.14**** |
| R & B General    | \$ 5,649.40 | Precinct 1         | \$ 1,144.05 |
| Precinct 2       | \$ 731.31   | Precinct 3         | \$ 3,107.89 |
| Precinct 4       | \$ 740.02   | Hot Check Fee      | \$ 71.00    |
| Law Library      | \$ 320.00   | Public Works       | \$ 1,875.21 |
| D.A. Drug Forf   | \$ 450.00   | Adult Prob Oper    | \$ 3,071.37 |
| Adult Prob Fac   | \$ 400.00   |                    |             |

10747 APPROVE BID SPECIFICATIONS FOR SHERIFF'S DEPARTMENT RADIOS

Cindy Simon, Auditors Office, spoke of bid specs for radios - page to be added for deviations - not a sole source spec - several brands meet the specs (Motorola, G.E. & Midland). Sheriff Paul Hastings spoke of previously purchased radios not meeting specs because the specs were too broad. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve bid specifications for Sheriff's Department radios. All voting "Aye".

10748 AUTHORIZE TRANSFER OF DESK AND CHAIR TO CHILD PROTECTIVE SERVICES

County Judge Eddy Etheredge spoke of request by District Judge Charles Ramsay to transfer an unused desk and chair to the Child Protective Services. A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to authorize transfer of a desk and chair to the Child Protective Services as requested by District Judge Charles Ramsay. All voting "Aye".

10749 APPROVE PAYMENT TO EMORY, YOUNG & ASSOCIATES INC. RE: REDISTRICTING SERVICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve second payment for redistricting services in the amount of \$3,000.00 to Emory, Young & Associates, Inc. All voting "Aye".

WORKSHOP - HONEYWELL PRESENTATION

Scott Naab spoke of investigation and gave recommendation based on their analysis - recommended "Energy Management System" for all county facilities except for the LEC.



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 Honeywell proposal:

- Courthouse - Energy Management System/Building Management Support Services  
 Honeywell Preferred Mechanical Maintenance
- Crthse Annex - Energy Management System/Bldg Management Support Services  
 Honeywell Preferred Mechanical Maintenance  
 Honeywell lighting Control (FRED)  
 Installation of unit on Third Floor (optional)
- Health Dept - Energy Management System/Bldg. Management Support Services  
 Honeywell Preferred Mechanical Maintenance
- Law Enf Center- Honeywell Preventive Maintenance  
 Honeywell Expertise in mechanical maint. & fire/security systems

Program overview:

Maintenance Program: Operations Technical Survey, Computerized Data Bank, Computer Generated Service Report, Preventive Maintenance, Repair and Replacement Guarantee, 24 Hour Emergency Service Guarantee and Service Administration.

Honeywell W7505 Bldg. Management System: panel automatically controls all aspects of heating and air conditioning - collects indoor and outdoor weather data for each building and executes energy control techniques through software (reduces energy consumption and utility bills, extends mechanical equipment life) equipment will run only when necessary.

Energy Management System Features: microprocessor-based energy management system will reduce electric bills by limiting KW demand and decreasing KWh consumption.

Lighting Control - designed and implemented to help achieve maximum operating efficiency - Honeywell Fluorescent Regulating Electronic Devices (FRED) is an electronic, current limiting device connected to the ballast reduces lighting power usage by up to 35%, extends usable lamp life by approx 30% by cushioning the inrush of the electricity during starting, extends ballast life 100% by reducing ballast operating temperature, reduces unwanted heat generated by the ballast and lamps and reduces A/C load (FRED has a 5 yr guarantee - life expectancy is 15 years).

Honeywell Program cost is \$39,371 per year for the next five years - allows the County to acquire \$196,855 in equipment and services and generate \$40,140 in positive cash flow.

There will be a need for a dedicated telephone line and an IBM compatible PC - they provide training on system. If you don't save the amount you pay Honeywell per year you will receive a check for the difference from Honeywell. County will need to obtain credit approval and review contract. Energy Management should begin by the end of July and maintenance and payments to begin October 1st. Commissioner Wayne Ford spoke of need for a year to year contract as allowed by the Law. Scott Naab stated that if the county is not satisfied with services or funds are no longer available the county could terminate contract, however, there would be a charge for removing the equipment. Maintenance Supervisor Bryan Hoot spoke in support of the program - will lower the electrical demand at peak hours and frees up his time.

**WORKSHOP - OPERATION AND MAINTENANCE OF FLOOD CONTROL DAMS**

Marion Johnson, Soil Conservation Service, spoke of responsibilities of the entire Court concerning operation and maintenance of the flood control dams - suggested that the court might want to hire someone to make inspections (someone who is properly qualified) - spoke of agreement in 1980 - annual maintenance inspections and after each major storm or occurrence of any unusual condition that might adversely affect the measures - a written report will be made on each inspection - spoke of county having ingress and egress to each structure at all times - dams that are completed: #1 (Freeman Rnch) #2 (Hilliard Rd) #3 (Lime Kiln Rd) #4 (Baptist Academy) - spoke of need for a centralized location of records of inspections, etc.. Commissioner Wayne Ford stated that the County Clerk is the keeper of the records for the Commissioners Court and all paperwork should be filed in that office.

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Marion Johnson spoke of need to get approval from the SCS prior to any alterations or improvements to the structures - adequate funding is needed - property owners must get permission to graze - overgrazing can be a problem. Bill Taylor, Upper San Marcos Watershed, spoke of easements that were obtained by the USMJCD. Marion Johnson spoke of downstream from structures - need to regulate development. Bill Taylor spoke of breach areas - suggested that no residential developments be allowed. Commissioner Wayne Ford spoke of need to develop a plat note concerning property downstream from the flood control dams. Bill Taylor spoke of chain link fence that is being installed at Sites #2 & #5 - sites are being used for recreational use (riding motorcycles, sniffing paint, etc) - trying to reduce any liabilities - have put up warning signs - spoke of easements (unusable easements - not deeded) - they are trying to obtain better easements for high side access.

**WORKSHOP - INTERVIEWS FOR HEAD NURSE POSITION AT HEALTH DEPARTMENT**

Acting Head Nurse Cindy McAlister spoke of qualifications of two applicants to be interviewed - only one has a Masters Degree. Commissioner Wayne Ford spoke of his concerns that others were not allowed to apply because they did not have Degrees. Commissioner Craig Payne spoke of City Employees to be changed to County Employees on October 1st - need to hire a Head Nurse at this time to assist with the budget process. Dr. Charles Von Henner spoke of need to hire someone who has a Masters Degree - more knowledgeable in obtaining grant funding - spoke of need for a Board of Health. Commissioner Wayne Ford stated that the City is not ready for a Board of Health - he would support an Advisory Board to assist. Cindy McAlister stated that applicant Mary Hughes has a Masters Degree - salary is \$32,000+ - need to let the Head Nurse know her responsibilities, who's in charge and who to report to.

Dawn O'Donnell - lives in San Marcos - employed at Central Texas Medical Center (labor & delivery) - deals with indigent care - plans on getting her Masters Degree - main interest is nutrition for children and teaching.

Mary Hughes - lives in New Braunfels - employed at Hill Country Hospital in San Antonio - she has been trying to get into Public Health program for some time - interest in creating programs - has written and assisted in obtaining grants - has a Masters Degree in Health & Finance and Undergraduate in Nursing.

Court to hire Head Nurse for Health Department at the next Commissioners' Court meeting to be held May 6, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 13th DAY OF MAY, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 6TH DAY OF MAY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10750 APPROVE USE OF LEC PROPERTY BY RABA KISTNER TO ASSIST IN CLEAN-UP OF GASOLINE SPILL INTO BLANCO RIVER

Raba Kistner spoke of gasoline seepage into the Blanco river - spill occurred in the 1970's on the west side of IH35 at a Texaco bulk plant - a site is needed to install equipment to treat the contaminated water - request use of county property at the jail site. Marcos Hernandez, District Attorney, spoke of liability and the agreement to be entered into - will hold county harmless of any liability related to this project. Jim Moseley spoke of the cleanup system to be used - upon completion the property will be returned to its present state - it will take approximately 3 years to complete the cleanup. Commissioner Ford spoke of not being aware that test bores were conducted on county property. It was stated that approval was obtained from the County Judge's office. Commissioner Ford requested that in the future approval should be obtained from the Sheriff and Commissioner Pct. #2. A motion was made by Judge Etheredge and seconded by Commissioner Ford to enter into an agreement to allow use of the LEC property to assist in clean-up of a gasoline spill into the Blanco River subject to approval by the District Attorney. All voting "Aye".

10751 APPROVE SALARY INCREASE FOR ASSISTANT DISTRICT ATTORNEY

District Attorney Marcos Hernandez spoke of money in his salary line item for Staff - would like to increase ADA Deets from \$28,000 to \$30,000 - spoke of additional revenues from Dept. of Human Resources (reimbursement for welfare fraud cases) - increase will be obtained by decreasing the felony secretary position and the chief misdemeanor secretary position. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve salary increase for Assistant District Attorney to be effective May 1, 1991. All voting "Aye".

10752 RESCHEDULE MEETING OF MAY 27, 1991 (MEMORIAL DAY)

Judge Etheredge spoke of need to reschedule the Commissioners Court meeting of May 27th due to Memorial Day Holiday - suggested holding the meeting Tuesday May 28th. A motion was made by Commissioner Ford, seconded by Commissioner Payne to reschedule the May 27, 1991 Commissioners' Court meeting until May 28, 1991. All voting "Aye".

10753 APPROVE SELECTION OF HEALTH DEPARTMENT NURSE AND SET SALARY

Judge Etheredge spoke of applicants that were interviewed. A motion was made by Commissioner Wayne Ford, and seconded by Commissioner Oran Rippy to hire Mary Petnecky Hughes as the Health Department Nurse and to set her salary at \$30,000 per year. All voting "Aye". Commissioner Ford stated that this salary may be incorrect and may need to be adjusted later.

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10754 APPROVE ENTERING INTO CONTRACT WITH HONEYWELL FOR ENERGY MANAGEMENT SERVICES

Commissioner Wayne Ford spoke of change in the previous plan - the Law Enforcement Center will not receive preventive maintenance from Honeywell due to security factors. Scott Naab, Honeywell Representative, presented updated financial analysis with cost for the program being \$33,546 per year. Judge Etheredge explained the program - Honeywell will maintain and repair air conditioning/heating units at the Courthouse, Annex, Adult Probation Dept. and Health Dept. - lighting control will be provided at the Courthouse Annex on the second floor - as a professional service this program is exempt from bidding requirement - equipment installation will begin in June and the first payment will be October 1st. Commissioner Rodriguez stated that he would vote against the program at this time, however, he may support it next year if the program proves to be beneficial to the county. A motion was made by Judge Etheredge and seconded by Commissioner Ford to enter into contract with Honeywell Inc. for Energy Management Services. Commissioner Ford, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "Nay".

10755 ADOPT GUIDELINES FOR THE 1991 REAPPORTIONMENT PROCESS

Representative of Emory, Young & Assoc. spoke of Federal guidelines that are followed - proposed deviation figure is 8% - Court needs to designate a person that will be responsible for obtaining newspaper clippings, etc. Judge Etheredge stated that the County Judge's office will work with them to obtain necessary documentation. A motion was made by Commissioner Wayne Ford and seconded by Commissioner Oran Rippy to adopt the recommended Guidelines for the Hays County Commissioners Court 1991 Reapportionment Process. All voting "Aye".

GUIDELINES FOR THE HAYS COUNTY COMMISSIONERS COURT  
1991 REAPPORTIONMENT PROCESS

To assure that the 1991 Hays County reapportionment process of Commissioner, Justice of the Peace, Constable and Election Precincts is carried out in an open, fair, and efficient manner and meets all legal requirements, we, the Commissioners' Court of Hays County, do hereby adopt the following guidelines:

- 1.) In accordance with the principle of "one-man, one-vote", the fundamental goal of the process is to assure that, as close as reasonably and legally possible, all Commissioners precincts shall be reapportioned to have an equal population in each precinct. However, because precisely equal population balance may prove impossible or impractical, this Court will not consider a plan in which the total variation between the largest and smallest Commissioners precinct is greater than 8 percent. In all reapportionment decisions, the Court shall use total population counts as determined by the 1990 Census.
- 2.) This Commissioners' Court will not consider any plan which violates any court decision, statute or federal regulation regarding the status or treatment of any protected racial, ethnic or language minority.

Specifically, any plan should not:

- a. Dilute the voting strength of protected minorities;
  - b. Fragment minority communities;
  - c. Pack minorities into districts more than necessary to elect minority representatives.
- 3.) This Court, within the constraints of guidelines (1) or (2), should consider legitimate communities of interest and significant geographic or service issues in all plans.
  - 4.) District shall be composed of territory that is reasonably compact and contiguous.

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- 5.) In the drawing of election precincts, the Court will make every reasonable effort to create election precincts and locate polling places in such a way as to maximize the opportunity for all voters to participate in the electoral process.
- 6.) To assure a process which is fair and open to all concerned parties, the Court shall take the following steps:
  - a. No final plans shall be adopted without at least one well-publicized public hearing.
  - b. All public records (minutes, testimony, debates, formal resolutions or orders, publicly presented plans and clipping of press coverage) shall be fully and thoroughly maintained in a manner that makes them accessible to all interested parties.
  - c. The Court will consider all plans presented, whatever their source, before adoption of a final plan. Plans, however, must contain clearly drawn maps and population counts based upon 1990 Census data.
- 7.) The final submission to the U.S. Justice Department under the provisions of the Voting Rights Act, will as fully as reasonably possible, provide enough information to comply with both the letter and spirit of all provisions of the Act and all Justice Department regulations.

Adopted May 6, 1991.

10756 AUTHORIZE COUNTY AUDITOR AND DISTRICT ATTORNEY TO ATTEND A MEDIATION HEARING AT THE DISPUTE RESOLUTION CENTER RE: KEITH VS. HASTINGS

District Attorney Marcos Hernandez spoke of litigation regarding bonding procedures by the Sheriff's Department - spoke of allegations by Plaintiff Sandra Keith - asking for compensation for loss of income, Attorney's fees, etc. - parties to the suit have agreed to a mediation hearing to settle the matter - if the Sheriff is held liable, the County is liable - Law Enforcement Self Insurance Fund would pay out the settlement - person attending must be authorized to make a financial settlement on behalf of the Court . A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize the County Auditor and the District Attorney to attend a mediation hearing at the Dispute Resolution Center regarding litigation "Keith vs. Hastings". All voting "Aye".

10757 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog spoke of invoice turned in for the Civic Center in the amount of \$300 for purchase of a used refrigerator - purchase was not authorized by the Court. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County invoices as presented by the County Auditor (\$65,508.40) with the exception of \$300.00 purchase made for Civic Center - purchase of refrigerator must be brought back before the Court for approval. All voting "Aye".

|                  |              |                   |             |
|------------------|--------------|-------------------|-------------|
| Auditor Ofc.     | \$ 416.74    | Treasurer         | \$ 472.95   |
| Extension Ofc.   | \$ 14.76     | Juvenile Prob.    | \$ 377.30   |
| Election Admin.  | \$ 1,008.00  | Indigent Care     | \$ 2,387.49 |
| Transfer Station | \$ 220.11    | Bldg. Maint.      | \$ 4,588.81 |
| Health Dept.     | \$ 8.50      | Civic Center      | \$ 3,108.11 |
| Countywide Misc. | \$ 12,915.86 | Tax A/C           | \$ 34.08    |
| County Clerk     | \$ 102.58    | Sheriffs Ofc.     | \$ 1,781.61 |
| Jail Operation   | \$ 18,803.01 | District Atty     | \$ 28.40    |
| J.P 1-1          | \$ 21.80     | J.P. 2            | \$ 82.27    |
| J.P. 3           | \$ 52.12     | D.P.S.            | \$ 543.68   |
| Constable 1      | \$ 154.33    | Constable 2       | \$ 703.28   |
| Constable 5      | \$ 72.90     | Data Proc Admin   | \$ 315.07   |
| CJD Resid Grant  | \$ 120.00    | TDH TB Grant      | \$ 110.86   |
| TDH Sanit Grant  | \$ 200.50    | TDH M&C Care Grnt | \$ 32.97    |
| TJPC ISP Grant   | \$ 94.69     | **Gen Fund Credit | \$ 314.03** |
| Dist Court Oper  | \$ 5,463.54  | Co Court Oper     | \$ 3,321.12 |

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|                |             |                 |             |
|----------------|-------------|-----------------|-------------|
| R&B General    | \$ 30.05    | Precinct 1      | \$ 235.34   |
| Precinct 2     | \$ 2,303.20 | Precinct 3      | \$ 4,017.85 |
| Precinct 4     | \$ 27.99    | Hot Check Fee   | \$ 266.33   |
| Law Library    | \$ 787.75   | Public Works    | \$ 36.95    |
| D.A. Drug Forf | \$ 691.61   | Adult Prob Oper | \$ 1,937.72 |
| Adult Prob Fac | \$ 464.32   | Animal Control  | \$ 165.88   |

10758 AWARD CONTRACT FOR HAULING OF SOLID WASTE

Cindy Simon, Auditors office, presented bid tabulation for hauling of solid waste:

|                         | <u>40-42 compactor</u> | <u>40 cy open top</u> |
|-------------------------|------------------------|-----------------------|
| Central Tex Refuse Inc. | \$ 365.00              | \$ 340.00             |
| Texas Disposal Sys Inc. | \$ 290.50              | \$ 287.00             |
| Longhorn Disposal       | \$ 260.00              | \$ 250.00             |
| BFI                     | \$ 276.50              | \$ 270.00             |

Cindy stated that Longhorn is the low bidder and all requirements have been met. Commissioner Craig Payne stated that Longhorn Disposal comes highly recommended and rates are lower than those currently being paid. A motion was made by Commissioner Payne, seconded by Commissioner Ford to award contract for hauling of solid waste to Longhorn Disposal. All voting "Aye".

10759 AWARD CONTRACT FOR METAL PIPE

Cindy Simon, Auditors Office, presented bid tabulation sheet for metal pipe - bidders were: Metal Culverts Inc., Contech Construction Products Inc. and Wilson Culverts Inc. Low bidder was Contech Construction Products Inc. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract for metal pipe to Contech Construction Products Inc. All voting "Aye".

PRESENTATION BY WRIGHT LINE OF FILING SYSTEM FOR COUNTY CLERK'S OFFICE

Cindy Simon, Auditors Office, spoke of looking into options for the County Clerk's filing system - County Clerk is presently purchasing 4 lateral files per year - no more space available for records. Angie Weinrich of Wright Line spoke of having surveyed the space in the Clerks office - recommended an open filing system 88" high - uses less floor space - presently paying \$740 per lateral file - open file system cost is \$791 and triples the amount of filing space.

10760 AUTHORIZE JUSTICE OF THE PEACE PCT. 1 PLACE 2 TO PURCHASE MAINTENANCE AGREEMENT FOR COPIER

Cindy Simon, Auditors Office, spoke of credit the county has with Advance Business Systems - copiers have been shifted around from the District Attorney's office to the J.P. - request authority to purchase a maintenance agreement with Advance Business Systems. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize Justice of the Peace Pct. 1 Pl. 2 to purchase a maintenance agreement for her copier. All voting "Aye".

10761 AUTHORIZE REMOVAL OF VISUAL OBSTRUCTION FROM PRIVATE PROPERTY AT INTERSECTION OF CHAPARRAL & HAWK DRIVES

Commissioner Wayne Ford spoke of intersection of Chaparral & Hawk Drives - property owner of the vacant corner lot will allow removal of brush by the County - this intersection was a 4-Way Stop and is now a 2-Way Stop - removal of the visual obstruction is a necessary safety factor. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to allow Precinct 2 to clear that portion of the property necessary to clear the view at the intersection of Chaparral Drive and Hawk Drive. Commissioner Payne asked about necessity of an easement to enter property. Commissioner Ford stated that property is not fenced and an easement is not necessary. All voting "Aye".

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10762 APPROVE PAYMENT FOR ENGINEERING AND FENCING COST ASSOCIATED WITH RAILROAD CROSSING AND R-O-W ACQUISITION ON COUNTY ROAD 171 OUT OF R-O-W FUNDS

Commissioner Wayne Ford spoke of donated right-of-way on County Road #171 - requested that costs be paid out of R-O-W funds - Railroad crossing signals are going to be installed , therefore, widening of CR 171 at this time would be cost efficient. County Auditor Bill Herzog voiced his concerns about R-O-W funds available - are they earmarked for other projects? - \$216,000 is left in this fund currently. Patsy Greiner, Admin. Coord., spoke of RR12 passing lane project - funds have not been expended. Commissioner Ford stated that if widening of CR171 is not done now it will cost the County later to move the structures. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of cost associated with railroad crossing and Right-of-way acquisition on County Road #171 out of R-O-W Funds. All voting "Aye".

10763 AMEND BUDGET TO PAY EMORY, YOUNG & ASSOCIATES INC. RE: REDISTRICTING

County Auditor Bill Herzog spoke of need to amend the budget to pay redistricting expenses - the insurance line item has a surplus of approximately \$16,000 - spoke of other line items that will have a deficit. District Attorney Marcos Hernandez suggested that \$10,000 be budgeted for redistricting. A motion was made by Judge Etheredge, seconded by Commissioner Rippy to amend the budget \$10,000.00 out of the Insurance Line Item to be used for Redistricting expenses. All voting "Aye".

SIESTA VERDE SUBDIVISION - STREET NAME CHANGE

Patsy Greiner, Admin. Coord., spoke of street name in the Siesta Verde Subdivision - plat shows street name of "Arroyo Doble" and the actual street sign shows "Arroyo Robles" - she had original suggested changing the street name on the plat, however, it appears that the Post Office and the Telephone Company are using the street name shown on the plat for addressing purposes - street sign needs to be changed. No action necessary.

THE COUNTRYSIDE SUBDIVISION

Patsy Greiner, Admin. Coord., stated that this subdivision is not ready for third hearing - the City has not approved the plat - no action taken this date.

Court recessed until May 13, 1991 at 9:00 a.m.

MINUTES APPROVED IN OPEN COURT ON THE 11th DAY OF JUNE, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S

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STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 13TH DAY OF MAY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10764 CREEK OF DRIFTWOOD - VACATE SUBDIVISION (PUBLIC HEARING)

James A. Baker, Agent for Franklin Federal Bancorp and owner of Creek at Driftwood subdivision requested vacating the existing plat of the subdivision - new property owners will use the property as a cattle pasture - the lots are located in the floodplain - one paved road exists "Onion Creek Lane" and they request that this road be abandoned - a 10' easement will be deeded to the County along Darden Hill Road - plat of subdivision is filed in volume 4 page 107-110 Plats Records of Hays County, Texas. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to vacate the "Creek at Driftwood" subdivision plat and to abandon all roads in the subdivision. All voting "Aye".

10765 ACCEPT DONATION OF PROPERTY TO HAYS COUNTY TO BE USED FOR COUNTY PURPOSES, FROM CENTEX MATERIALS INC.

Commissioner Wayne Ford spoke of approximately two acres of land donated by Centex Materials Inc. for right-of-way on FM1626. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to accept donation of property from Centex Materials Inc. to Hays County to be used for county purposes. All voting "Aye".

10766 PROCLAMATION "NATIONAL HISTORIC PRESERVATION WEEK" (MAY 12-18, 1991)

Hays County Historical Commission Chairperson Lila Stilson appeared before the Court - spoke of celebrations nationwide - invited members of the Court to Buda Senior Citizens Center on May 14th at 7 P.M. for historic preservation activities and May 19th at 2 P.M. for a group photograph using the Courthouse Annex as a backdrop (photo to be used as entry in the National Trust for Historic Preservation Photographic Competition) along with presentation of certificates of appreciation and a reception.

PROCLAMATION

STATE OF TEXAS
COUNTY OF HAYS

WHEREAS, historic landmarks contribute to the economic, social and cultural well-being of counties, cities and towns across the nation; and

WHEREAS, the year 1991 is significant in historic preservation history, marking the 25th anniversary of the National Historic Preservation Act of 1966 and the 75th anniversary of the establishment of the National Park Service; and

WHEREAS, the National Trust for Historic Preservation, the Texas Historical Commission, Preservation Texas Alliance and county historical commissions have joined with other preservation groups nation-wide to promote public awareness of our nation's rich and diverse heritage; and

WHEREAS, Preservation Week 1991 provides an opportunity for all citizens of all ages to maintain, preserve and celebrate our nation's diverse heritage;



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NOW, THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas, that May 12 - 18, 1991 by recognized as

NATIONAL HISTORIC PRESERVATION WEEK

and be it further proclaimed that citizens and officials of Hays County be encouraged to participate in observance of this special occasion.

Hereto we have set our hands this 13th day of May, 1991.

s/ Eddy A. Etheredge  
Eddy A. Etheredge, County Judge

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County  
Clerk, Hays County, Texas

DISCUSSION - COUNTY ROAD #266 AT SAN MARCOS RIVER

Lucky Tomblin, private citizen and lease holder of property along Co Rd 266, appeared before the Court - spoke of problems on CR266 at San Marcos River crossing (Westerfield Crossing) - environmental problem with rechanneling and dumping of toxic items (i.e. batteries, etc) into the river - tremendous problem with public safety along roadway - improvements were designed for turnaround for vehicles at times of flooding and to assist canoers to go over the low water bridge - spoke of hazardous S-curve at the bridge. Tom Goynes, President of the Texas River Recreation Assoc. spoke - issue is who owns the property at McGehee Crossing/Westerfield Crossing? and the right to portage a navigable river (San Marcos River) - spoke of himself picking up garbage on a regular basis - admits that there is a serious dumping problem - spoke of this area being the most popular access point to the river - the public has a right to go around obstacles by law - felt like it would create a dangerous situation if the fence is placed as proposed and with removal of the steps - parking is needed and various organization provide trash cleanup. Leonard Hulsebosch, Houston resident-retail merchant and Governor of the Houston Canoe Club, spoke of denying access to river runners statewide that use this waterway on a regular basis - river enthusiasts bring in excess of \$1,000,000 to the community - urged the Court to reconsider denying access. Lenny Hulsebosch spoke representing the disabled population (those in wheelchairs) that enjoy canoeing and tubing down the San Marcos River - provides the disabled with recreation as well as rehabilitation. County Judge Eddy Etheredge stated that the Court is very concerned about this situation - there is a serous traffic problem at this location - we are currently attempting to establish ownership and addressing the traffic situation - spoke of various Institutions that have contacted him concerning this issue - one option is to provide property downstream for parking of vehicles - the Court will continue to address this situation to find a solution agreeable to all.

Louis O. Withrow, Meterologist @ National Weather Service Office in Austin, presented the Court with a letter providing a Master Control Panel to be used for Flash Flood Warning System - Hays County currently has a Sensor Device - would assist in early detection of rising water.

10767 CALL FOR PUBLIC HEARING/SET DATE TO ESTABLISH TRAFFIC REGULATIONS ON CO RD #266

Commissioner Wayne Ford spoke of proposed regulations: No parking either side of San Marcos River bridge for 1/4 mile @ CR266 and No Fishing from or Loitering on bridge at CR266 - spoke of public safety concerns - asked for cooperation and input toward solutions to the problems. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to call public hearing for June 3, 1991 at 9:00 A.M. to establish traffic regulations on County Road #266: No Parking either side of San Marcos River bridge for 1/4 mile @ CR266 and No Fishing from or Loitering on Bridge. All voting "Aye".

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10768 APPROVE RIGHT-OF-WAY PAYMENT FOR ONE-MILE WIDENING OF RANCH ROAD 12 BETWEEN WIMBERLEY AND DRIPPING SPRINGS

Patsy Greiner, Admin. Coord., spoke of RR12 project (widening one mile of roadway between Wimberley and Dripping Springs) - proposed payments do not include fencing:

|            |             |              |
|------------|-------------|--------------|
| Parcel #1  | 2.996 acres | \$ 5,992.00  |
| Parcel #1E | 0.147 acre  | \$ 294.00    |
| Parcel #2  | 1.149 acres | \$ 2,298.00  |
| Parcel #3  | 4.354 acres | \$ 8,708.00  |
| Parcel #3E | 0.254 acre  | \$ 508.00    |
| Parcel #4  | 2.061 acres | \$ 4,122.00  |
| Parcel #4E | 0.195 acre  | \$ 390.00    |
|            |             | =====        |
|            |             | \$ 22,312.00 |

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve right-of-way payments for one-mile widening of RR12 between Wimberley and Dripping Springs in the amount of \$22,312.00. All voting "Aye".

SET WORKSHOP TO TOUR COUNTY PROPERTY (MAY 29, 1991)

County Judge Eddy Etheredge spoke of need to hold a workshop to tour various county properties prior to budget process - press is invited - Court will go to various county buildings, road projects, and other areas of interest. It was decided that Workshop will begin on May 29, 1991 at 9:00 A.M.

10769 SET SALARY FOR DIRECTOR OF NURSING

Commissioner Wayne Ford spoke of his exception to the proposed salary at the previous meeting - the salary should have been set at \$31,500. County Auditor Bill Herzog stated that the budgeted grant amount is \$32,075. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to set salary for the Director of Nursing at \$31,500.00 per year. Commissioner Rodriguez, Commissioner Ford, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Payne voting "Nay".

10770 AUTHORIZE INSTALLING CAGES IN JAIL VAN USED FOR TRANSPORTATION OF PRISONERS AND APPROVE PAYMENT FROM CERTIFICATES OF OBLIGATION

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize installation of cages in the jail prisoner transport van and to approve payment from Certificates of Obligation in the amount of \$708.62. Commissioner Rodriguez, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye", Judge Etheredge voting "Nay".

10771 BUDGET AMENDMENTS FOR AUDITOR'S OFFICE, CIVIC CENTER, CONSTABLE PCT. #5 AND R&B PCT. #1

County Auditor Bill Herzog spoke of expenditures authorized and line item transfers that are needed:

|                                  |                                |  |
|----------------------------------|--------------------------------|--|
| <u>Auditors Ofc.</u>             | <u>Civic Center</u>            |  |
| Decrease \$ 5,500 Staff Salaries | Decrease \$ 1,400 Contract M&R |  |
| Increase \$ 500 D P Supplies     | \$ 1,200 Misc Cont Mtc.        |  |
| \$ 500 Travel                    | Increase \$ 650 Fuel & Lubes   |  |
| \$ 1,500 Continuing Ed           | \$ 200 Vehicle Supp            |  |
| \$ 3,000 Temp Personnel          | \$ 1,200 Misc Supplies         |  |
|                                  | \$ 300 Misc Equipmnt           |  |

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Constable Pct. 5

R&B Precinct #1

Decrease \$ 2,101 Contingency line item  
Increase \$ 2,101 D P Equipment

Decrease \$ 2,413 Staff Salaries  
\$ 500 Ofc Equipment  
\$ 500 Comm Equipmnt  
\$ 500 Ofc Furnishings  
Increase \$ 1,200 Uniform Exp  
\$ 800 Utilities  
\$ 500 Telephone  
\$ 552 Misc Equipmnt  
\$ 861 Misc Cap Imprv

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to approve budget amendments as proposed: County Auditors Office (\$5,500), Civic Center (\$2,600), Constable Pct. #5 (\$2,101) and R&B Pct. #1 (\$3,913). All voting "Aye".

10772 APPROVE POLICY FOR PAYMENT OF TRAVEL EXPENSES OF EMPLOYEES

County Auditor Bill Herzog spoke of employees expenses for meals when traveling - currently reimbursing employees based upon receipts turned in - requested that the Court consider a flat rate allowance for meals - no current policy adopted - suggested rates of \$5/breakfast \$7/lunch \$13/dinner (\$25.00 per day). Discussion was had concerning reimbursement with or without receipts and allowing \$25 per day for meals in advance of travel. Commissioner Payne and Judge Etheredge spoke in opposition regarding paying employees \$25 per day for meals without receipts. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt a policy for payment of travel expenses for meals - amount allowed for meals per day will be capped at \$25.00 per day with our without receipts to be paid in advance of travel. Commissioner Rodriguez, Commissioner Ford and Commissioner Rippy voting "Aye". Judge Etheredge and Commissioner Payne voting "Nay".

10773 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of county invoices as submitted by the County Auditor in the amount of \$101,263.29. All voting "Aye".

|                   |              |                   |              |
|-------------------|--------------|-------------------|--------------|
| Wastewater Fee    | \$ 260.00    | Auditors Ofc.     | \$ 588.71    |
| Treasurers Ofc    | \$ 70.52     | Extension Ofc.    | \$ 160.83    |
| Juv. Probation    | \$ 172.79    | Election Admin    | \$ 119.31    |
| Indigent Care     | \$ 9,110.63  | Transfer Station  | \$ 15.00     |
| Bldg. Maint.      | \$ 565.09    | Health Dept.      | \$ 406.22    |
| Civic Center      | \$ 45.30     | Countywide Misc.  | \$ 6,154.94  |
| Tax A/C           | \$ 388.86    | District Clerk    | \$ 473.15    |
| County Clerk      | \$ 119.84    | Sheriffs Ofc      | \$ 890.59    |
| Jail Operations   | \$ 41,019.74 | County Judge      | \$ 280.94    |
| Admin Coord.      | \$ 106.64    | Co Crt @ Law 1    | \$ 193.27    |
| Dist. Attorney    | \$ 596.14    | J.P. 1-1          | \$ 64.55     |
| J.P. 1-2          | \$ 101.29    | J.P. 5            | \$ 15.44     |
| D.P.S.            | \$ 371.36    | Constable 1       | \$ 67.59     |
| Constable 5       | \$ 99.71     | Veterans Admin    | \$ 53.58     |
| Data Proc Admin   | \$ 80.55     | Co Crt @ Law 2    | \$ 35.65     |
| TDH TB Grant      | \$ 3.50      | Foster Child Care | \$ 7,129.00  |
| TDH M&C Care Grnt | \$ 600.00    | Fire Marsh/EMC    | \$ 38.91     |
| TABC              | \$ 106.09    | **Gen Fund Credit | \$ 56.25**** |
| Dist Court Oper   | \$ 2,839.83  | County Court Oper | \$ 566.17    |
| Dist Court Reprt  | \$ 72.92     | R & B General     | \$ 115.44    |
| Precinct #1       | \$ 2,377.67  | Precinct #2       | \$ 1,544.03  |
| Precinct #3       | \$ 4,580.69  | Precinct #4       | \$ 4,493.03  |
| Self Insur Fund   | \$ 9,696.40  | Public Works Fund | \$ 425.00    |
| Adult Prob Oper   | \$ 3,893.72  | Adult Prob Fac    | \$ 162.95    |
| Animal Control    | \$ 45.96     |                   |              |

10774 APPROVE MINUTE OF APRIL 1991

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve the Minutes of April 1991 as presented by the County Clerk. All voting "Aye".

COUNTY CLERK - REQUEST TO PURCHASE OPEN SPACE FILING SYSTEM

County Clerk Ronnie Dannelley requested authority to purchase an open space filing system as presented to the Court by Wright Line at the last meeting - spoke of having no funds in his budget to purchase equipment. County Judge Eddy Etheredge requested that approval be delayed until funds are located for purchase.

Court recessed until May 20, 1991 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF June, 1991.

Eddy A. Etheredge, County Judge
HAYS COUNTY, TEXAS

Ronnie Dannelley, County Clerk
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 20TH DAY OF MAY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANDELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Craig Payne presided over the meeting due to absence of Eddy Etheredge, County Judge.

10775 APPROVE TREASURER'S REPORT FOR APRIL 1991

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve County Treasurer's report for April 1991 as presented. All present voting "Aye".

THE STATE OF TEXAS \*
COUNTY OF HAYS \*

On this the 20th day of MAY, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of April, 1991 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ Peter Rodriguez
Commissioner, Precinct 1

s/ Wayne Ford
Commissioner, Precinct 2

s/ Craig Payne
Commissioner, Precinct 3

s/Oran Hill Rippy
Commissioner, Precinct 3

ATTEST:
s/ Ronnie Dannelley
Hays County Clerk

County of Hays  
Summary of Receipts and Disbursements  
For the Period April 1991

|   | General (N/N) | Jury       | R & B General | R & B Pct #1 | R & B Pct #2 | R & B Pct #3 | R & B Pct #4 | Total Funds  |
|---|---------------|------------|---------------|--------------|--------------|--------------|--------------|--------------|
| Checking Balance on 4/1/91                | 275,255.48    | 25,207.19  | 11,539.04     | 30,438.25    | 30,685.72    | 30,003.82    | 30,614.31    | 433,768.81   |
| Money Market Interest Deposits (receipts) | 1,682.43      | 13,904.36  | 23,416.52     | 16,391.37    | 16,363.33    | 13,104.08    | 17,297.75    | 1,236,359.04 |
| Disbursements (Claims)                    | 360,329.98    | 30,391.34  | 17,472.41     | 27,358.94    | 34,017.00    | 25,356.85    | 23,309.50    | 1,023,236.52 |
| <b>Total</b>                              | 551,989.56    | 8,719.71   | 17,483.15     | 19,470.63    | 13,532.05    | 17,756.05    | 19,622.56    | 648,373.76   |
| Certificates of Deposit Balance on 4/1/91 | 2,250,000.00  | 153,000.00 | 33,000.00     | 88,000.00    | 170,000.00   | 209,000.00   | 212,000.00   | 3,115,000.00 |
| New C. D.'s                               |               |            |               |              |              |              |              |              |
| Matured C. D.'s transferred to Checking   | 700,000.00    | 10,000.00  |               |              |              |              |              | 710,000.00   |
| <b>Total</b>                              | 1,550,000.00  | 143,000.00 | 33,000.00     | 38,000.00    | 170,000.00   | 209,000.00   | 212,000.00   | 2,405,000.00 |
| Checking Balance on 4/1/91                | 1,391.39      | 3,337.55   | 6,258.59      | 106.63       | 52,539.45    | 32,773.09    | 31,086.70    | 497.52       |
| Money Market Interest Deposits (receipts) | 35,582.34     | 1,496.43   | 1,185.00      |              | 188.22       | 151.04       | 141.52       |              |
| Disbursements (Claims)                    | 4,250.00      | 1,526.97   | 139.30        | 106.68       | 19,700.00    | 34,107.28    | 32,746.32    | 497.52       |
| <b>Total</b>                              | 34,713.73     | 2,207.11   | 7,254.29      | 106.68       | 54,039.23    | 34,107.28    | 32,746.32    | 497.52       |
| Certificates of Deposit Balance on 4/1/91 | 30,000.00     | -0-        | -0-           | -0-          | 1,700,000.00 | 100,000.00   | 210,000.00   | -0-          |
| New C. D.'s                               |               |            |               |              |              |              |              |              |
| Matured C. D.'s transferred to Checking   | 30,000.00     | -0-        | -0-           | -0-          | 1,700,000.00 | 100,000.00   | 210,000.00   | -0-          |
| <b>Total</b>                              | -0-           | -0-        | -0-           | -0-          | 1,700,000.00 | 100,000.00   | 210,000.00   | -0-          |

Temporary Transfers 47-91 From General Fund to Unemployment Self Insurance \$5,000.00

*Dorothy P. Sims*  
Dorothy P. Sims, County Treasurer

County of Hays  
Summary of Receipts and Disbursements  
For the Period April 1991

|  | County Jail<br>1 & 5 | Jail Addition<br>1 & 5 | Hays County<br>1 & 5 (M/M) | Public Works<br>1 & 5 | Springdale<br>1 & 5 | Pioneer Trails<br>1 & 5 |           |          |  |
|--|----------------------|------------------------|----------------------------|-----------------------|---------------------|-------------------------|-----------|----------|--|
| Checking<br>Balance on 4/1/91                | 27,465.58            | 6,687.71               | 37,317.14                  | 11,307.97             | 3,305.23            | 5,904.18                |           |          |  |
| Money Market Interest<br>Deposits (receipts) |                      |                        | 175.25                     | 60,842.35             |                     |                         |           |          |  |
| Disbursements (Claims)                       |                      |                        | 76,415.25                  |                       |                     |                         |           |          |  |
| <b>Total</b>                                 | 27,463.58            | 6,687.71               | 21,919.99                  | 11,307.97             | 3,305.23            | 5,904.18                |           |          |  |
| Certificates of Deposit<br>Balance on 4/1/91 | 553,500.00           | 135,000.00             | 170,000.00                 | 312,000.00            | 74,000.00           | -0-                     |           |          |  |
| New C. D. 's                                 |                      |                        |                            |                       |                     |                         |           |          |  |
| Matured C. D.'s transferred<br>to Checking   |                      |                        | 60,000.00                  |                       |                     |                         |           |          |  |
| <b>Total</b>                                 | 553,500.00           | 135,000.00             | 110,000.00                 | 312,000.00            | 74,000.00           | -0-                     |           |          |  |
| -----  |                      |                        |                            |                       |                     |                         |           |          |  |
| Checking<br>Balance on 4/1/91                | 165,170.86           | 17,997.15              | 41,783.46                  | 1.00                  | -0-                 | 22,619.30               | 76,501.84 | 5,957.86 |  |
| Money Market Interest<br>Deposits (receipts) | 635.77               | 97.99                  | 189.81                     | 60,131.38             | 89,767.18           | 319.00                  | 121.67    | 27.13    |  |
| Disbursements (Claims)                       | 119,184.40           | 1,952.95               | 39,767.13                  |                       | 89,767.18           | 2,398.05                | 5,261.61  | 535.47   |  |
| <b>Total</b>                                 | 97,608.12            | 22,142.09              | 21,337.47                  | 1.00                  | -0-                 | 20,540.25               | 21,458.91 | 5,449.52 |  |
| Certificates of Deposit<br>Balance on 4/1/91 | 50,000.00            | -0-                    | 50,000.00                  | -0-                   | -0-                 | -0-                     | -0-       | -0-      |  |
| New C. D. 's                                 |                      |                        |                            |                       |                     |                         |           |          |  |
| Matured C. D.'s transferred<br>to Checking   | 50,000.00            | -0-                    | 50,000.00                  | -0-                   | -0-                 | -0-                     | -0-       | -0-      |  |
| <b>Total</b>                                 | -0-                  | -0-                    | 50,000.00                  | -0-                   | -0-                 | -0-                     | -0-       | -0-      |  |
| Temporary Transfers                          |                      |                        |                            |                       |                     |                         |           |          |  |

Adult Protection (M/M) Adult Protection Facilities (M/M) Medical and Dental Fund (M/M) Medical and Dental Claims TPI Medical and Dental Claims Animal Control Fund Sheriff's Drug Forfeiture (M/M) D.A. Drug Forfeiture (M/M)

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10776 AUTHORIZE PURCHASE OF OPEN SPACE FILING SYSTEM FOR COUNTY CLERK'S OFFICE AND AMEND BUDGET ACCORDINGLY

County Clerk Ronnie Dannelley spoke of open space filing system needed for his office - proposes to purchase two sections (42"W X 30"D X 88" H) for \$1583 plus \$270 for installation to be paid out of County Clerk's Permanent Records line item (#417-5215) this Fiscal Year budget and purchase the other three sections (\$2,086.50) out of FY92 budget - requested that permanent records line item be restored back to the original amount next fiscal year. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to authorize the County Clerk to purchase open space filing system (\$1,853) and to amend the County Clerk budget by transferring \$1,853 from permanent records into office equipment line item. All present voting "Aye".

10777 ALLOW PRECINCT #4 TO TRANSPORT RECYCLEABLE MATERIALS FOR "DRIPPING SPRINGS RECYCLES" AND AUTHORITY TO CONTRACT FOR STORAGE CONTAINER

Commissioner Oran Rippy spoke of request from Dripping Springs Recycles (see letter in file) to transport recycleable materials - Ecology Action out of Austin had been transporting materials, however, they can no longer provide this service - center would be forced to close if there is no way to transport the materials - there are over 50 volunteers involved in this operation - Texas Disposal Systems has advised that they would provide a container for \$35 per month (usual rate is \$78 per mo). Commissioner Craig Payne spoke of the Wimberley Recycling program - supports recycling. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to allow Precinct #4 to transport recycleable materials for the "Dripping Springs Recycles" program. All present voting "Aye". A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize Precinct #4 to contract with Texas Disposal System for a recycling storage container at the rate of \$35.00 per month. All present voting "Aye".

10778 AMEND BUDGETS OF VARIOUS DEPARTMENTS

County Auditor Bill Herzog presented proposed budget amendments for approval:

|                                | DECREASE                       | INCREASE                         |
|--------------------------------|--------------------------------|----------------------------------|
| <u>Veterans Admin. Office</u>  |                                |                                  |
|                                | \$ 240.00 Ofc Supp             | \$ 200.00 Fuel & Lubes           |
|                                |                                | \$ 40.00 Contin Educ             |
|                                | \$ 300.00 Veh Supp             | \$ 300.00 Veh Mtc & Rep          |
| <u>District Attorney's Ofc</u> |                                |                                  |
|                                | \$1,421.00 Travel              | \$1,421.00 Staff Salaries        |
| <u>Constable Pct. 1</u>        |                                |                                  |
|                                | \$ 282.00 Ofc. Supp            | Increase \$ 200.00 Postage       |
|                                |                                | \$ 82.00 D.P. Equip              |
|                                | \$ 100.00 Cont Educ            | \$ 400.00 Veh Mtc & Rep          |
|                                | \$ 300.00 L.E. Equip M&R       |                                  |
| <u>Jail Operations</u>         |                                |                                  |
|                                | Decrease \$ 3,000.00 Ofc. Supp | Increase \$ 2,500.00 Books & Per |
|                                |                                | \$ 500.00 Misc Equip             |
|                                | \$ 1,500.00 Janit Supp         | \$ 1,500.00 Misc Equip M&R       |
|                                | \$ 500.00 Misc                 | \$ 500.00 Ed & Rehab Supp        |
|                                | \$ 7,000.00 Prisoner Trnsf     | \$ 3,500.00 Bed/Linens           |
|                                |                                | \$ 3,500.00 New Emp Exp          |
|                                | \$10,000.00 Med/Den Serv       | \$10,000.00 Med Supp             |

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Sheriff's Ofc

|                                 |                              |
|---------------------------------|------------------------------|
| Decrease \$ 1,420.00 L.E. Equip | Increase \$ 1,000.00 Veh M&R |
|                                 | \$ 420.00 Uniform Exp        |
| \$ 500.00 Misc. Equip           | \$ 500.00 Printing           |

A motion was made by Commissioner Ford, seconded by Commissioner Payne to amend the budgets for the Veterans Admin Office, District Attorney's office, Constable Pct. #1 and the Jail/Sheriff's Ofc. as presented by the County Auditor. All present voting "Aye".

10779 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR ROAD MATERIALS

Cindy Simon, Auditors Office, presented specifications for road building materials. (see bid specs in resol file) Commissioner Rippy spoke of commercial grades of base that are used on shoulders - not in specs. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve specifications for road building materials and to furthermore authorize the County Auditor to advertise for bids for the same. All present voting "Aye".

10780 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$ 48,222.85 as presented by the County Auditor.

|                 |             |                   |             |
|-----------------|-------------|-------------------|-------------|
| Auditor         | \$ 533.95   | Treasurer         | \$ 107.50   |
| Juvenile Prob   | \$ 205.00   | Election Admin    | \$ 103.80   |
| Bldg. Maint     | \$ 2,326.06 | Civic Center      | \$ 1,991.66 |
| Countywide Misc | \$ 6,422.36 | County Clerk      | \$ 5,174.53 |
| Sheriff         | \$ 838.78   | Jail              | \$ 6,645.27 |
| District Atty.  | \$ 610.95   | J.P. 1-2          | \$ 30.00    |
| D.P.S.          | \$ 570.00   | Constable 1       | \$ 10.00    |
| Constable 5     | \$ 16.00    | Foster Child Care | \$ 71.00    |
| Dist Court Oper | \$ 1,797.08 | County Crt Oper   | \$ 396.87   |
| R & B General   | \$ 99.99    | Precinct 1        | \$ 397.90   |
| Precinct 2      | \$ 6,310.78 | Precinct 3        | \$ 3,422.96 |
| Precinct 4      | \$ 6,904.37 | Self Insurance    | \$ 716.58   |
| Hot Check Fee   | \$ 226.85   | Adult Prob Oper   | \$ 2,072.46 |
| Adult Prob Fac  | \$ 220.15   |                   |             |

10781 RESCIND PORTION OF RESOLUTION #10690 ADOPTED MARCH 25, 1991 DESIGNATING ROAD NAME "BRONCO TRAIL" IN COUNTRY ESTATES SUBDIVISION (PCT. 3)

Patsy Greiner, Administrative Coord., spoke of road name designations made in Country Estates subdivision located off Ranch Road 12 in Pct. 3 - the roadway designated as "Bronco Trail" is actually a continuation of Country Estates Lane, therefore, Court needs to void that road name designation. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to rescind portion of Resolution #10690 adopted March 25, 1991 designating road name "Bronco Trail" in the Country Estates Subdivision located in Pct. #3. All present voting "Aye".

10782 APPROVAL FOR NONPAID PERSONNEL TO BE ASSISTANT FIRE MARSHALS

Commissioner Wayne Ford spoke of need to allow Fire Marshal A.D. Carroll to have Assistants in his office - need to recognize these volunteers. Fire Marshal/EMC A.D. Carroll spoke of volunteer work that is being done by Kyle Higgins, Bob Slack and Chris Dizoran - spoke of training. Commissioner Wayne Ford spoke of volunteer work being performed all over the County. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve three nonpaid persons to be Assistants to the Fire Marshal/Arson Investigator. All present voting "Aye".



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10783 RENAMING OF OLD FM 967 TO "ELM GROVE LANE" IN PCT. #2

Commissioner Wayne Ford spoke of FM1626 extension project - portion of FM 967 was cut off (1/2 mile) by this project - this stretch of road need to be renamed for 9-1-1 program - the area residents have requested that road be named "Elm Grove Lane" (its original name). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to rename Old FM 967 to "Elm Grove Lane" in Precinct #2. All present voting "Aye".

Court recessed until May 28, 1991 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF June, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 28TH DAY OF MAY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Craig Payne was not present for the first item on the agenda.

10784 ESTABLISH BOND AMOUNT FOR ASSISTANT FIRE MARSHAL/ARSON INVESTIGATORS

Commissioner Wayne Ford spoke of need to establish a bond amount for the Assistant Fire Marshal/Arson Investigators - the Court had originally set a bond of \$1,000 for A.D. Carrol when he was appointed - suggested the same amount for the Assistants. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to set bond for Assistant Fire Marshal/Arson Investigators at \$1,000.00. All present voting "Aye".

10785 CALL FOR PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION: STOP SIGN AT ENTRANCE TO TOM GREEN ELEMENTARY SCHOOL ON CO RD 119

Commissioner Wayne Ford spoke of need for a Stop sign at the entrance to Tom Green Elementary School on Co Rd 119. A motion was made by Commissioner Wayne Ford, seconded by Commissioner Oran Rippy to call a public hearing for June 10, 1991 to establish traffic regulation on County Road #119: Stop Sign at entrance to Tom Green Elementary School. All voting "Aye".

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DISCUSS HIRING COUNTY SURVEYOR TO PERFORM SURVEYS ON COUNTY ROADS BEING DEDICATED TO HAYS COUNTY

Patsy Greiner, Administrative Coord., spoke of having been contacted by the Central Appraisal District - property owners that have dedicated r-o-w to the county would like for this r-o-w to be taken off their taxes - field notes are needed. No action taken this date. Commissioner Wayne Ford asked the District Attorney Marcos Hernandez to research the Statutes concerning the duties of the County Surveyor.

10786 AUTHORIZE OFFER FOR ACQUISITION OF RIGHT-OF-WAY TO THE HEIRS OF THE DORA PETMECKY SCHOLES ESTATE FOR PARCEL #20, RANCH ROAD 12 PROJECT NORTH OF DRIPPING SPRINGS

Admin. Coord. Patsy Greiner spoke of having been notified by the Dripping Springs Title Company that the title to Parcel #20 is clouded - property belongs to the heirs of Dora Petmecky Scholes and not to Sam Hammett (he signed a deed and he received payment for the property = \$9,971). District Atty. Marcos Hernandez spoke of deed signed by Mr. Hammett - County will need to get this money back from him. Commissioner Wayne Ford asked about contacting the State concerning ownership of the property as given by them and possibility of being reimbursed for additional costs involved. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize offer for acquisition of right-of-way to the Heirs of the Dora Petmecky Scholes Estate for Parcel #20 Ranch Road 12 Project north of Dripping Springs. All voting "Aye".

10787 ADOPT RESOLUTION IN OPPOSITION TO SENATE BILL 31

A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt resolution in opposition to Senate Bill 31 pertaining to State Senatorial Districts. All voting "Aye".

RESOLUTION

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, OPPOSING SENATE BILL 31 PERTAINING TO STATE SENATORIAL DISTRICTS

WHEREAS, the citizens of Hays County, united with the citizens of the Cities of San Marcos, Wimberley, Kyle, Dripping Springs, Buda, Uhland, Niederwald, Mountain City and Hays as well as the representatives of the Edwards Underground Water District and Barton Creek Conservation District, representing a bipartisan, multi-ethnic and governmental coalition, vigorously oppose the division of Hays County into two Senatorial districts as proposed in Senate Bill 31, since it dismembers Hays County and severs the County from a Central Texas district; and

WHEREAS, such a division of the 70,000 people of Hays County will serve to disenfranchise our minority population and will seriously impair the community of common interests shared by the cities; towns and people of Hays County; and

WHEREAS, Hays County leaders, Democrats and Republicans alike, are on record from the first redistricting hearing in our united desire to align Hays County with our neighbors in the Capital Area Planning Council, the Austin MSA, and along the IH-35 corridor, based upon our long-standing social, economic, environmental, ethnic, educational and historical interests; and

WHEREAS, the redistricting plan in Senate Bill 31 will seriously erode the efforts of Hays County and its municipalities to unify our communities toward solving our mutual economic, social and environmental problems; and

\*\*\*\*\*

WHEREAS, the Commissioners Court of Hays County, together with representatives and citizens of the nine Hays County municipalities, Hays County Democrats, Hays County Republicans, LULAC, NAACP, and the American GI Forum, speak with one voice in opposing Senate Bill 31;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

- 1. Hays County is firmly opposed to the proposed division of Hays County among State Senatorial districts as contained in Senate Bill 31; and
- 2. This Resolution shall be in full force and effect from and after the date of its passage.

RESOLUTION PASSED AND ADOPTED ON THIS 28TH DAY OF MAY, 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

s/ Peter Rodriguez  
Pete Rodriguez, Pct. 1

s/ W. R. Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Hill Rippey  
Oran Rippey, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

**10788 APPROVE TRANSFER OF 1978 PICKUP FROM SHERIFF'S DEPT. TO CITY OF KYLE**

Sheriff Paul Hastings appeared before the Court - spoke of seized vehicle from prior Administration that was used as a maintenance vehicle - requested permission to transfer this pickup to the City of Kyle for their animal control vehicle. County Auditor Bill Herzog spoke - felt like the County could not legally give the vehicle to the City of Kyle - must hold an auction and sell or lease vehicle. District Attorney Marcos Hernandez stated that it would be cheaper to lease the truck to Kyle than to sell the vehicle at auction. Discussion was had concerning entering into a Interlocal Agreement for use of vehicle. A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize the transfer of a 1978 pickup from the Sheriff's Dept. to the City of Kyle with Sheriff to provide property documentation. Commissioner Ford, Judge Etheredge and Commissioner Rippey voting "Aye". Commissioner Rodriguez and Commissioner Payne voting "No".

**10789 AMEND BUDGET OF SHERIFF'S DRUG FORFEITURE FUND**

Sheriff Paul Hastings gave notice of Drug Forfeiture funds as per HB65 - April 26, 1991 (274th Jud Dist Court Cause #90-0914) the Sheriff's Dept received \$1,844.55 as their share in an agreed judgment involving seized drug funds - May 24, 1991 the Sheriff's Dept. deposited with the County Treasurer \$1,844.55 to be used for Salaries (Line Item 32-484-5021). A motion was made by Commissioner Ford, seconded by Commissioner Rippey to amend the budget of the Sheriff's Drug Forfeiture Fund in by transferring \$1,845.00 from Drug Forfeitures (32-358-3581) to Staff Salaries (32-484-5021). All voting "Aye".

**10790 AMEND BUDGET OF TAX ASSESSOR/COLLECTOR**

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve budget amendment for the Tax Assessor Collector - transfer \$622 from office supplies to data processing supplies and \$228 from data processing equipment to office equipment. All voting "Aye".

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10791 APPROVE SPECIFICATIONS FOR HAULING OF ROAD MATERIALS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS

Cindy Simon, Auditor's office, submitted specs for hauling of road materials - requested any input as to additions or deletions needed. Commissioner Rippy stated that his understanding is that 4-6 Materials was sold to Centex materials. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve specifications for hauling of road materials and to authorize the County Auditor to advertise for bids. All voting "Aye".

10792 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$80,830.38. All voting " Aye".

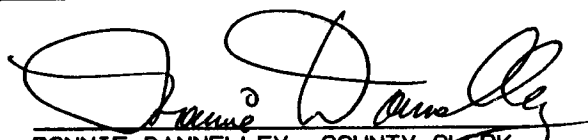
|                  |    |          |                   |    |           |
|------------------|----|----------|-------------------|----|-----------|
| Fine Ovrpymnt    | \$ | 32.50    | Auditor           | \$ | 1,171.92  |
| Treasurer        | \$ | 16.66    | Extension Ofc     | \$ | 113.73    |
| Juv Prob Ofc     | \$ | 3,808.21 | Election Admin    | \$ | 1,060.79  |
| Indigent Care    | \$ | 2,575.76 | Transfer Station  | \$ | 5,765.27  |
| Bldg Maintenance | \$ | 1,026.49 | Health Dept.      | \$ | 40.51     |
| Civic Center     | \$ | 3,643.94 | Countywide Misc.  | \$ | 9,102.00  |
| Tax A/C          | \$ | 2.99     | Dist. Clerk       | \$ | 205.05    |
| County Clerk     | \$ | 11.13    | Sheriff's Ofc.    | \$ | 861.40    |
| Jail Operations  | \$ | 4,584.38 | County Judge      | \$ | 42.00     |
| Admin Coord      | \$ | 5.92     | Co Crt @ Law 1    | \$ | 64.10     |
| Dist. Atty.      | \$ | 225.87   | J.P. 1-1          | \$ | 8.88      |
| J.P. 1-2         | \$ | 172.63   | J.P. 3            | \$ | 49.78     |
| J.P. 4           | \$ | 49.83    | J.P. 5            | \$ | 132.91    |
| D.P.S.           | \$ | 827.22   | Constable 2       | \$ | 21.38     |
| Constable 3      | \$ | 84.44    | Constable 4       | \$ | 45.01     |
| Constable 5      | \$ | 122.90   | Veterans Admin    | \$ | 77.00     |
| Data Proc Admin  | \$ | 673.55   | CJD Resid Grant   | \$ | 1,320.00  |
| TDH TB Grant     | \$ | 150.00   | In Home Spec Grnt | \$ | 168.42    |
| Fire Marshal/EMC | \$ | 52.54    | **Gen Fund Credit | \$ | 1.59***** |
| Dist Crt Oper    | \$ | 3,281.60 | Co Crt Oper       | \$ | 1,970.00  |
| Dist Crt Reprtr  | \$ | 252.00   | Precinct 1        | \$ | 5,524.51  |
| Precinct 2       | \$ | 1,771.24 | Precinct 3        | \$ | 12,961.42 |
| Precinct 4       | \$ | 1,937.42 | Hot Check Fee     | \$ | 63.20     |
| Law Library Fund | \$ | 201.25   | Public Works      | \$ | 652.00    |
| D.A. drug Forf   | \$ | 519.00   | Adult Prob Oper   | \$ | 12,882.09 |
| Adult Prob Fac   | \$ | 469.80   | Animal Control    | \$ | 29.33     |

10793 THE COUNTRYSIDE SUBDIVISION - 3RD READING (PCT. 1)

Patsy Greiner Admin. Coord., stated that this subdivision has been approved on first and second reading - City of San Marcos has approved subdivision. Craig Hollmig spoke - requests that plat be approved for filing and signatures be placed upon it - plat will then be submitted to the City of San Marcos - construction of a 6" water line along Centerpoint Road has not been completed at this time - the City of San Marcos will file the plat once a letter of completion is received from Elim Water Company. A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to approve plat of "The Countryside " subdivision on third reading. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF June, 1991.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 3RD DAY OF JUNE , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10794 ESTABLISH TRAFFIC REGULATIONS ON COUNTY ROAD #266 - PUBLIC HEARING

Commissioner Wayne Ford spoke of proposed traffic regulations on County Road 266: No Parking Zone and signs at San Marcos River and No Fishing and No Loitering on the bridge over the San Marcos River. Judge Etheredge called public hearing open. Tom Goynes spoke of the problems on CR266 at the River with litter and trespassing - stated that you don't close highways for these problems, therefore, you should not close a water highway - spoke of river cleanups - stated that he is unaware of any accidents at Westerfeld Crossing that has directly involved a canoe or fisherman - most accidents occur late at night and usually involve alcohol - ultimate solution is to construct a new high bridge, built upstream of the current bridge at the site of the old ford thereby eliminating the blind curves, flood problems and problems with slick road surface - recommended no parking in the emergency turnaround (was not aware that this was a turnaround until recently - thought it was for parking) - this turnaround could be used for loading/unloading - spoke of traffic approaching this area and spoke of parking area needed - spoke of fact that portions of this road lies in Caldwell County which may create problems with enforcing parking restrictions. Lucky Tomblin spoke in behalf of area residents - this area has become an unregulated park - they are not trying to deny portage - they do want to remove parking lot, dumping and traffic hazards - agrees to proposed traffic regulations - Court should adopt and see how they work out. Dwayne ? spoke of turnaround and traffic problems - felt that requiring parking 1/4 mile away from the bridge will create people walking on the roadway and theft of kayaks, etc - spoke of problems with the handicapped having access and people with health problems - suggested Stop signs at the bridge with warning signs to slow down oncoming traffic, no parking on Hwy 80 side of the bridge and allow parking on Lyons property 20 ft. past the turnaround. Jack Spencer spoke of traffic dangers issue - disagrees with some of this issue - parking 200' from the bridge seems reasonable - spoke of steps/erosion control - spoke of accidents that occur involving vehicles late at night and do not involve pedestrians. Cindy Rodriguez spoke of her use of this river - request that the County not impede traffic to this area. Sheriff Paul Hstings stated that it will be difficult to regulate - he will use his Reserve Officers - spoke of problems with theft of signs in this area which will make it difficult to enforce the traffic regulations. Dorothy Kerbow, Wimberley resident, spoke of need for people to go to enjoy the San Marcos & Blanco Rivers - felt like the Court will be eliminating the public's rights - spoke of there not being a place in Wimberley for the general public to enjoy the river and creeks without paying large fees - suggested that the County have a Park Commission. Judge Eddy Etheredge stated that the court is not trying to deny access to the river. Mike Spencer spoke of litter problem - opposed to restrictions to river access - main issue seems to be parking - spoke of how visibility approaching this area could be improved - requested that parking be allowed 200' from the bridge. Joe Riddell, Asst. Atty. General/Environmental Protection Division, spoke of the State's concern that an attempt is being made to close access to the river - their investigation is incomplete at this time - old records indicate different routes for the crossing - Hays/Caldwell County line was established in the mid 1800's - fences do not follow legal description of agreement with Mr. Lyons - spoke of this historical route and the Law relating to it - spoke of right-of-way and access to public lands - spoke of current laws that can address particular problems such as littering & trespassing.

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Commissioner Wayne Ford asked about research that has been obtained - Court is not trying to deny access - felt like Tom Goynes is inciting protest - spoke of prescriptive easements felt like to issue is being distorted. Joe Riddell stated that the fence and boundary agreement establishes a r-o-w line that prevents access to the river. Marcos Hernandez, District Attorney, spoke of 1929 Law that requires 100 ft r-o-w which the county does not have - asked if the A.G.'s Office is going to require that all counties have 100' r-o-w on county roads. Mark Thornton spoke of his use of the river - spoke of the economy of this area will be affected - spoke of hardship to carry 80-90 lbs of gear for 1/4 mile to a parking area - dangerous to hike along this road - if you do not put the law enforcement behind the issue then its useless to establish regulations - suggested using law enforcement for security purposes as well as traffic enforcement - adopting regulations will close access to some people. Mike Spencer spoke of work done by the County implies that if you leave the river you will be trespassing - traffic issue is serious. Judge Etheredge stated that he had been under the impression that everyone was in agreement with the proposed traffic regulations. Commissioner Wayne Ford stated that the Court had no intent to close access to the river - we do need to correct the traffic problems - need to address the general public safety - issue is where parking will be - stated that he is a strong proponent for parks and improvements are needed - spoke of other parks in the State and their restrictions - stated that his primary concern is with Public Safety - spoke of liability. Commissioner Craig Payne stated that he opposed the 1/4 parking restrictions - felt like 200' was adequate. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to establish traffic regulations of "No Parking Zone" & signs on CR 266 at the San Marcos River (Parking allowed 1/4 mile from the bridge), "No Fishing" & "No Loitering" on the bridge on CR 266 at the San Marcos River (signs on both sides of the bridge), turnaround allowed with "No Parking" signs posted and unattended vehicles will be towed. Commissioner Rodriguez, Commissioner Ford, Commissioner Rippey and Judge Etheredge voting "Aye". Commissioner Payne abstained.

10795 SHERIFF'S DEPARTMENT RADIOS - BIDS SUBMITTED & AWARD DELAYED

Cindy Simon, Auditor's Office, submitted bid tabulation sheet for 10 radios for Sheriff's new vehicles:

| <u>Vendor</u>          | <u>Model</u>        | <u>Price Ea/Total</u> | <u>Del</u> | <u>Warr</u>              |
|------------------------|---------------------|-----------------------|------------|--------------------------|
| Constant Communication | Radius M400         | \$1800/\$18,000       | 30days     | 3 yrslmt                 |
| APW Electronics        | Radius M400         | \$1865/\$18,658       | 30days     | 3 yrsp&l                 |
| Omni Communications    | Radius M400         | \$1389/\$13,890       | 30days     | 3 yrsp&l                 |
| CTI Communications     | Midland Syntech XTR | \$2167/\$21,673       | 30days     | 1 yrsp&l                 |
| Motorola               | Spectra             | \$2311/\$23,110       | 5 wks      | 1 yr prts<br>120 day lab |
| Motorola               | Maratrac            | \$1799/\$17,990       | 1 wk       | 1 yr prts<br>120 day lab |

Cindy stated that Omni Comm. has withdrawn their bid - Motorola was the next lowest bid, however, the warranty was not as good as Constant Comm. - Constant Comm. will supply the Sheriff's Department with loaner radios when repairs are required - the last radios that the County bought were used units. Chief Deputy Sherman Brodbeck spoke of need for 10 radios for the new vehicles - the old radios are obsolete and are in need to constant repairs - there are no spare radios. Cindy stated that the cost for the radios will be included in the financing of the new vehicles. Tom Bond of Motorola spoke of State bids - if the bid does not comply with the specs then that bids is not considered - stated that Motorola bid was the only bid that complied with the bid specs (Spectra) - spoke of warranty (will offer 1 yr P&L) - 8.5% financing is available through Motorola. Discussion was had on encryption capabilities. Richard Crandall (Constant Comm) stated that there radios can be made to have crypton by adding wiring (apprx \$150). Commissioner Wayne Ford suggested going out for new bids. Sheriff Paul Hastings spoke of need for the radios and stated that he will go with Cindy's recommendation. Tom Bond (Motorola) spoke of specs indicating request for digital radios and not analog radios - recommended that Court consult with a DPS Technician (unbaised opinion). A motion was made by Commissioner Ford, seconded by Judge Etheredge to delay awarding bids for Sheriff's radios for one week. Commissioners Rodriguez, Ford & Rippey and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

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10796 CALL FOR PUBLIC HEARING FOR TRAFFIC REGULATIONS - STOP SIGNS @ INTERSECTION OF LEISUREWOODS DRIVE & DUNLIN AND LEISUREWOODS DRIVE @ INTERSECTION OF WILLET

A motion was made by Commissioner Ford, seconded by Judge Etheredge to call for public hearing to be held June 24, 1991 at 9:00 o'clock A.M. for establishment of traffic regulations on Leisurewoods Drive - Stop sign @ intersection of Leisurewoods Dr. & Dunlin and at intersection of Leisurewoods Dr. & Willet. All voting "Aye".

10797 COUNTY JUDGE'S OFFICE - BUDGET AMENDMENT

Judge Eddy Etheredge spoke of need for a budget amendment: Office Supplies \$1,267.00 and Postage \$350.00 - suggested that funds come out of General Misc Fund #443-5893 Home Health Care line item. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of the County Judge by transferring \$1,617.00 out of Home Health Care Line Item (#443-5893) into County Judge Office Supplies = \$1,267.00 and Postage = \$350.00. All voting "Aye".

10798 APPROVE INCREASE IN SELLING PRICE OF AMDRO

Assistant County Auditor Paula Pond spoke of current charge for Amdro is \$4.50 (includes tax), however, this amount is no longer sufficient to purchase the Amdro and pay the sales tax - requested increasing charge for Amdro to \$4.75 per bag (includes the 8.5% sales tax). A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to approve increase in selling price of AMDRO to \$4.75 per bag to become effective immediately. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy & Judge Etheredge voting "Aye". Commissioner Ford voting "No".

10799 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of County invoices in the amount of \$52,439.84 as presented by the County Auditor. All voting "Aye".

|                   |             |                 |              |
|-------------------|-------------|-----------------|--------------|
| Fines Overpymnt   | \$ 10.00    | Auditor         | \$ 743.71    |
| Treasurer         | \$ 20.33    | Extension Ofc.  | \$ 355.16    |
| Juvenile Prob     | \$ 64.55    | Indigent Care   | \$ 103.00    |
| Bldg. Maint.      | \$ 160.62   | Health Dept.    | \$ 1,075.34  |
| Countywide Misc.  | \$ 4,663.94 | Tax A/C         | \$ 77.50     |
| District Clerk    | \$ 31.15    | County Clerk    | \$ 3,303.29  |
| Sheriff's Dept.   | \$ 1,552.28 | Jail Operations | \$ 10,803.50 |
| County Judge      | \$ 13.00    | Admin. Coord.   | \$ 243.45    |
| Co Crt @ Law 1    | \$ 15.00    | Dist. Attorney  | \$ 321.00    |
| J.P. 2            | \$ 350.00   | J. P. 3         | \$ 600.00    |
| J.P. 4            | \$ 250.00   | J. P. 5         | \$ 100.00    |
| D.P.S.            | \$ 500.00   | Constable 1     | \$ 17.00     |
| Constable 2       | \$ 159.00   | Constable 5     | \$ 6.28      |
| Veterans Admin    | \$ 35.85    | Data Proc Admin | \$ 2,535.66  |
| CJD Resid Grant   | \$ 245.00   | TDH TB Grant    | \$ 23.00     |
| Dist Court Oper   | \$ 2,854.82 | Co Court Oper   | \$ 5,847.00  |
| Road & Bridge Gen | \$ 460.85   | Precinct 1      | \$ 905.98    |
| Precinct 2        | \$ 3,192.76 | Precinct 3      | \$ 1,629.20  |
| Precinct 4        | \$ 2,778.95 | Hot Check Fee   | \$ 246.00    |
| Law Library Fund  | \$ 45.00    | Jail Constructn | \$ 708.62    |
| Public Works      | \$ 450.00   | Adult Prob Oper | \$ 2,771.79  |
| Adult Prob Fac    | \$ 1,999.27 | Animal Control  | \$ 170.99    |

Court was recessed until June 10, 1991 at 9:00 o'clock A.M.

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF July, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 10TH DAY OF JUNE , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10799 AUTHORIZE ADVERTISING FOR BIDS FOR UPGRADING BLANCO RIVER CROSSING AT COUNTY ROAD 179

Commissioner Craig Payne spoke of need to upgrade the Blanco River Crossing at County Road 179 - estimated cost of project to be approximately \$10,000 - would like to use Public Works Funds - he will assist Auditor's office in drawing up the specifications. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize advertising for bids for upgrading the Blanco River Crossing at County Road 179. All voting "Aye".

10800 AUTHORIZE ADVERTISING FOR BIDS FOR HOT MIX JOB ON COUNTY ROAD 220

Commissioner Craig Payne spoke of having taken a traffic count on Co Rd 220 - count shows this roadway to be a high traffic area (off Blanco Hwy/Woodcreek North). A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize advertising for bids for hot mix job on County Road 220. All voting "Aye".

10801 ADOPT RESOLUTION TO ENTER INTO TEXAS TRAFFIC SAFETY PROGRAM INTERLOCAL AGREEMENT WITH STATE ADVISORY COMMISSION ON STATE EMERGENCY COMMUNICATIONS FOR A GRANT OF \$3,066.66 FOR EMS/ADDRESSING PROJECT

Patsy Greiner, Admin. Coord., spoke of grant that is available (Local EMS Project). A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to enter into a Texas Traffic Safety Program Interlocal Agreement through the Advisory Commission on State Emergency Communications. Commissioner Rodriguez, Judge Etheredge, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford voting "No". (see interlocal agreement in resolution file)

Action Plan: Objective is to complete an addressing system within the county who will implement 9-1-1 emergency number service in 1991

TASK: To establish addressing standards - Activity: Provide Addressing Handbook, Provide sample standards, Conduct 2 public meetings, Conduct addressing workshop

TASK: Determine and report number of road miles to be addressed/completed Activity: Identify base map needs, obtain SDHPT District office participation, locate map sources and acquire necessary maps.

TASK: Verify and document address assignment. Activity: Identify unincorporated area to address, identify residents and property from Post Office/Utility Lists, assign addresses, verify addresses with post office and residents.

TASK: Deliver addressing information to local governments and emergency services. Activity: Complete address ranges for Master Street Address Guides by critical dates for telephone companies prior to 9-1-1 service start date and disseminate maps to local emergency services.



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TASK: Determine number of EMS calls and the proportion of EMS motor vehicle incidents. Activity: Determine number of emergency calls received in target county prior to new addressing, determine number of EMS calls in target county prior to new addr., determine number of EMS calls to motor vehicle incidents prior to new addressing, determine number of emergency calls received in target county after addressing is completed, determine number of EMS calls in target county after addressing is completed and determine number of EMS calls to motor vehicle incidents after addressing is completed.

TASK: Reduce emergency service response time. Activity: Identify target county currently participating in TEXEMS system prior to new addressing and assist EMS providers in target county not participating in TEXEMS in obtaining information regarding TEXEMS.

10802 APPOINT ANN DUPONT TO HAYS COUNTY HISTORICAL COMMISSION

A motion was made by Judge Etheredge and seconded by Commissioner Rodriguez to appoint Ann Dupont to the Hays County Historical Commission. All voting "Aye".

10803 APPOINT FLORENCE DODINGTON TO THE CLAIBORNE KYLE LOG HOUSE COMMISSION

A motion was made by Judge Etheredge and seconded by Commissioner Ford to appoint Florence Dodington to the Claiborne Kyle Log House Commission. All voting "Aye".

DISCUSSION - INTERLOCAL AGREEMENT WITH T.A.C. FOR REGISTRATION OF VEHICLE MAINTENANCE SHOPS AND PRECINCT BARNs UNDER THE FEDERAL CLEAN WATER ACT

County Judge Eddy Etheredge spoke of memorandum received from the Texas Association of Counties - they are sponsoring a program to assist Texas counties with the registration of their vehicle maintenance shops and precinct barns (facilities) under the Federal Clean Water Act (STORM WATER DISCHARGE PERMITS) - the fee for processing of the group application shall be \$500 per site facility - this fee will cover all legal and engineering costs for Part I of the application - fees for Part II will be determined through negotiations with a registered public engineer of the State of Texas (to be divided among the participating counties). Commissioner Craig Payne stated that he needed more time to look over the interlocal agreement. Action was postponed this date.

10804 ADOPT RESOLUTION SUPPORTING THE BURKE FOUNDATION APPLICATION TO THE RESOLUTION TRUST CORPORATION

County Judge Eddy Etheredge spoke of properties that are being made available to governmental entities and nonprofit organizations by the Resolution Trust Corp. for public use. Aart Millecam stated that the available property must be on the market 6 months - no particular property is being considered at this time. A motion was made by Judge Etheredge, seconded by Commissioner Ford to adopt resolution supporting the Burke Foundation application to the Resolution Trust Corporation. All voting "Aye".

RESOLUTION

STATE OF TEXAS  
COUNTY OF HAYS

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, SUPPORTING THE APPLICATION OF THE BURKE FOUNDATION TO THE RESOLUTION TRUST CORPORATION

WHEREAS, the Burke Foundation has been in continuous operation since August 1973 when the Charter was granted; and

WHEREAS, the Burke Foundation has continued to grow over the years by adding needed services; and

\*\*\*\*\*

WHEREAS, the Burke Foundation at the present time operates the following programs: The Darden Hill Ranch School, the Allen House, The Burke Home, The Pathfinders Wilderness Camp, and a series of foster homes which provide a bridge between successful completion of treatment and a total re-integration into the community; and

WHEREAS, the Resolution Trust Corporation is providing Available Properties for Public Use;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

Hays County fully supports the Burke Foundation application to the Resolution Trust Corporation for consideration in awarding Available Properties for Public Use.

RESOLUTION PASSED AND ADOPTED ON THIS 10TH DAY OF JUNE, 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

s/ Pete Rodriguez  
Pete Rodriguez, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

10805 APPROVE REPAIRS TO HEALTH DEPT. PICKUP OUT OF SELF INSURANCE FUND

Assistant County Auditor Paula Pond presented cost estimates for repairs to the Health Depart. pickup (1985 Ford w/51,000+ miles):

|                          |             |
|--------------------------|-------------|
| The Paint Shop           | \$ 2,788.59 |
| Red Simon Ford Body Shop | \$ 2,193.61 |
| Kartek Auto Body         | \$ 2,682.55 |

A motion was made by Commissioner Wayne Ford and seconded by Commissioner Oran Rippy to approve repairs to the Health Dept. pickup out of the self insurance fund in the amount of \$2,193.61. All voting "Aye".

10806 AMEND BUDGET OF JUSTICE OF THE PEACE PCT. #2

J.P. #2 line adjustments requested:

|                                    |            |
|------------------------------------|------------|
| Decrease Office Supplies line item | = \$543.00 |
| Increase Postage line item         | = \$125.00 |
| Misc. line item                    | = \$200.00 |
| Prior Year Refund                  | = \$ 48.00 |
| Telephone line item                | = \$170.00 |
|                                    | =====      |
|                                    | \$543.00   |

A motion was made by Commissioner Wayne Ford and seconded by Commissioner Oran Rippy to approve budget amendment/line item adjustment for Justice of the Peace Pct. #2 as presented by the County Auditor's office. All voting "Aye".

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10807 APPROVE BUDGET AMENDMENTS FOR HAYS COUNTY CIVIC CENTER

Paula Pond, Assistant County Auditor, presented requested budget amendments for the Civic Center:

| <u>Line Item</u>             | <u>Increase</u> | <u>Decrease</u> |
|------------------------------|-----------------|-----------------|
| Veh Mtc. & Rep               | \$ 666.00       |                 |
| Misc. Supp                   | \$ 1,133.00     |                 |
| Contr Bldg. Mtc.&Rep         | \$ 458.00       |                 |
| *Countywide Misc./Insurance* |                 | \$ 2,257.00     |
| Staff Salaries               |                 | \$ 1,035.00     |
| FICA/Medicare                |                 | \$ 200.00       |
| Retirement                   |                 | \$ 75.00        |
| Misc. Supp                   | \$ 2,620.00     |                 |
| Contr Bldg. Mtc. & Rep       | \$ 1,000.00     |                 |
| Misc. Contr Maint.           |                 | \$ 2,000.00     |
| Telephone                    |                 | \$ 310.00       |
|                              | =====           | =====           |
|                              | \$ 5877.00      | \$ 5877.00      |

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve budget amendments for the Civic Center as presented by the County Auditor. All voting "Aye".

10808 SHERIFF'S DEPARTMENT RADIOS - BIDS REJECTED AND AUTHORIZATION TO REBID

Cindy Simon, Purchasing Clerk, spoke of letters she received by FAX from DPS and Uniden (letters were not filed with the County Clerk). Sheriff Paul Hastings spoke of the Motorola Spectra - spoke of conversation he had with Harold Robinson of Dripping Springs who works for the DPS as a radio technician (different brands of radios cannot communicate with each other when using encryption system) - the Spectra is the only radio bid that is compatible with the existing radios and console - it will cost approx. \$16,000 to bring all radios on line (drug funds will be use to upgrade the equipment). Judge Etheredge spoke of sole source radios and encryption not working between different brands of radios. Bob Taylor, CTI Commun., spoke of Midland Syntech radio has capabilities to communicate with the Motorola units. Commissioner Craig Payne stated that he is opposed to sole source - circumvents the bidding process and costs the county more money than necessary. Discussion was had concerning bids meeting specs. A motion was made by Commissioner Payne to award the contract for Sheriff's radios to Constant Communications - motion died for lack of a second. A motion was made by Commissioner Ford to award contract to Motorola for Sheriff's radios - motion died for lack of a second. Commissioner Rippy spoke of opinion of Harold Robinson. Discussion was had on new specs. A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to reject all bids for Sheriff's Dept. radios and to rebid. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye", Commissioner Ford voting "No".

10809 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$91,390.82 as presented by the County Auditor. All voting "Aye".

|                  |              |                 |              |
|------------------|--------------|-----------------|--------------|
| Auditor          | \$ 165.60    | Treasurer       | \$ 67.73     |
| Extension Ofc.   | \$ 145.43    | Juvenile Prob   | \$ 346.70    |
| Election Admin.  | \$ 122.78    | Indigent Care   | \$ 6,441.14  |
| Transfer Station | \$ 34.66     | Bldg. Maint.    | \$ 4,457.11  |
| Health Dept.     | \$ 495.99    | Civic Center    | \$ 1,995.08  |
| Countywide Misc. | \$ 10,690.25 | Tax A/C         | \$ 388.60    |
| District Clerk   | \$ 164.95    | County Clerk    | \$ 716.86    |
| Sheriff          | \$ 1,339.81  | Jail Operations | \$ 15,975.26 |
| County Judge     | \$ 442.97    | Admin. Coord.   | \$ 102.84    |
| Co Crt @ Law 1   | \$ 82.04     | Dist. Attorney  | \$ 630.92    |

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|                   |              |                   |             |
|-------------------|--------------|-------------------|-------------|
| J.P. 1-1          | \$ 53.75     | J.P. 1-2          | \$ 196.51   |
| J.P. 2            | \$ 100.23    | J.P. 3            | \$ 38.55    |
| DPS               | \$ 1,210.39  | Constable 1       | \$ 80.06    |
| Constable 2       | \$ 1,024.97  | Constable 5       | \$ 220.69   |
| Veterans Admin.   | \$ 29.07     | Data Proc Adm     | \$ 109.08   |
| Co Crt @ Law 2    | \$ 35.88     | TDH TB Grant      | \$ 143.31   |
| Foster Child Care | \$ 12,240.00 | TDH M&C Care Grnt | \$ 27.30    |
| Fire Marshal/EMC  | \$ 47.14     | TABC              | \$ 72.21    |
| Dist Court Oper   | \$ 173.01    | Co Court Oper     | \$ 660.00   |
| Dist Court Rep    | \$ 49.88     | R&B Gen           | \$ 115.20   |
| Precinct 1        | \$ 4,480.09  | Precinct 2        | \$ 1,970.43 |
| Precinct 3        | \$ 6,207.10  | Precinct 4        | \$ 7,001.70 |
| Hot Check Fee     | \$ 153.50    | Law Library Fund  | \$ 552.70   |
| Adult Prob Oper   | \$ 9,124.45  | Adult Prob Fac    | \$ 334.40   |
| Animal Control    | \$ 132.50    |                   |             |

10810 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR PROPOSALS FOR ENERGY MANAGEMENT SYSTEM

County Judge Eddy Etheredge spoke of need to comply by going out for proposals for an Energy management System - high tech device - need professional service agreement on maintenance and repair. A motion was made by Judge Etheredge and seconded by Commissioner Payne to authorize the County Auditor to advertise for proposals for energy mamangement system for Hays County. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye" and Commissioner Ford voting "No".

10811 SYPHRETT ESTATES SUBDIVISION (PCT. 4) - 1ST,2ND,3RD READINGS

Patsy Greiner, Admin. Coord., stated that application was filed and required signatures were obtained - 50 ft. R.O.W. on Co Rd 193 - dedicating additional 10 ft per lot - Terry Ewald approves of subdivision. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept "Syphrett Estates" subdivision on first, second and third readings. All voting "Aye".

10812 VILLAGE WEST SUBD - CHANGE STREET NAME FROM A.M. MOELLERING DRIVE TO VILLAGE WEST DRIVE

Patsy Greiner, Admin. Coord., spoke of request from residents in Village West Subd. to change the street name from A.M. Moellering Drive (named after the Surveyor) to Village West Drive. A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to approve changing street name in Village West subdivision from A.M. Moellering Drive to Village West Drive. All voting "Aye". (This action was also taken on April 2, 1990 Resolution #10176 N/341)

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF July, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS

STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 17TH DAY OF JUNE, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10813 APPOINT CHARLES DAILEY OF BUDA TO HAYS COUNTY HISTORICAL COMMISSION

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve appointment of Charles Dailey of Buda to the Hays County Historical Commission. All voting "Aye".

10814 APPROVE INTERLOCAL AGREEMENT WITH TEXAS ASSOCIATION OF COUNTIES FOR REGISTRATION OF VEHICLE MAINTENANCE SHOPS AND PRECINCT BARNS UNDER THE FEDERAL CLEAN WATER ACT

Commissioner Craig Payne spoke of proposed interlocal agreement - did not feel like he had enough information. Judge Eddy Etheredge spoke of EPA compliance (Storm Water Discharge permits) and need to go with whatever will save the County money. Commissioner Wayne Ford stated that he was unsure as to the savings. Discussion was had on costs involved - joining the group would allow T.A.C. Project Engineer to check the facilities and advise what changes are needed to comply. A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to approve interlocal agreement with the Texas Association of Counties for registration of vehicle maintenance shops and precinct barns under the Federal Clean Water Act. All voting "Aye".

10815 CONSTITUTIONAL AMENDMENT ELECTION (AUGUST 10, 1991) APPROVE ELECTION JUDGES, APPROVE NUMBER OF CLERKS TO BE HIRED AND APPROVE CONSOLIDATION OF POLLING PLACES

Joyce Cowan, Election Administrator, spoke of the upcoming August 10, 1991 Constitutional Amendment Election - would like to consolidate the polling places to cut down election costs - proposes the following:

Table with 2 columns: Pct.# and Polling Place. Lists precincts (e.g., 13 & 10, 11,12, & 14) and their corresponding polling locations (e.g., County Extension Meeting Room, Dunbar Center, Westover Baptist Church).

\*\*\*\*\*  
JUDGES

|    |   |  |
|----|---|--|
| 13 | Rose Brooks<br>308 Magnolia St.<br>San Marcos, TX           | Elias F. Salinas<br>Rt. 1 Box 10<br>San Marcos, TX             |
| 11 | Nell Burleson<br>205 S. Johnson<br>San Marcos, TX           | Rosemary Suniga<br>1038 Field St.<br>San Marcos, TX            |
| 16 | Johnnie Armstead<br>1421 W. Hopkins<br>San Marcos, TX       | Carol Kutscher<br>Rt. 1 Box 151AA<br>San Marcos, TX            |
| 20 | Margie Villalpando<br>1210 N. Barbara Dr.<br>San Marcos, TX | Mary Ann Till<br>Rt. 2 Box 354-a<br>San Marcos, TX             |
| 23 | Ethelene Dunham<br>P. O. Box 595<br>Kyle, TX                | Connie Camacho<br>P. O. Box 501<br>Kyle, TX                    |
| 24 | Lois J. Franklin<br>P. O. Box 1167<br>Buda, TX              | Jane Kirkham<br>307 Touhee<br>Buda, TX                         |
| 29 | Robert Ronson<br>Rt. 1 Box 126 F<br>Uhland, TX              | Tim R. Sorrells<br>Rt. 1 Box 91 X<br>Uhland, TX                |
| 30 | Ofelia Vasquez<br>410 Burleson<br>San Marcos, TX            | Deanna Badget<br>Blanco Star Rt CE-59<br>San Marcos, TX        |
| 34 | Aart Millecam<br>P. O. box 515<br>San Marcos, TX            | Harvey Mathews<br>1922 Ramona Cir.<br>San Marcos, TX           |
| 37 | Mary Joe Roddie<br>Rt. 5 Box 726<br>Wimberley, TX           | Leland F. Cadenhead<br>133 Champions<br>Wimberley, TX          |
| 40 | Jesse Halm<br>HC 01 Box 60<br>Henly, TX                     | Ellis Linsey<br>HC 01 Box 76 A<br>Henly, TX                    |
| 44 | Estelia Lerma<br>179 Allenwood Hms.<br>San Marcos, TX       | Joyce L. Glore<br>1631 Aquarena Sprgs Dr#408<br>San Marcos, TX |
| 42 | Judy Templeton<br>P. O. Box 44<br>Driftwood, TX             | Connie Rogers<br>1079 Rolling Oaks Dr.<br>Driftwood, TX        |
| 43 | Jo Overton<br>Star Rt. A Box 999<br>Austin, TX              | John M. Bryant<br>Rt 27 Box 420<br>Austin, TX                  |
| 46 | Mary Compton<br>411 N. Lamar<br>San Marcos, TX              | Albert H. Cobb<br>329 B Post Rd<br>San Marcos, TX              |
| 49 | Sybil Floyd<br>P. O. Box 438<br>Dripping Springs, TX        | Richard Boltz<br>139 Springlake<br>Dripping Springs, TX        |

COUNTING STATION - Bob McJohnson, Counting Station Manager  
 Mark D. Lambdin, Tabulation Supervisor  
 Janis Womack, Presiding Judge

ABSENTEE BALLOT BOARD - George Boerman, Presiding Judge  
 Delia Lucio, Alternate Judge  
 Vannis Mathews, Worker  
 Doris Moloney, Worker

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve consolidation of polling places, appointment of Judges and to set the number of Clerks per polling place at 4 for the August 10th Constitutional Amendment Election. All voting "Aye".

10816 DENY FUNDING FOR INDIGENT HEALTH CARE APPLICANT

Eva Cruz, Indigent Health Care Administrator, spoke of Brackenridge Hospital bill of \$51,991 for an indigent patient - Hays County's obligation is \$30,000 - the patient has failed to provide SSI denial - Hospital stated that they could provide proof of SSI denial. Judge Eddy Etheredge spoke of rules that need to be met. District Attorney Marcos Hernandez stated that the County is not obligated because policy was not followed. Commissioner Rippy voiced his concern that if we don't pay the bill that Brackenridge Hospital may deny health care to other Hays County residents. A motion was made by Judge Etheredge, seconded by Commissioner Payne to deny funding for indigent health care applicant. All voting "Aye".

10817 APPROVE MINUTES OF MAY 1991

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve the Minutes of May 1991 as presented by the County Clerk. All voting "Aye".

10818 APPROVE PAYMENT OF COUNTY INVOICES AND DISCUSSION OF ANIMAL CONTROL FEES

Commissioner Craig Payne questioned Animal Control Dept. \$1,000 shelter service payment to P.A.W.S. - spoke of ordinance setting out fees per animal. Sheriff Paul Hastings spoke of 3 day policy to hold animals - the San Marcos Animal Shelter has allowed County to leave animals in their facility, however, they were euthanizing animals before this 3 day period - P.A.W.S. fees were too expensive, therefore, he had worked out a deal with P.A.W.S. for \$1,000 per month they would take as many animals as necessary - currently impounding 150-200 dogs per month. Commissioner Payne stated that he would like proof that in-fact that many animals are being picked up. Judge Etheredge stated that he felt we were in compliance with the contract. Commissioner Wayne Ford spoke of contract with P.A.W.S. and of the animals that are being put down by the San Marcos Animal Shelter - no statutes are being violated. District Attorney Marcos Hernandez spoke of contract - we are paying less than the policy fees set - County does need to enter into a contract with P.A.W.S. in writing with Court approval. Commissioner Ford stated that the Ordinance itself does not address fees charged to the county for impoundment, only those fee charged to the individual pet owners - the Sheriff has authority to run the Animal Control Dept. and to authorize expenditure of funds.

A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve payment of county invoices as submitted by the County Auditor in the amount of \$189,115.30. All voting "Aye".

|                   |              |                  |             |
|-------------------|--------------|------------------|-------------|
| Permit fees       | \$ 300.00    | Auditor          | \$ 1,019.40 |
| Extension Ofc.    | \$ 17.95     | Juvenile Prob    | \$ 1,256.95 |
| Indigent Care     | \$ 1,810.73  | Transfer Station | \$ 5,383.02 |
| Bldg. Maint.      | \$ 4,033.50  | Civic Center     | \$ 516.79   |
| Countywide Misc.  | \$130,889.48 | District Clerk   | \$ 426.32   |
| County Clerk      | \$ 329.12    | Sheriff          | \$ 1,240.33 |
| Jail Operations   | \$ 25,166.35 | County Judge     | \$ 143.15   |
| Admin. Coord.     | \$ 33.61     | District Atty    | \$ 48.00    |
| J.P. 1-2          | \$ 43.38     | J.P. 4           | \$ 71.06    |
| J.P. 5            | \$ 100.00    | D.P.S.           | \$ 150.00   |
| Constable 1       | \$ 16.03     | Constable 2      | \$ 143.50   |
| Constable 3       | \$ 118.75    | Constable 5      | \$ 22.82    |
| Veterans Admin    | \$ 52.45     | TDH TB Grant     | \$ 150.00   |
| TDH M&C Care Grnt | \$ 800.00    | Fire Marshal/EMC | \$ 24.12    |
| *Gen Fund Credit  | \$ 540.44*** | Co Court Oper    | \$ 3,323.45 |
| R & B General     | \$ 18.62     | Precinct 1       | \$ 1,087.66 |
| Precinct 2        | \$ 2,042.87  | Precinct 3       | \$ 1,385.31 |
| Precinct 4        | \$ 5,241.71  | Springlake Rd    | \$ 366.68   |
| Pioneer Rd Dist.  | \$ 27.27     | Adult Prob Oper  | \$ 734.91   |
| Adult Prob Fac    | \$ 61.50     | Animal Control   | \$ 1,058.95 |

10819 POSTPONE AWARING CONTRACT ON ROAD MATERIALS

Cindy Simon, Purchasing Clerk, presented tabulations for road materials - bidders were as follows:

- Flexible Base (Item #236) - Pioneer Concrete of Texas
- Flexible Base/Crushed Stone - Colorado Materials, Centex Materials & Pioneer Concrete of Texas
- Bank Run Gravel - Pioneer Concrete of Texas
- Agreegate for Surface Treatment - Colorado Materials, Centex Materials & Pioneer Concrete of Texas
- Asphalt, Oils & Emulsions - Koch Materials, Pool & Rogers Paving and Elf Asphalt
- Hot Mix-Cold Lay - Colorado Materials and Pool & Rogers Paving
- Hot Mix-Hot Lay - Colorado Materials and Pioneer Concrete of Texas
- Concrete for Structures - Hays County Gravel, Ingram Readymix & Pioneer Concrete

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to postpone awarding contract on road building materials for further study. All voting "Aye".

10820 APPROVE PURCHASE OF CAGES FOR SHERIFF'S DEPT.

Cindy Simon, Purchasing Clerk, stated that the company with the best price quotes has gone out of business (\$120 per cage) and the best quote now is \$289 each which is an additional \$169 X 10 vehicles = \$1,690.00. A motion was made by Commissioner Wayne Ford and seconded by Commissioner Oran Rippy to approve purchase of cages for the Sheriff's Department vehicles as proposed. Commissioner Rodriguez, Commissioner Ford, Judge Etheredge and Commissioner Rippy voting "Aye", and Commissioner Payne voting "No".

10821 AMEND BUDGET OF COUNTY TREASURER'S OFFICE

County Treasurer Dottie Sims requested budget amendment as follows:

| <u>Line Item</u>         | <u>Increase</u> | <u>Decrease</u> |
|--------------------------|-----------------|-----------------|
| 402-5211 Office Supplies |                 | \$ 950.00       |
| 402-5212 Postage         | \$ 860.00       |                 |
| 402-5411 Ofc Equip Maint | \$ 300.00       |                 |
| 402-5421 Data Proc Maint |                 | \$2,700.00      |
| 402-5461 Printing        | \$2,865.00      |                 |
| 402-5489 Telephone       | \$ 50.00        |                 |
| Countywide Misc.         |                 |                 |
| 414-5340 Insurance       |                 | \$ 425.00       |
|                          | =====           | =====           |
|                          | \$4,075.00      | \$4,075.00      |

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve budget amendment for County Treasurer as requested in the amount of \$4,075.00. All voting "Aye".

REDISTRICTING - EMORY & YOUNG PRESENTATION

Bill Emory presented report of 1990 population of current Commissioner and Justice of the Peace/Constable Precincts - Legislative Council precinct lines are totally different from the present configuration - need to redistrict by total population - ideal district size is 16,101 - Commissioners Pct. variance from ideal: Pct. 1 is under 3,868 Pct. 2 is over 5,311 Pct. 3 is under 2,444 Pct. 4 is over 1,001 - JP/Constable Pcts. total population: Pct. 1 = 35,531 Pct. 2 = 7,804 Pct. 3 = 5,914 Pct. 4 = 8,012 Pct. 5 = 8,353 - spoke of Judicial Districts in the voting process - spoke of Senate lines - will provide a printout by election precincts at the next meeting - would like to meet with individual Commissioners for input - discussed census maps - stated that its essential to get with CAPCO to get the census block maps - the Mexican American Legal Defense Fund and the NAACP will receive notices.



10822 KYLE VFD ADDITION, LOT 1 - 1ST,2ND,3RD READINGS

Plat is for the Kyle Volunteer Fire Department - address will be 100 CR 127 - no new roads involved - Terry Ewald approves. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to approve "Kyle VFD Addition, Lot 1" subdivision on first, second and third readings. All voting "Aye".

10823 HARNER ESTATES SUBDIVISION (LOTS 1-5) - 1ST,2ND,3RD READINGS

A five lot subdivision off Bell Springs Road - City of Dripping Springs approval is needed - Terry Ewald Approves - addresses for lots will be as follows: Lot 1 - 4815 Bell Springs Road, Lot 2 - 201 Hart Lane, Lot 3 - 211 Hart Lane, Lot 4 - 215 Hart Lane, Lot 5 - 305 Hart Lane. Curtis Wilson appeared before the Court - the City of Dripping Springs will meet this date to consider approval. A motion was made by Commissioner Ripy, seconded by Commissioner Ford to approve "Harner Estates" subdivision on first, second and third readings contingent on approval by the City of Dripping Springs. All voting "Aye".

10824 ODELL SUBDIVISION (LOT 1)

Vacation of a one lot subdivision located on FM 967 west of Buda - lots never sold and owner wishes to vacate it for tax purposes. It was stated that the City of Buda has not been contacted by the owner - approval by the City of Buda is necessary prior to consideration by the Commissioners' Court. A motion was made by Judge Etheredge and seconded by Commissioner Payne to table vacation of the Odell Subdivision until approval by City of Buda. All voting "Aye".

WORKSHOP - RADIOS FOR THE SHERIFF'S DEPARTMENT

Judge Eddy Etheredge stated that the purpose of this workshop is to make the Court clear on the radios needed for the Sheriff's Dept. Sheriff Paul Hastings stated that in 1989 when he became Sheriff there were no radios or vehicles ordered - the vehicles at that time had in excess of 200,000 miles on them - spoke of budget for repairs to the vehicles - he purchased 7 used radios from DPS - last year the Court authorized purchase of 10 new vehicles and 7 new radios (3 more were purchased with drug money) - he is trying to standardize the radios in his department - 13 of the radios presently being used in patrol cars are over 20 years old - there are a total of 40 radios in vehicles and there are no extra radios (spares) - 25 hand-held radios were bought out of drug funds - encryption will be used for only specified situations and not on a totally regular basis - request is for 10 more encryption capable radios for the patrol & CID units - spoke of shotguns being standardized also for easy accessibility in emergency situations. Judge Etheredge spoke of GE & Midland encryption radios that cannot communicate with Motorola radios - need to go with the same brand. Sheriff Hastings spoke of need to incorporate encryption to their console radio & tower - encryption boards will be purchased from drug funds - City of San Marcos & DPS have Motorola radios. Cindy Simon, Purchasing Clerk, spoke of sole source - we need a radio that will communicate with other units and with the base station - can get on the State/DPS/GHS contract for reduced prices. Judge Etheredge spoke of budgeting for radios and allowing the Sheriff to purchase them - opposed to purchasing equipment on credit - suggested that we get away from financing equipment.

Court recess until 9:00 A.M. June 24, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF July, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 24TH DAY OF JUNE, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
LINDA C. FRITSCH DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10825 APPROVE SET FEE FOR USE OF CIVIC CENTER FOR CHILYMPIAD

Bert Reinke, Chilympiad Chairman, appeared before the Court - spoke of 22nd Annual Chilympiad - fee obtained from Civic Center Manager for use of the Civic Center for this event was \$7,100 - request that the Court accept a fee of \$6,000 for this year. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve set fee of \$6,000.00 for Chilympiad use of the Hays County Civic Center for 1991. All voting "Aye".

10826 APPROVE USE OF COURTHOUSE LAWN FOR "SING OUT FOR PEACE" TO BE HELD AUGUST 2, 1991 AT 6:00 P.M.

Robin Wood appeared requesting authority to use the courthouse lawn for their annual "Sing out for Peace" rally to be held August 2, 1991 from 6:30 - 11:00 P.M. - they are expecting approximately 100-150 people. A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to approve use of the Courthouse lawn for the "Sing Out For Peace" rally to be held August 2, 1991. All voting "Aye".

10827 APPROVE APPOINTMENTS TO THE HAYS COUNTY HISTORICAL COMMISSION

A letter was submitted by HCHC Chairman Lila Stillson to the Court requesting appointment of Steve Whiston (Buda), Katherine Cannon (Dripping Springs), Fern Howze (Niederwald) and David Bruner (San Marcos) - advised that Scott Burton (San Marcos) and Terre Jacob (Wimberley) have resigned. A motion was made by Commissioner Ford and seconded by Commissioner Rippy to approve appointment of Steve Whiston, Katherine Cannon, Fern Howze and David Bruner to the Hays County Historical Commission. All voting "Aye".

10828 KYLE COMMUNITY LIBRARY COMMITMENT OF FUNDS

Nancy Plegar, Vice President of the Kyle Community Library, appeared before the Court - the Library is in jeopardy of losing its membership in the Central Texas Library System which would result in losing nearly \$17,000 annually in services and books - the Library depends upon monies from the City of Kyle, Hays County and donations - the primary source of funding is donations and fund raisers which have dramatically decreased this year - must spend \$32,128 for FY91 to remain a member in CTLS - needs \$7,939.25 to complete this fiscal year - \$3,000 has been received from a private donor and \$377 from the Book Fair leaving a balance of \$4,562 needed - spoke of thrift shop revenues - biggest shortfall is in salaries - City of Kyle helps to pay utilities - request for additional funds from the City of Kyle and Hays County. Judge Etheredge supports funding if Kyle will also assist - Court must consider other libraries in the County. A motion was made by Commissioner Ford, seconded by Commissioner Payne to commit Hays County to match funds with the City of Kyle for the Kyle Community Library not to exceed \$2,500.00. All voting "Aye".

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10829 APPROVE PRISONER CUSTODY AGREEMENT WITH TDCJ PARDONS & PAROLES DIVISION

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the Prisoner Custody Agreement with the Texas Department of Criminal Justice Pardons and Paroles Division. All voting "Aye".

PRISONER CUSTODY AGREEMENT

This Prisoner Custody Agreement (this "Agreement") is entered into as of June 24, 1991, by and between the Commissioners Court of Hays County ("County") and the Texas Department of Criminal Justice, Pardons and Paroles Division.

RECITALS

WHEREAS, the Texas Department of Criminal Justice, Pardons and Paroles Division ("TDCJ PPD") has an agreement with a private organization to operate an intermediate sanction facility ("Facility") as a correctional center for certain persons described herein who are under the jurisdiction of TDCJ PPD and in the custody of County authorities, and who have violated the terms and/or conditions of their parole;

WHEREAS, TDCJ PPD and the County desire to enter into this Agreement to which the State of Texas will assume responsibility for the physical custody and care of certain prisoners previously incarcerated by County pursuant to the County's authority to detain prisoners in a detention facility operated by a private organization under Local Government Code Section 351.101;

1. Assumption of Custody. In accordance with and subject to the terms of this Agreement, Texas Department of Criminal Justice, Pardons and Paroles Division shall assume physical custody, care and control of certain Blue Warrant Prisoners (as hereinafter defined) with constructive custody maintained by the County. Except as otherwise set forth herein, the Texas Department of Criminal Justice, Pardons and Paroles Division shall bear all expenses associated with such physical custody, care and control of Blue Warrant Prisoners.

2. Eligibility Requirements. Prisoners eligible for transfer to the Facility shall be limited to technical parole violators incarcerated by County who are under the jurisdictions of TDCJ PD by virtue of having had issued against them a Blue Warrant, which shall remain in effect, and who (a) have violated their parole, (b) are in reasonably good health, with no current and/or existing medical problem that could cause hospitalization, and (c) have had a specified time of confinement authorized by TDCJ PPD as a condition of the continuance of their parole. Such persons are referred to herein as "Blue Warrant Prisoners". TDCJ PPD or its designee shall be authorized to refuse to accept for incarceration, or after incarceration shall be authorized to return to the physical custody of the County at County's expense, any prisoner who does not meet the eligibility requirements for incarceration at the Facility as set forth in this paragraph 2.

3. Maximum Prisoners. County may initially transfer prisoners for incarceration at the Facility, beginning on the date specified by notice of which shall be given by the TDCJ PPD to County at least seven (7) days in advance with the maximum number of prisoners to be designated by TDCJ PPD subject to increase or decrease upon ten (10) days notice to the County.

4. Jail Standards. The Facility shall be operated and maintained in accordance with minimum jail standards of Texas Commission on Jail Standards (the "Commission"), including such variances from Jail Standards (the "Commission"), including such variances from Jail Standards as may be approved by the Commission. If the Commission, at any time, determines that the Facility does not meet Jail Standards, either party may terminate this Agreement without penalty, at which time all Blue Warrant Prisoners shall be returned to the physical custody of County.

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5. Transportation. Upon County's request, the TDCJ PPD's designee shall provide, at the TDCJ PPD's or it's designee's expense, transportation of all eligible Blue Warrant Prisoners from a transportation site ("Transportation Site") for the County, to be designated by the TDCJ PPD, to the Facility and back to the Transportation Site.

6. Release of Prisoners. Blue Warrant Prisoners who are to be released from the Facility will be returned to the physical custody of the County at the Transportation Site for release or transfer to the Institutional Division of the Texas Department of Criminal Justice by the County that incarcerated the prisoner.

7. Term. This Agreement is effective as of the date the first above written and shall continue until August 31, 1991, at which it may be extended for additional one year periods upon the mutual agreement of TDCJ PPD and County. Either party may cancel this Agreement upon seven (7) days written notice to the other party, at which time TDCJ PD will return to the physical custody of the County each of its Blue Warrant Prisoners.

8. Notice. All notices required to be given hereunder shall be effective upon receipt by the party to which notice is given. Notice shall be given, if to County, to:

Eddy Etheredge, County Judge  
Room 103, Courthouse  
111 East San Antonio Street  
San Marcos, Texas 78666  
512-392-2521

and if to TDCJ PPD to:

Bob Owens, Division Director  
Texas Department of Criminal Justice  
Pardons and Paroles Division  
P. O. Box 13401, Capitol Station  
Austin, Texas 78701

9. Assignment of Obligations. County acknowledges that it is aware that the TDCJ PPD has contracted with the private organization to provide for the care, physical custody and control of prisoners at the Facility, and hereby consents to TDCJ PPD's assignment to the private organization of all of its obligations hereunder with respect to the physical custody, care and control of County Blue Warrant Prisoners.

10. Termination and Return of Prisoners. In the event that (a) TDCJ PPD's contract with the private organization for the care and physical custody of prisoners at the Facility is terminated for any reason, or (b) TDCJ PPD is for any reason prevented from using the Facility to house Blue Warrant Prisoners, then this Agreement shall terminate immediately and TDCJ PPD or its designee shall return the Blue Warrant Prisoners to the physical custody of the County at the Transportation Site, and County shall accept into its custody any Blue Warrant Prisoners incarcerated at the Facility who were previously incarcerated by County.

Executed as of the date first above written.

10830 AUTHORIZE PAYMENT FOR FENCING RELOCATION TO PROPERTY OWNER ON PLUM CREEK BRIDGE PROJECT (\$1,850)

Commissioner Wayne Ford spoke of joint project between Hays County, City of Umland and Caldwell County (Plum Creek Bridge) - Dan Sorrells has donated property - fence replacement proposals were submitted: Ken Brown (635 ft barbwire w/wood post = \$1,975 w/pipe post = \$2,460) and Sonny Hawkins Fence Bldg & Repair (635 ft barbwire w/wood post = \$1,850 w/pipe post = \$2,250). Commissioner Craig Payne voiced his concern about the high cost of fencing - approx \$3 per foot. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize payment for fencing relocation to Dan Sorrells on Plum Creek Bridge Project in the amount of \$1,850 to be paid out of R-O-W funds. All voting "Aye".

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**10831 ADOPT TRAFFIC REGULATIONS IN LEISUREWOODS SUBDIVISION (PUBLIC HEARING)**

Commissioner Wayne Ford spoke of petitions he had received from residents in Leisurewoods subdivision (petitions not filed with the Clerk) requesting Stop signs at intersection of Leisurewoods Drive & Dunlin Street and intersection of Leisurewoods Drive and Willet Street. A motion was made by Commissioner Ford and seconded by Commissioner Rodriguez to adopt traffic regulations in the Leisurewoods Subdivision, more specifically "Stop" signs at intersection of Leisurewoods Drive & Dunlin Street and on Leisurewoods Drive at its intersection with Willet Street. All voting "Aye".

**10832 AWARD CONTRACT FOR ROAD BUILDING MATERIALS**

Cindy Simon, Purchasing Clerk, spoke of bids submitted. Commissioner Wayne Ford stated that he would like to rebid flexible base, paving stone aggregate and pit run gravel for Precinct #2 - was concerned that no bid was submitted by Centex for pit run gravel - concerned about costs to get this material from Burnet. A motion was made by Commissioner Ford, seconded by Judge Etheredge to reject all bids for flexible base, paving stone aggregate and pit run gravel for Pct. 2 and to authorize rebidding. All voting "Aye". A motion was made by Commissioner Ford, seconded by Judge Etheredge to award contract for the road building materials that were not previously rejected for Pct. #2 to the low bidders. All voting "Aye". A motion was made by Commissioner Rippy, seconded by Commissioner Payne to award contract for road building materials for Pct. #1, Pct. #3 & Pct. #4 to the low bidders with exception to flexible base for Pct. #4 which is to be rebid. All voting "Aye".

**NOTIFICATION OF ADDITIONAL FUNDS DEPOSITED IN THE SHERIFF'S DRUG FORFEITURE ACCOUNT**

Sheriff Paul Hastings advised the Court that on May 23, 1991 in the 207th Judicial District Court of Hays County, in Cause 90-0862, that the Sheriff's Dept. was awarded \$450.00 as its share of forfeited funds - said funds were deposited in the Drug Task Force salary account line item 32-484-5021. This notification is given as per House Bill 65.

**10833 APPROVE PURCHASE OF RADIOS FOR SHERIFF'S DEPARTMENT**

Judge Eddy Etheredge spoke of sole source equipment - 17 radios and the console unit that the Sheriff's Dept. currently has is Motorola equipment - future purchases should be with Motorola equipment in order to receive full benefit from the radios. Sheriff Paul Hastings stated that he will not be requesting additional radios next fiscal year - new radios should have at least a 5 year life. Commissioner Craig Payne stated that he is not for sole source equipment. A motion was made by Judge Etheredge and seconded by Commissioner Ford to approve purchase of Motorola Spectra radios for the Sheriff's Department based on sole source. Commissioner Rodriguez, Commissioner Ford, Judge Etheredge and Commissioner Rippy voting "Aye", and Commissioner Payne voting "No".

**10834 APPROVE SPECIFICATIONS AND AUTHORIZE AUDITOR TO ADVERTISE FOR BIDS FOR A ARTICULATED WHEEL LOADER FOR PCT. 2**

Commissioner Ford spoke of specifications for an articulated wheel loader for Pct. 2 - specs call for bids for new or used. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve specifications and authorize the County Auditor to advertise for bids for an Articulated Wheel Loader for Pct. 2. All voting "Aye".

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 10835 AWARD CONTRACT FOR HAULING

Cindy Simon, Purchasing Clerk, presented bid tabulation for hauling road building materials:

| SAN MARCOS         |       | Carruthers<br>Materials | Mike's<br>Trucking | C.D.Glossen | H&M Constr |
|--------------------|-------|-------------------------|--------------------|-------------|------------|
| 4-G Materials      |       |                         | .14                |             | .15        |
| Colorado Materials |       |                         | .17                |             | .195       |
| Rogers Materials   |       |                         | .15 1/2            |             | .21        |
| Centex             |       |                         | .15 1/2            |             | .21        |
| WIMBERLEY          |       |                         |                    |             |            |
| 4-G Materials      | 16.75 |                         | .14                |             | .1425      |
| Colorado Materials | 17.50 |                         | .14                |             | .1425      |
| Rogers Materials   | 16.50 |                         | .14                |             | .155       |
| Centex             | 16.50 |                         | .14                |             | .155       |
| DRIPPING SPRINGS   |       |                         |                    |             |            |
| 4-G Materials      |       |                         | .15 1/2            | .16 1/2     | .18        |
| Colorado Materials |       |                         | .14 1/2            | .20         | .16        |
| Rogers Materials   |       |                         | .15 3/4            | .20         | .18        |
| Centex             |       |                         | .15 3/4            | .20         | .17        |

Low bidder was Mike's Trucking out of Wimberley - stated that she was concerned about Mike Fuch's being self-employed and having only one truck for hauling. Mike Fuchs appeared before the Court - stated that he has one more truck that he could use and he has general liability insurance - felt like that he would be able to handle the county's hauling needs - Pct. 1 & 2 do their own hauling. Commissioner Payne spoke in support of Mike's Trucking - asked about workers comp insurance - Cindy stated that a one-man operation does not require workers comp. If for some reason Mike is not able to handle the county's needs, the Commissioners could use someone else. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to award contract for hauling road building materials to Mike's Trucking for Precinct #3. All voting "Aye". A motion was made by Commissioner Rippy, seconded by Commissioner Ford to award contract for hauling road building materials to Mike's Trucking for Precinct #4. All voting "Aye".

REQUEST PURCHASE OF COPIER FOR THE HEALTH DEPARTMENT

Mary Hughes, Director of Nursing, spoke of Health Department request: Copier = \$4,006 Delivery = \$150 Mtc. Agrmnt = \$612. County Auditor Bill Herzog stated that budget amendment is not ready this date. Cindy Simon, Purchasing Clerk, stated that the maintenance agreement on the old copier has been paid and will be credited to the new copier. No action taken this date.

10836 AMEND BUDGET OF CONSTABLE PCT. #1

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to amend the budget of Constable Pct. #1 by decreasing the office supplies line item \$250 and the office equipment line item \$52 and increasing the vehicle maintenance line item \$302. All voting "Aye".

10837 AMEND BUDGET OF JUSTICE OF THE PEACE PCT. #5

A motion was made by Commissioner Ford, seconded by Commissioner Payne to amend the budget of Justice of the Peace Pct. #5 by decreasing staff salaries line item \$350 and office equipment mtc & rep line item \$75 and increasing misc. line item \$325 and contract labor line item \$100. All voting "Aye".

10838 APPROVE PAYMENT OF COUNTY INVOICES

Commissioner Craig Payne spoke of his concern about various departments purchasing envelopes, letterhead, etc. from places other than Centex. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$106,419.00. All voting "Aye".

|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Fines/Refund     | \$ 42.50     | Auditor           | \$ 57.58     |
| Treasurer        | \$ 7.10      | Extension Ofc.    | \$ 29.10     |
| Juvenile Prob.   | \$ 2,975.00  | Election Admin.   | \$ 1,068.00  |
| Indigent Care    | \$ 6,533.07  | Transfer Station  | \$ 29.58     |
| Bldg. Maint.     | \$ 1,235.14  | Health Dept.      | \$ 47.90     |
| Civic Center     | \$ 211.25    | Countywide Misc   | \$ 10,986.57 |
| Tax A/C          | \$ 459.15    | District Clerk    | \$ 272.99    |
| County Clerk     | \$ 627.70    | Sheriff's Dept.   | \$ 2,444.71  |
| Jail Operations  | \$ 7,789.65  | Admin. Coord.     | \$ 89.28     |
| District Atty.   | \$ 68.23     | J.P. 1-1          | \$ 50.44     |
| J.P. 1-2         | \$ 122.90    | J.P. 3            | \$ 43.67     |
| J.P. 4           | \$ 47.27     | J.P. 5            | \$ 219.78    |
| D.P.S.           | \$ 502.37    | Constable 1       | \$ 237.71    |
| Constable 3      | \$ 34.63     | Constable 5       | \$ 156.96    |
| Data Proc Admin. | \$ 68.87     | Co Crt @ Law 2    | \$ 121.00    |
| CJD Resid Grant  | \$ 2,700.00  | TDH TB Grant      | \$ 64.00     |
| TDH M & C Care   | \$ 688.62    | **Gen Fund Credit | \$ 37.97***  |
| Co Crt Operatins | \$ 473.00    | Dist. Crt Reprtr  | \$ 126.00    |
| Precinct 1       | \$ 2,329.17  | Precinct 2        | \$ 4,319.83  |
| Precinct 3       | \$ 14,005.58 | Precinct 4        | \$ 4,579.81  |
| Hot Check Fee    | \$ 235.92    | Jail Construction | \$ 32,785.00 |
| D.A. Drug Forf   | \$ 826.00    | Adult Prob Oper   | \$ 6,162.97  |
| Adult Prob Fac   | \$ 537.84    | Animal Control    | \$ 43.13     |

REDISTRICTING - EMORY & YOUNG PRESENTATION

Bill Emory presented Hays County 1990 Population Reports by Election Precincts - presented County Judge with "Block Level Data" bound book for future reference - spoke of the census blocks and how they were split up (ie. 301B is census block - if additional letter of W,X,Y attached this means the census block was split with a population estimation) - spoke of voting age population figures (cannot be used to redistrict) - spoke of setting up J.P. districts - needs to meet with individual Court members before submitting a plan to the public - requested placement on the July 8th agenda.

10839 RON JOHNSTON SUBDIVISION - VARIANCE REQUEST

Ron Johnston, AirForce Reserve/Civil Service Employee, stated that he was being transferred to California and is trying to sell his 40 acres and house - would like to sell the property in 10 acre veteran tracts - spoke of need to extend the road easement (15'X2000' private roadway) - 2nd choice is dividing it into one 10-acre lot containing the house and two 15-acre lots of raw land - 3rd choice is to divide it into two lots, each larger than 15-acres each - the larger the tracts of land the smaller the potential buyer base becomes - variance request to delete requirement to conform to the road design standards required for tracts including lots between 2 and 15 acres - those standards are inconsistent with the existing road which would be extended and which is adequate to handle the potential addition of three more homes - additional variance is requested concerning posting a bond or letter of credit for the road. Commissioner Rippy spoke of variance requests - best marketability choice would be going with four 10-acre tracts - spoke of no road requirements for 15 acre tracts. A motion was made by Commissioner Rippy and seconded by Commissioner Rodriguez to grant variance on road requirement and allow 50' access easement on the 10-acre tract with two 15-acre tracts Plan . All voting "Aye". Commissioner Wayne Ford requested that roadway extension have a turnaround at the end of the road.

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10840 LANIER RANCH ADDITION - 1ST,2ND,3RD READINGS & VARIANCE TO SCALE

Mark McManus spoke of four tracts subdivision located on CR 162 (Darden Hill Road) - discussion has had concerning possible need for additional r-o-w on CR162 - proper R-O-W will be obtained. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Lanier Ranch Addition" subdivision on first, second and third readings, to grant variance to scale and contingent on obtaining proper right-of-way. All voting "Aye".

WORKSHOP - DATA PROCESSING DEPARTMENT

Lance Renfrew, Data Processing Administrator, spoke of needing direction for budgeting - spoke of a unified data processing budget - certain departments have elected to incorporate substantial line items for data processing equipment within their own budgets (specifically referring to the DPS, JP and Dist. Atty. budgets) - felt like some departments have excluded him from the process - feels like the primary function of the Data Processing Dept. is to coordinate computer acquisitions and distribution in a fair and unbiased manner - suggested a workgroup be formed from all county departments that would meet to evaluate their needs. County Judge Eddy Etheredge spoke of J.P. Becky Sierra being Chairperson on a committee developing a software package that will be incorporated into the DPS hardware - tentative commitment was made to have Hays County be the test County for the software package and replacement of equipment - Lance was not included in this planning process - DPS has requested \$50,000 in their budget for equipment. Lance Renfrew stated that the District Attorney's office is asking for \$10,000 for PC & Printer for "Word Perfect" program - would like to be notified of requests and wants more communication between DP Dept. and other Departments - spoke of maintenance contracts (some cost almost as much as the replacement equipment parts) - could do away with some contracts - spoke of need to standardize equipment. Judge Etheredge spoke of need for purchase of hardware and software to go through one source - need a policy for all departments to follow and need for communication. To be placed on agenda for July 1st.

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF July, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 1ST DAY OF JULY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

INSTALLATION OF CEILING FANS FOR 3RD FLOOR COURTHOUSE ROTUNDA

County Judge Eddy Etheredge spoke of request from the District Judge's office to install ceiling fans for the 3rd floor courthouse rotunda area - this item was previously discussed with the Court and no action was taken - ceiling fans were purchased - there appears to be no place to install the ceiling fans, therefore, it was suggested that an attic exhaust fan be installed to help circulate the air. No action was needed.

10841 APPROVAL FOR ALL COUNTY DEPARTMENTS TO DIRECT THEIR DATA PROCESSING EQUIPMENT AND SOFTWARE REQUESTS THROUGH THE DATA PROCESSING DEPARTMENT

Judge Etheredge spoke of workshop that was held at the previous meeting concerning data processing department - there is a need for all departments to direct their data processing needs through the D.P. Dept. Commissioner Payne stated that he did not feel there was a need for a committee to be created to address DP needs - the Court is the committee and these items are addressed in the budget process. A motion was made by Commissioner Rodriguez and seconded by Commissioner Rippy to approve requirement that all county departments are to direct their Data Processing Equipment and Software requests through the Data Processing Department. All present voting "Aye".

10842 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$120,318.03. All present voting "Aye".

Table with 2 columns: Department Name and Amount. Includes items like Refund/Error (\$250.00), Auditor's Ofc. (\$2,159.90), Reimb. Fee (\$50.00), Treasurers Ofc. (\$2,333.00), etc.

10843 APPROVE TREASURER'S REPORT FOR MAY 1991

A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to approve Treasurer's Report for May 1991 as presented. All present voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 1ST day of JULY, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of MAY, 1991 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

[Signature]  
COUNTY JUDGE

[Signature]  
COMMISSIONER, PRECINCT 1

Absent  
COMMISSIONER, PRECINCT 2

[Signature]  
COMMISSIONER, PRECINCT 3

[Signature]  
COMMISSIONER, PRECINCT 4

ATTEST:

[Signature]  
HAYS COUNTY CLERK

**County of Hays**  
**Summary of Receipts and Disbursements**  
**For the Period May 1991**

|   | General (M/I)       | Jury              | R & B General    | R & B Pct. # 1   | R & B Pct. # 2    | R & B Pct. # 3    | R & B Pct. # 4    | Total Funds         |
|---|---------------------|-------------------|------------------|------------------|-------------------|-------------------|-------------------|---------------------|
| Checking                                |                     |                   |                  |                  |                   |                   |                   |                     |
| Balance on 05/01/91                     | 551,989.56          | 8,719.71          | 17,483.15        | 19,470.68        | 13,532.05         | 17,756.05         | 19,622.56         | 648,573.76          |
| Money Market Interest                   | 3,383.02            |                   | 46,793.57        | 26,800.43        | 35,216.92         | 31,674.41         | 35,140.00         | 3,383.02            |
| Deposits (receipts)                     | 1,056,803.89        | 42,868.39         |                  |                  |                   |                   |                   | 1,275,297.61        |
| Disbursements (Claims)                  | 791,011.15          | 40,263.85         | 18,244.96        | 23,718.45        | 34,224.67         | 38,392.11         | 31,670.29         | 977,525.48          |
| <b>Total</b>                            | <u>821,165.32</u>   | <u>11,324.25</u>  | <u>46,031.76</u> | <u>22,552.66</u> | <u>14,524.30</u>  | <u>11,038.35</u>  | <u>23,092.27</u>  | <u>949,728.91</u>   |
| Certificates of Deposit                 |                     |                   |                  |                  |                   |                   |                   |                     |
| Balance on 05/01/91                     | 1,550,000.00        | 142,000.00        | 33,000.00        | 88,000.00        | 170,000.00        | 209,000.00        | 212,000.00        | 2,405,000.00        |
| New C. D. 's                            | 25,000.00           |                   |                  |                  |                   |                   |                   | 25,000.00           |
| Matured C. D.'s transferred to Checking | 300,000.00          | 36,000.00         | 28,000.00        | 20,000.00        | 25,000.00         | 24,000.00         | 25,000.00         | 458,000.00          |
| <b>Total</b>                            | <u>1,275,000.00</u> | <u>107,000.00</u> | <u>5,000.00</u>  | <u>68,000.00</u> | <u>145,000.00</u> | <u>185,000.00</u> | <u>187,000.00</u> | <u>1,972,000.00</u> |

|   | Unemployment Self Insurance | Hot Check Fee Fund | Law Library     | Cummings      | County Jail Construction (M) | Jail Addition Construction (M) | Hays County Public Works (M) | Pioneer Trails Road District |
|---|-----------------------------|--------------------|-----------------|---------------|------------------------------|--------------------------------|------------------------------|------------------------------|
| Checking                                |                             |                    |                 |               |                              |                                |                              |                              |
| Balance on 05/01/91                     | 34,713.73                   | 3,207.11           | 7,254.29        | 106.68        | 54,039.23                    | 34,107.28                      | 32,746.32                    | 497.52                       |
| Money Market Interest                   |                             |                    | 490.00          |               | 227.63                       | 143.67                         | 128.82                       |                              |
| Deposits (receipts)                     | 537.50                      | 4,001.67           |                 |               |                              |                                |                              |                              |
| Disbursements (Claims)                  | 15,412.98                   | 2,012.23           | 1,309.00        |               |                              |                                | 2,989.16                     |                              |
| <b>Total</b>                            | <u>19,838.25</u>            | <u>5,196.55</u>    | <u>6,435.29</u> | <u>106.68</u> | <u>54,266.86</u>             | <u>34,250.95</u>               | <u>29,885.98</u>             | <u>497.52</u>                |
| Certificates of Deposit                 |                             |                    |                 |               |                              |                                |                              |                              |
| Balance on 05/01/91                     | -0-                         | -0-                | -0-             | -0-           | 1,700,000.00                 | 100,000.00                     | 210,000.00                   | -0-                          |
| New C. D. 's                            |                             |                    |                 |               |                              |                                |                              |                              |
| Matured C. D.'s transferred to Checking | -0-                         | -0-                | -0-             | -0-           | 1,700,000.00                 | 100,000.00                     | 210,000.00                   | -0-                          |
| <b>Total</b>                            | <u>-0-</u>                  | <u>-0-</u>         | <u>-0-</u>      | <u>-0-</u>    | <u>1,700,000.00</u>          | <u>100,000.00</u>              | <u>210,000.00</u>            | <u>-0-</u>                   |

*Dorothy P. Sims*  
 Dorothy P. Sims, County Treasurer

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period May 1991

|   | County Jail<br>I & S            | Jail Addition<br>I & S           | Hays County<br>I & S (M/M) | Public Works<br>I & S     | Springlake<br>I & S | Pioneer Trails<br>I & S         | Historical<br>Fund (M/M)   |
|---|---------------------------------|----------------------------------|----------------------------|---------------------------|---------------------|---------------------------------|----------------------------|
| Checking Balance on 05/01/91                | 27,453.58                       | 6,687.71                         | 21,919.99                  | 11,807.97                 | 3,805.23            | 5,904.18                        | -0-                        |
| Money Market Interest Deposits (receipts)   | 15,608.92                       | 3,615.63                         | 45,340.25                  | 6,443.71                  | 1,142.18            | 62.18                           | 3.09                       |
| Disbursements (Claims)                      | 43,072.50                       | 10,303.34                        | 59,819.17                  | 18,251.68                 | 4,947.41            | 5,966.36                        | 2,985.32                   |
| <b>Total</b>                                | 553,500.00                      | 135,000.00                       | 110,000.00                 | 312,000.00                | 74,000.00           | -0-                             | -0-                        |
| Certificates of Deposit Balance on 05/01/91 |                                 |                                  |                            |                           |                     |                                 |                            |
| New C. D. 's                                |                                 |                                  |                            |                           |                     |                                 |                            |
| Matured C. D.'s transferred to Checking     | 40,000.00                       |                                  |                            |                           |                     |                                 |                            |
| <b>Total</b>                                | 553,500.00                      | 135,000.00                       | 70,000.00                  | 312,000.00                | 74,000.00           | -0-                             | -0-                        |
| -----                                       |                                 |                                  |                            |                           |                     |                                 |                            |
|   | Adult Probation Operating (M/M) | Adult Probation Facilities (M/M) | Medical and Dental Claims  | Medical and Dental Claims | Animal Control Fund | Sheriff's Drug Forfeiture (M/M) | D.A. Drug Forfeiture (M/M) |
| Checking Balance on 05/01/91                | 97,608.12                       | 22,142.09                        | 21,337.47                  | 1.00                      | 20,540.25           | 21,458.91                       | 5,449.52                   |
| Money Market Interest Deposits (receipts)   | 440.30                          | 89.46                            | 86.28                      |                           | 1,115.00            | 20.45                           | 23.29                      |
| Disbursements (Claims)                      | 50,347.96                       | 121,093.24                       | 122,715.11                 | 122,715.11                | 1,844.55            | 1,844.55                        | 3,390.32                   |
| <b>Total</b>                                | 127,422.87                      | 1,717.22                         | 122,715.11                 | 122,715.11                | 2,381.08            | 5,090.87                        | 1,896.08                   |
| Certificates of Deposit Balance on 05/01/91 | 20,973.51                       | 20,514.33                        | 19,801.88                  | 1.00                      | 19,274.17           | 18,303.04                       | 6,967.05                   |
| New C. D. 's                                | -0-                             | -0-                              | 50,000.00                  | -0-                       | -0-                 | -0-                             | -0-                        |
| Matured C. D.'s transferred to Checking     | 50,000.00*                      |                                  |                            |                           |                     |                                 |                            |
| <b>Total</b>                                | -0-                             | -0-                              | -0-                        | -0-                       | -0-                 | -0-                             | -0-                        |

\*General Fund purchased CD#75573 for \$25,000.00 from Medical and Dental Fund 5/21/91

10844 AUTHORIZE INCREASE IN NURSES SALARIES AS PER GRANT ALLOCATION

Mary Hughes, Director of Nursing/Health Dept., presented proposed personnel changes: Maternity Grant Addendum

|                     |                           |              |
|---------------------|---------------------------|--------------|
| Personnel upgrades: | R.N. Practioner.....\$    | 152 per mo   |
|                     | R.N.II to R.N.III.....\$  | 276 per mo   |
|                     | L.V.N. 50% to 100%.....\$ | 130 per mo   |
| Proposed additions: | R.N. III.....\$           | 2,251 per mo |
|                     | Community Serv Aide....\$ | 1,200 per mo |
|                     | Clerk 50%.....\$          | 630 per mo   |

Upgrades and new personnel totals:

|               |       |
|---------------|-------|
| Salary.....\$ | 9,254 |
| Fringe.....\$ | 2,453 |

Additional Costs:

|                          |       |
|--------------------------|-------|
| Travel, supplies.....\$  | 2,000 |
| Computer(required)....\$ | 2,745 |

GRAND TOTAL (Personnel, Equipment, Travel).....\$ 16,452

Mrs. Hughes advised that they had also received a MIHIA GRANT which would provide more community services aides - they would like to expand their services throughout the county - MIHIA grant is for \$20,982 as follows:

|  |              |
|--|--------------|
| Salary for Community Service Aide.....\$ | 14,400.00    |
| Fringe benefits.....\$                   | 4,117.00     |
| Travel.....\$                            | 1,050.00     |
| Supplies.....\$                          | 915.00       |
| Other (Audit).....\$                     | 500.00       |
|  | =====        |
|  | \$ 20,982.00 |

Commissioner Pete Rodriguez stated that he was concerned about Peggy Byas, City employee at this time, will she be receiving increase in her salary and will she be able to keep her job when city/county conversion is finalized. Mrs. Hughes stated that she will definitely keep Peggy on her staff and she will receive whatever increases that are approved. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve salary increases for Health Department personnel as per Grant allocation. All present voting "Aye".

10845 EL CAMINO REAL SUBDIVISION (PCT. 2) - 1ST READING

Rich Finney presented "El Camino Real" subdivision - located on State Hwy 21 approx. 3 miles northeast of Umland - consists of 14 lots ranging in size from 1 acre to 5 acre - 30' is being dedicated for widening of private road on Lots 9 & 10. Patsy Greiner, Admin. Coord., spoke of need for additional signature blocks on the plat and private road needs a name on the plat, letter of credit is needed for 60' road to be known as "El Camino Crt.". A motion was made by Commissioner Payne and seconded by Commissioner Rippy to approve "El Camino Real" subdivision on first hearing. All present voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF August, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

\*\*\*\*\*

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 8TH DAY OF JULY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10846 APPROVAL FOR ELECTION ADMINISTRATOR TO ENTER INTO A CONTRACT WITH SCHOOL DISTRICTS FOR AUGUST 10, 1991 ELECTION

A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Election Administrator to enter into a contract with the School Districts for the August 10, 1991 Election. All voting "Aye".

DISCUSSION RE: DESIGNATED "SMOKING AREAS" FOR COUNTY BUILDINGS IN THE CITY OF SAN MARCOS

County Judge Eddy Etheredge spoke of City of San Marcos Ordinance restricting smoking in public/common areas of buildings. Marcos Hernandez, District Attorney spoke of need to adopt a written County policy and post notices accordingly - spoke of limitations. Discussion was had concerning private offices. Judge Etheredge stated that all county buildings located in the City of San Marcos should be designated as "No Smoking". Marcos Hernandez spoke of need to notify all the County employees that will be affected by this Ordinance and that they be given a chance to request certain areas to be designated as smoking areas - according to the Ordinance the county buildings are already "No Smoking" areas until a designation is made. County Judge to send out notices to county employees.

10847 AUTHORIZE HEALTH DEPARTMENT TO PURCHASE WATER FOUNTAIN FOR HANDICAP ACCESSIBILITY OUT OF HEALTH DEPARTMENT FUNDS

Mary Hughes, Health Dept. Director of Nursing, spoke of water fountain located at the health department - it is beyond repair - funds are available in their Family Planning account. Bryan Hoot, Mtc. Suprv, stated that a new water fountain for handicap accessibility will cost \$545.02 w/10 year warranty. A motion was made by Judge Etheredge and seconded by Commissioner Ford to authorize the Health Department to purchase a water fountain for handicap accessibility out of Health Dept. funds. All voting "Aye".

10848 CALL FOR PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON PHALAROP AT LEISUREWOODS DRIVE (EASTERN INTERSECTION) "3-WAY STOP" SIGNS

A motion was made by Commissioner Wayne Ford, seconded by Commissioner Pete Rodriguez to call for a public hearing to establish traffic regulations on Phalarop at Leisurewoods Drive (eastern intersection) "3-Way Stop" signs to be held July 29, 1991 at 10:00 o'clock A.M. All voting "Aye".

10849 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$54,254.80. All voting "Aye".

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|                   |    |          |                   |    |           |
|-------------------|----|----------|-------------------|----|-----------|
| Fine Overpymnt    | \$ | 70.00    | Election Admin    | \$ | 117.50    |
| Transfer Sta.     | \$ | 55.74    | Bldg. Maint.      | \$ | 5,718.58  |
| Civic Center      | \$ | 2,204.12 | Countywide Misc.  | \$ | 2,430.01  |
| Tax A/C           | \$ | 34.08    | District Clerk    | \$ | 420.80    |
| Sheriffs Ofc.     | \$ | 3,135.54 | Jail Operations   | \$ | 17,162.23 |
| J.P. 1-2          | \$ | 21.70    | J.P. 2            | \$ | 288.83    |
| D.P.S.            | \$ | 622.15   | Constable 1       | \$ | 150.43    |
| Constable 2       | \$ | 479.21   | Data Proc Adm.    | \$ | 27.88     |
| TDH Sanit Grant   | \$ | 45.00    | InHome Spec Grant | \$ | 270.36    |
| TDH M&C Care Grnt | \$ | 82.50    | Dist. Court Oper  | \$ | 5,259.35  |
| R&B General       | \$ | 273.58   | Precinct 1        | \$ | 563.21    |
| Precinct 2        | \$ | 2,926.19 | Precinct 3        | \$ | 3,742.00  |
| Precinct 4        | \$ | 41.55    | Public Works      | \$ | 1,850.00  |
| Adult Prob Oper   | \$ | 5,840.39 | Adult Prob Fac    | \$ | 421.87    |

**10850 AMEND BUDGET OF COUNTY EXTENSION OFFICE AND AUTHORIZE PURCHASE OF SIX TABLES**

County Auditor Bill Herzog spoke of tables that have been damaged/disappeared at the County Extension office - request authority to purchase 6 tables (\$250) and amend budget accordingly. A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize the County Extension Service to purchase 6 tables and to amend their budget by transferring \$250 from the Misc. line item to the Office Equipment line item. All voting "Aye".

**10851 AMEND BUDGET OF JUSTICE OF THE PEACE PCT. 1 PLACE 1 AND AUTHORIZE PURCHASE OF A TYPEWRITER**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to authorize Justice of the Peace Pct. 1 Place 1 to purchase a typewriter and amend the J.P. 1-1 budget by transferring \$679 from Office Supply line item into Office Equipment line item. All voting "Aye".

**PROPOSALS FOR ENERGY MANAGEMENT SERVICES DISCUSSED**

Cindy Simon, Purchasing Clerk, stated that only one proposal was received and that was from Honeywell. Judge Eddy Etheredge spoke of problems that surfaced during walk-through of buildings - these problems need to be discussed before Court takes action on proposal.

**10852 ODELL SUBDIVISION - VACATE PLAT**

A motion was made by Commissioner Wayne Ford and seconded by Commissioner Pete Rodriguez to approve vacation of the "Odell Subdivision" - recorded in Volume 5 on Page 196 of the Plat Record of Hays County, Texas. All voting "Aye".

**HAYS COUNTY WATER DEVELOPMENT BOARD RECOMMENDATIONS/WORKSHOP**

Judge Eddy Etheredge spoke of committee recommendations to implement water conservation efforts and to salvage the study:

Countywide education program covering topics of Conservation, Waste Prevention, Pollution Prevention, Reuse, Cost of Replacement, Xeriscape and Speaker's Bureau on related topics.

Countywide ordinances and rules: strictly enforce Health & Safety code Violations, require new & replatted subdivision developers to obtain certification from a professional engineer that adequate water is available prior to final plat approvals, strictly adhere to State Laws regarding water quality issues and air quality issues relating to water quality.

Establish plumbing codes to mandate the use of water conserving plumbing fixture and retrofit of existing fixtures to provide upgrading of plumbing.

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Adopt erosion/sedimentation control ordinances to provide water quality protection both during construction and after development from rainfall events and from runoff from non-point source pollution.

Encourage water conserving landscaping, water reuse and recycling.

Funding - recommended sources: Development fees and inspections, installation and Inspection fees for wastewater systems, plan review fees, 1 cent tax if necessary, grants and/or cooperative agreements.

J. L. Howze, committee member, spoke of primary factor being public information and education in the schools. Judge Etheredge stated that we need to get everyone involved in the effort - schools are receptive to adding this to their curriculum - Utilities are willing to cooperate - spoke of cost effectiveness, need to address whether water is available before a subdivision is approved and to establish plumbing codes.

TRANSPORT LIFE INSURANCE - REPORT/WORKSHOP

Debra Spellings, Regional Manager/Employee Benefits Division for Transport Life Insurance, appeared before the court - spoke Boon-Chapman coverage and HMO coverage - two large claims were picked up when the Court eliminated the HMO - four large claims are: Renal failure (kidney dialysis) = \$49,724.48 Cancer/Deceased = \$56,589.34 Luekemia = \$53,938.69 Heart By-Pass = \$34,677.50 - eliminating the HMO and having these four large claims has affected the coverage - presented a paid claims reports - spoke of claims under Boon-Chapman and monies due to the county from American General (\$46,195.62 specific stop loss & \$10,066.68 on aggregate) - county is currently having to bear this expense - explained renewal of contract and how it affects the coverage - spoke of ProAmerica hospital discount/savings (hospitals w/contracts are Central Texas Medical Center (SM), Brackenridge, South Austin Medical Center and Roundrock Community). Judge Etheredge stated that the County does not have to go out for bids for insurance since we have a self insurance program.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF August, 1991

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 15TH DAY OF JULY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:



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A & M FIREMEN TRAINING SCHOOL

Fire Marshal/EMC A. D. Carroll, invited members of the Court to A&M in College Station on July 25th for visitors day/Firemen Training School - tour the facilities.

10853 ADOPT RESOLUTION AUTHORIZING SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPT. OF COMMERCE FOR THE COMMUNITY DEVELOPMENT FUND AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S REPRESENTATIVE - RE: INWOOD FOREST SUBDIVISION WATER IMPROVEMENTS

J. L. Houze spoke of work being done with four State Agencies to bring water up to standards for the residents of Inwood Forest Subd. Lisa Conner spoke of application for urgent need grant - very good chance of obtaining this grant. Commissioner Craig Payne voiced his appreciation to Commissioner Ford, Mr. Houze and Lisa Conner for their efforts in this matter. Commissioner Wayne Ford that Mr. Houze, Pct. 2 Administrative Assistant, is available to assist any of the Precincts. A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt resolution authorizing submission of a Texas Community Development Program Application to the Texas Dept. of Commerce for the Community Development Fund and authorizing the County Judge to act as the County's representative (Inwood Forest Subdivision Water Improvements). All voting "Aye".

RESOLUTION

STATE OF TEXAS \*

COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF HAYS, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF COMMERCE FOR THE COMMUNITY DEVELOPMENT FUND, AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, the Commissioners' Court of Hays County desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the County of Hays to apply for funding under the 1991 Texas Community Development Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

1. A Texas Community Development Program application for the Urgent Need Fund is hereby authorized to be filed on behalf of Hays County with the Texas Department of Commerce; and
2. The County's application be placed in competition for funding under the Urgent Need Fund; and
3. The application be for \$285,000.00 of grant funds to carry out water improvements for an unincorporated area of Hays County known as Inwood Forest Subdivision; and

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4. The Commissioners' Court directs and designates the County Judge as the County's Chief Executive Office and Authorized Representative to act in all matters in connection with this application and the County's participation in the Texas Community Development Program.

RESOLUTION PASSED AND ADOPTED ON THIS 15TH DAY OF JULY, 1991  
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

s/ Peter Rodriguez  
Pete Rodriguez, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Hill Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

10854 APPROVE MINUTE OF JUNE 1991

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve Minutes of June 1991 as presented by the Hays County Clerk. All voting "Aye".

10855 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of County Invoices as presented by the County Auditor in the amount of \$91,504.67. All voting "Aye".

|                      |    |           |                   |    |            |
|----------------------|----|-----------|-------------------|----|------------|
| Wastewater Fee       | \$ | 200.00    | Auditor           | \$ | 486.55     |
| Treasurer            | \$ | 68.96     | Extension Ofc     | \$ | 341.81     |
| Juvenile Prob.       | \$ | 158.85    | Election Admin.   | \$ | 43.82      |
| Community Serv.      | \$ | 22,438.00 | Indigent Care     | \$ | 1,722.44   |
| Transfer Station     | \$ | 4,840.00  | Bldg. Maint.      | \$ | 561.84     |
| Health Dept.         | \$ | 530.51    | Civic Center      | \$ | 185.84     |
| Countywide Misc.     | \$ | 2,109.64  | Tax A/C           | \$ | 356.62     |
| District Clerk       | \$ | 162.26    | County Clerk      | \$ | 2,133.65   |
| Sheriff's Ofc.       | \$ | 1,640.21  | Jail Operations   | \$ | 24,146.95  |
| County Judge         | \$ | 129.62    | Admin. Coord.     | \$ | 133.70     |
| Co Crt @ Law 1       | \$ | 69.47     | Dist. Attorney    | \$ | 499.54     |
| J. P. 1-1            | \$ | 62.68     | J. P. 1-2         | \$ | 125.55     |
| D.P.S.               | \$ | 462.69    | Constable 1       | \$ | 70.87      |
| Constable 4          | \$ | 193.78    | Constable 5       | \$ | 132.50     |
| Veterans Admin       | \$ | 33.51     | Data Proc Admin   | \$ | 82.26      |
| Co Crt @ Law 2       | \$ | 47.89     | TDH TB Grant      | \$ | 63.50      |
| Fire Marshal/EMC     | \$ | 96.65     | TABC              | \$ | 84.24      |
| Dist. Court Oper     | \$ | 1,384.74  | Dist Court Reprt  | \$ | 83.62      |
| Precinct 1           | \$ | 521.50    | Precinct 2        | \$ | 1,498.08   |
| Precinct 3           | \$ | 5,808.39  | Precinct 4        | \$ | 16,567.45  |
| Public Works         | \$ | 112.50    | Adult Prob Oper   | \$ | 1,896.70   |
| Adult Prob Fac       | \$ | 338.35    | Adult Prob Prgms  | \$ | 155.07     |
| *General Fund Credit | \$ | 20.61*    | **Checks Voided = | \$ | 1,257.52** |

10856 APPROVE ADDITIONAL EMPLOYEE FOR ROAD & BRIDGE PCT. #3 AND SET SALARY

Commissioner Craig Payne spoke of temporary employee that he has - Court has approved six positions for Pct. 3 and this temporary employee makes 7 - he would like to keep this position (temporary status) and set salary at \$7.00 per hour. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve additional employee (temporary) for R&B Pct. #3 and set salary at \$7.00 per hour. All voting "Aye".

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10857 AMEND BUDGET OF R&B PCT. #3 FOR OFFICE RENT FOR CONSTABLE, SHERIFF AND R&B PCT. #3

A motion was made by Commissioner Payne and seconded by Commissioner Rippy to approve budget amendment for Road & Bridge Pct. #3 by transferring \$2,700 from R&B Expense line item to the Office Rent line item. All voting "Aye".

10858 APPROVE BID SPECIFICATIONS FOR PRESCRIPTION DRUGS (INDIGENT HEALTH CARE) FOR SAN MARCOS, KYLE, WIMBERLEY AND DRIPPING SPRINGS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE

Cindy Simon, Purchasing Clerk, presented bid specs for Indigent Health Care prescription drugs - bids are same as last year with addition of requesting % off on dispensing fee. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve bid specifications for prescription drugs for Indigent Health Care in San Marcos, Kyle, Wimberley and Dripping Springs and authorize the County Auditor to advertise for same. All voting "Aye".

10859 APPROVE ADDITIONAL COST OF FENCE CONSTRUCTION AT LAW ENFORCEMENT CENTER

Cindy Simon, Purchasing Clerk, presented two price quotes for larger gates to be installed at the L.E.C.: Curly Fence Co. = \$3,893.00 Tuttle Lumber Co. = \$5,089.55. Commissioner Wayne Ford spoke of gates being insufficient for large trucks or equipment - funds available in Misc. Jail Construction Account. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve additional cost of fence construction at the Law Enforcement Center. Commissioner Ford and Commissioner Rippy voting "Aye", Commissioner Payne and Judge Etheredge voting "No" and Commissioner Rodriguez abstained. MOTION FAILED.

10860 APPROVE BUDGET AMENDMENT FOR D.P.S. AND AUTHORIZE PURCHASE OF MOBILE TELEPHONE FOR LICENSE & WEIGHT OFFICER

County Auditor Bill Herzog spoke of request from D.P.S. to purchase a mobile telephone = \$350.00 - Williamson County will pay the telephone bill. Judge Eddy Etheredge felt like \$350 was too much to pay for a mobile telephone - they can normally be found for around \$99. A motion was made by Commissioner Ford and seconded by Judge Etheredge to approve budget amendment for D.P.S. by transferring \$350 from Law Enforcement Equipment line item to Communication Equipment line item and to authorize purchase of a mobile telephone for License & Weight Officer. Commissioner Ford, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "No".

10861 APPROVE PURCHASE OF LADDERS FOR BUILDING MAINTENANCE DEPARTMENT OUT OF SELF INSURANCE FUND

Judge Etheredge spoke of two ladders that were apparently stolen from the Courthouse (a 40 foot and a 20 foot extension ladders). Maintenance Supervisor Bryan Hoot stated that he last remembered using the ladders in January and did not notice they were missing until last week when they were needed - they are stored in the basement of the courthouse which is open in the daytime and locked at night - replacement cost will be under \$500.00. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve purchase of two ladders for Building Maintenance Dept. out of the Self Insurance Fund. All voting "Aye".

36 SUBDIVISION

Larry Roberts and Rich Finney presented Master Plan and requested first reading approval - aprx. 50 acres located 2 miles west of Niederwald on F.M. 2001. Commissioner Wayne Ford stated that he would like to table this subdivision - has not had enough time to review and meet with Developer. No action taken.

COURT RECESSED UNTIL JULY 22, 1991 AT 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF August, 1991.

Eddy A Etheredge
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS

Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 22ND DAY OF JULY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10862 ACCEPT ROADS IN "RANCHO ENCINO" SUBDIVISION FOR COUNTY MAINTENANCE.

Rancho Encino Roads = 6,503 Lin.Ft. - Street Names: Rancho Encino Drive, Live Oak Hills Ct. & Ridge Oak Drive. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept roads in the "Rancho Encino" subdivision for county maintenance. All present voting "Aye".

10863 RESOLUTION TO REQUEST STATE HIGHWAY DEPARTMENT TO INSTALL "NO PARKING" AND "CO. RD. 181" SIGNS ON RR 2325

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to request the State Highway Dept. to install "No Parking" signs from Lions Field to Texas Blvd. and "County Road 181" signs on R.R. 2325. All present voting "Aye".

10864 APPROVE BID SPECIFICATIONS ON LOW WATER CROSSING PROJECT (CR 179) AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS

Cindy Simon, Purchasing Clerk, spoke of bid specifications. A motion was made by Commissioner Ford and seconded by Commissioner Rippy to approve bid specifications on low water crossing project (Co Rd 179) and to authorize the County Auditor to advertise for bids. All present voting "Aye".

10865 DESIGNATE NAMES FOR ROADS IN THE YORK CREEK MEADOWS SECTION I & II (UNRECORDED SUBDIVISION)

Patsy Greiner, Admin. Coord., spoke of York Creek Meadows Home Owners Association - they have suggested the following names for roads in their subdivision: Wolf Creek Pass, Stepping Stone Crossing, Rocky Meadows Lane, Dry Gulch and Robin's Way. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to designate street names for roads in the "York Creek Meadows Section I & II" subdivision as follows: Wolf Creek Pass, Stepping Stone Crossing, Rocky Meadows Lane, Dry Gulch and Robin's Way. All present voting "Aye".

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10866 APPROVE BUDGET AMENDMENT FOR ADDRESSING PROJECT

Patsy Greiner, Admin. Coord., spoke of need to utilize an Intern to complete the addressing project - we will be receiving money from CAPCO in October - proposal for services was submitted from Ron O'Hara (GIS Technician):

Phase I: Convert twenty Arc/Info coverages into MapInfo format.  
68 hours X \$6.00 per hour = \$408.00

Phase II: Append coverages together to create address range maps.  
120 hours X \$6.00 per hour = \$720.00

A motion was made by Commissioner Ford and seconded by Commissioner Rodriguez to approve budget amendment of \$1,128.00 for addressing project - funds to come from Social Services Line Item #01-443-5883 (TACC). All present voting "Aye".

10867 ADOPT GOALS TO IMPROVE HEALTH DEPARTMENT SERVICES

Mary Hughes, Director of Nursing, spoke of audits and inspections that will begin this week - submitted 1992 proposed Health Goals in recognition of recent increase in federal grants which mandate increased services:

1. Additional staff funded by TDH be hired. (GRANT)
2. Additional health delivery sites by developed.
3. Staff training programs be initiated.
4. Automated data collection initiative will be started.
5. Client services will be increased by 25% in 1992.
6. Equipment to service additional sites will be purchased.
7. Building repair and renovation for 401A Broadway.

Two proposed sites for Health delivery are Wimberley (immunizations and adult health) and Kyle (full service) - automated data collection will begin with Hays County D.P. Dept. coordinating the program - TDH will supply the software, assist in installation and provide training for local staff - equipment to deliver services to Wimberley and Kyle will be needed as well as site locations - proposed repairs and renovations to the Health Department office on Broadway Street would allow more reception/waiting area, wheelchair accessible restroom, two additional office spaces (1 for new case management staff & 1 for sick child clinic) - proposed renovations would cost approximately \$16-20,000. Judge Etheredge appointed Commissioner Wayne Ford and Commissioner Pete Rodriguez to a committee to assist the Health Department in obtaining these goals. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to adopt the proposed Health Services Goals for Hays County. All present voting "Aye".

10868 APPROVE TREASURER'S REPORT FOR JUNE 1991

A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve Treasurer's Report for June 1991. All present voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 22ND day of JULY, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of JUNE, 1991 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

County of Hays  
 Summary of Receipts and Disbursements  
 For the Period JUNE 1991 AMENDED

|   | General (M/M) | Jury       | R & B General | R & B Pct. #1 | R & B Pct. #2 | R & B Pct. #3 | R & B Pct. #4 | Total Funds  |
|---|---------------|------------|---------------|---------------|---------------|---------------|---------------|--------------|
| Checking Balance on 6/1/91                | 821,165.32    | 11,324.25  | 46,031.76     | 22,552.66     | 14,524.30     | 11,038.35     | 23,092.27     | 949,728.91   |
| Money Market Interest                     | 3,603.15      |            |               |               |               |               |               | 3,603.15     |
| Deposits (receipts)                       | 565,070.90    | 57,657.56  | 13,533.74     | 21,322.91     | 39,058.14**   | 42,138.13     | 38,907.19     | 777,688.57   |
| Disbursements (Claims)                    | 845,328.77    | 30,115.87  | 37,944.75     | 22,970.90     | 32,275.51     | 31,383.33     | 37,169.63     | 1,037,188.76 |
| Total                                     | 544,510.60    | 38,865.94  | 21,620.75     | 20,904.67     | 21,306.93     | 21,793.15     | 24,829.83     | 693,831.87   |
| Certificates of Deposit Balance on 6/1/91 | 1,275,000.00  | 107,000.00 | 5,000.00      | 68,000.00     | 145,000.00    | 185,000.00    | 187,000.00    | 1,972,000.00 |
| New C. D.'s                               |               |            |               |               |               |               |               | 25,000.00    |
| Matured C. D.'s transferred to Checking   |               | 50,000.00  |               |               |               |               |               | 50,000.00    |
| Total                                     | 1,275,000.00  | 57,000.00  | 30,000.00     | 53,000.00     | 115,000.00    | 150,000.00    | 157,000.00    | 1,837,000.00 |
| Checking Balance on 6/1/91                | 19,838.25     | 5,196.55   | 6,435.29      | 106.68        | 54,266.86     | 34,250.95     | 29,885.98     | 497.52       |
| Money Market Interest                     |               | 1,401.63   | 690.00        |               | 182.63        | 124.80        | 107.44        |              |
| Deposits (receipts)                       |               |            |               |               |               |               |               |              |
| Disbursements (Claims)                    |               | 2,020.27   | 597.70        | 106.68        | 33,493.62     | 34,375.75     | 450.00        | 497.52       |
| Total                                     | 19,838.25     | 4,577.91   | 6,527.59      | 106.68        | 20,955.87     | 34,375.75     | 29,543.42     | 497.52       |
| Certificates of Deposit Balance on 6/1/91 |               |            |               |               |               |               |               |              |
| New C. D.'s                               |               |            |               |               |               |               |               |              |
| Matured C. D.'s transferred to Checking   |               |            |               |               |               |               |               |              |
| Total                                     |               |            |               |               |               |               |               |              |
| Temporary Transfers **                    |               |            |               |               |               |               |               |              |
| Total                                     | -0-           | -0-        | -0-           | -0-           | 1,700,000.00  | 100,000.00    | 210,000.00    | -0-          |

A TYPO WAS MADE IN THE DEPOSITS OF PCT#2. THIS DOES NOT AFFECT THE BEGINNING OR ENDING BALANCES FOR THIS ACCOUNT.

*Dorothy P. Sims*  
 Dorothy P. Sims, County Treasurer



10869 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of County invoices as presented by the County Auditor in the amount of \$61,907.78. All present voting "Aye".

|                   |              |                    |              |
|-------------------|--------------|--------------------|--------------|
| Auditor's Ofc.    | \$ 28.02     | Treasurer's Ofc.   | \$ 66.05     |
| Juv Prob Ofc.     | \$ 917.55    | Election Admin.    | \$ 40.30     |
| Indigent Care     | \$ 9,036.41  | Bldg. Maint. Dept. | \$ 1,245.79  |
| Civic Center      | \$ 8.50      | Countywide Misc.   | \$ 11,030.63 |
| Tax A/C           | \$ 12.78     | District Clerk     | \$ 68.90     |
| County Clerk      | \$ 953.85    | Sheriff's Ofc.     | \$ 876.80    |
| Jail Operations   | \$ 6,056.30  | Admin. Coord.      | \$ 48.58     |
| District Atty.    | \$ 21.84     | J.P. 1-1           | \$ 53.38     |
| J.P. 1-2          | \$ 707.47    | J.P. 3             | \$ 21.22     |
| J.P. 5            | \$ 36.37     | D.P.S.             | \$ 171.74    |
| Constable 1       | \$ 262.29    | Constable 5        | \$ 18.00     |
| Data Proc Admin.  | \$ 564.86    | Foster Child Care  | \$ 4,650.00  |
| TDH M&C Care Grnt | \$ 715.59    | Fire Marshal/EMC   | \$ 29.21     |
| TABC              | \$ 11.92     | **Gen Fund Credit  | \$ 346.89*** |
| Dist Court Oper   | \$ 365.68    | County Crt Oper    | \$ 3,287.83  |
| R & B General     | \$ 22.50     | Precinct 1         | \$ 1,245.93  |
| Precinct 2        | \$ 2,706.85  | Precinct 3         | \$ 465.08    |
| Precinct 4        | \$ 11,158.53 | Self Insurance     | \$ 2,329.46  |
| Hot Check Fee     | \$ 464.45    | Law Library        | \$ 62.75     |
| Public Works      | \$ 900.00    | D.A.'s Drug Forf   | \$ 1,360.00  |
| Adult Prob Oper   | \$ 83.38     | Adult Prob Fac     | \$ 77.90     |
| Animal Control    | \$ 25.13     | Adult Prob Prgm    | \$ 44.85     |

10870 APPROVE BUDGET AMENDMENT FOR CONSTABLE PCT. #2

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve budget amendment for Constable Pct. #2 as proposed by the County Auditor:

| <u>line item</u>        | <u>increase</u> | <u>decrease</u> |
|-------------------------|-----------------|-----------------|
| Law Enf Equip Mtc & Rep |                 | \$ 67.00        |
| Ofc Equip Mtc. & Rep    | \$ 44.00        |                 |
| Misc.                   | \$ 23.00        |                 |
| Continuing Education    |                 | \$ 250.00       |
| Travel                  | \$ 250.00       |                 |

All present voting "Aye".

10871 AWARD CONTRACT ON ROAD BUILDING MATERIALS FOR PCT. #2 & PCT. #4

Cindy Simon, Purchasing Clerk, spoke of bids received from Pioneer, Centex and Colorado. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract on road building materials (flexible base, gravel, crushed stone and aggregate) for Pct. #2 and Pct. #4 to Centex Materials. All present voting "Aye".

10872 APPROVE BUDGET CALENDAR FOR BUDGET PROCESS

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to begin budget process July 31, 1991 at 10:00 o'clock A.M. All present voting "Aye".

10873 APPROVE BUDGET AMENDMENT FOR HOME HEALTH CARE (HEALTH DEPT)

County Auditor Bill Herzog presented proposed budget amendment for the Health Department (Jennifer's salary) - to transfer funds to the County General Fund which are currently being maintained and accounted for at the Health Dept. A motion was made by Commissioner Ford and seconded by Commissioner Rodriguez to approve budget amendment for the Health Department in the amount of \$4,997 for staff salaries and fringe benefits. All present voting "Aye".



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10874 APPROVE BUDGET AMENDMENT FOR JAIL AND AUTHORIZE PURCHASE OF A CHAIR

County Auditor Bill Herzog presented list of various line items that need to be adjusted = \$14,380 - also requested authority for purchase of a chair for dispatch in the amount of \$410.00. A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve budget amendment for the Jail and authorize purchase of a chair for dispatch (\$410) - total line item adjustments = \$14,380.00. All present voting "Aye".

10875 36 SUBDIVISION (#91-025 PCT. #2) - 1ST & 2ND READINGS

Rich Finney presented "36 Subdivision" on first and second readings - approval is needed from the City of Niederwald. Commissioner Ford stated that he prefers a performance bond for roads rather than a letter of credit. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve "36 Subdivision" on first and second readings. All present voting "Aye".

EXECUTIVE SESSION - PERSONNEL MATTERS

Judge Eddy Etheredge convened closed Session in his private office to discuss personnel matters - executive session was held - no action was taken.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to recess until July 29, 1991 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF August, 1991.
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

oOo

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 25th DAY OF JULY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

PUBLIC HEARING - HAYS COUNTY REDISTRICTING

List of persons attending the hearing (sign-in sheet):

Table with 3 columns: NAME, CITY, GROUP REPRESENTED. Rows include Bob Barton (San Marcos, County Democratic Committee), Linda A. Rodriguez (San Marcos, Judge, County Court at Law #2), Lupe Cruz (San Marcos, Constable Pct. #1), Becky Sierra (San Marcos, Justice of the Peace #1-2), Jim Hollis (Buda, City of Buda), Billy H. Reeves (Buda, Constable Pct. #5).

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|                      |               |                                |
|----------------------|---------------|--------------------------------|
| Sandra Martinez      | Kyle          | City of Kyle                   |
| J. T. Tatum          | New Braunfels | Wimberley Valley News          |
| James Kohler         | Kyle          | Constable Pct. #2              |
| Lamar LaCaze         | Kyle          | Landowner                      |
| Leon Breeden         | San Marcos    | Precinct #1 resident           |
| Mack Martinez III    | Kyle          |                                |
| Mary Etheredge       | Kyle          |                                |
| Stephen A. Velasquez | San Marcos    | Constable Pct. #1 Deputy       |
| Marshall Smith       | San Marcos    | Citizen of Pct. #4             |
| Robert Warren        | San Marcos    | Citizen of Pct. #4             |
| James A. Holt, Sr.   | Kyle          | Justice of the Peace Pct. #2   |
| Margaret Holt        | Kyle          | Citizen of JP Pct. #2          |
| Macel Sullivan       | San Marcos    | Justice of the Peace Pct. #1-1 |
| Alfred Sullivan      | San Marcos    | Citizen of JP Pct. #1          |
| Dario Rodriguez Jr.  | San Marcos    |                                |
| Warren Zerr          | San Marcos    |                                |
| B. R. Wranitzky      | Kyle          |                                |
| Mollie Wranitzky     | Kyle          |                                |
| Albert Sierra        | San Marcos    |                                |
| Ofelia Vasquez Philo | San Marcos    |                                |
| Augustine Lucio Jr.  | San Marcos    |                                |
| Delia S. Lucio       | San Marcos    |                                |
| Sandra Kohler        | Kyle          |                                |
| Lois LaCaze          | Kyle          | Citizens of Pct. #2            |
| Marcos Hernandez     | San Marcos    |                                |
| Bill Liddle          | San Marcos    | Hays Co. Democratic Party      |
| Frank Arredondo      | San Marcos    | L.U.L.A.C.                     |
| Antonio Cruz         | San Marcos    | L.U.L.A.C.                     |

Judge Etheredge stated that the purpose of this hearing is to discuss and accept a presentation for Commissioners and Justice Precincts and accept any alternate plans or suggestions from the public - read guidelines adopted by the Commissioners Court for the 1991 Reapportionment Process on May 6, 1991.

COMMISSIONERS PRECINCTS

Bill Emory of Emory, Young & Associates, Inc. spoke - 1990 census data was compared to existing Commissioner Pcts. - found that Pct. #1 had 12,197 Pct. #2 had 21,800 Pct. #3 had 14,450 Pct. #4 had 17,167 - with 65,614 people in Hays County, which means that the population balance between precincts was far beyond what would be admissable under "One Man One Vote" standards - Commissioners Precincts had to be readjusted and brought into balance - the ideal population for a Commissioner Precinct in Hays County is 16,404 (maximum is 17,059 low is 15,000) - wants to go over the lines - this is a draft plan.....a first cut.....a way to do this that gets the Commissioners precincts in balance - purpose of this hearing is to allow the public to make suggestions and changes and make comments to be taken into consideration before the court makes a final decision - Commissioners precincts line that he is presenting meet all the qualifications that the courts set - Pct. #1 has 16,115 Pct. #2 has 15,927 Pct. #3 has 17,034 Pct. #4 has 16,525 - spoke of percentages above and below ideal numbers (Pct. #3 is 3.9% above ideal Pct. #2 is 2.9% below ideal - within the 8% variance) - this plan meets "One Man One Vote" - in addition one of the things the Court wishes to do is create a pct. that gives the most opportunity to hispanics and blacks citizens of the County to have a district where they can elect a representative of their choice - in Comm. Pct. #1 the way it is now configured the hispanic & black combined minority populations in that district makes up 62% of the total population in the district - 65% is considered a guaranteed minority electible district - spoke of State Senate lines restricting the configuration of some lines - major difference is that Comm Pct. #1 no longer includes Election Pct. #15 (added to Pct. #3) - Comm. Pct. #1 includes part of Election Pct. 21, 20 & 44 (Pct. 21 runs to Yarrington Road) - spoke of Comm. Pct. #4 coming into San Marcos (adding part of this into Pct. #1) - currently pct. #1 runs along Hopkins St. (draft follows San Antonio Street) - area between Hopkins and San Antonio Streets is being added to Pct. 3 - area currently in Pct. 3 is being put into Pct. 4 and Part of Pct. 4 is being added to Pct. 1 - all Pct. 20 plus Pct. 21 is going into Pct. 1 - 62% minority in Comm. Pct. 1 meets Justice Dept. requirement of creating a majority minority district if possible - this plan must be sent to Washington D.C. and be approved by the Justice Dept. (they have 60 days to decide if they accept the plan). Meeting was opened for public discussion and suggestion. Augustine Lucio asked about apartments count - how do students fit into

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the Pct. 1 count. Bill Emory stated that the ones that were in place when the census was counted is what the count is that we have to live with, if the apartments were full that is the number we have to live with and if they were only half full then that is the count we have to deal with - the only thing you are allowed to use in redistricting is the total populations . Sandra Martinez asked out of the 62%, what percentage is the voting populations. Bill Emory stated that there are 12,089 18+ population out of that are 6,054 hispanic & 691 are black - 6600 voting age population that is minority & that works out to about 56%. Billy Reeves asked for adjusted Commissioner Precinct population. Bill Emory gave the following figures:

|               |        |
|---------------|--------|
| Comm. Pct. #1 | 16,115 |
| Comm. Pct. #2 | 15,927 |
| Comm. Pct. #3 | 17,044 |
| Comm. Pct. #4 | 16,528 |

Benny Wranitzky asked about count-in particular the Kyle prison facility - this population cannot vote. Bill Emory spoke of Mississippi attempt to place prisons in their plan - was concerned that Justice Dept. would ask why we put the prison in the majority minority district, therefore, he left the prison out of that district - you must redistrict by population figures and not by voting population. Frank Arredondo spoke of his concern by taking Pct. 20 out of Pct. 2 which will decrease the spanish vote in Pct. 2. Bill Emory spoke of constraints - he cannot exceed the 17,000+ population - spoke of figuring variance to meet "One Man One Vote" standards - must look for concentration of hispanics without exceeding "One Man One Vote" standards - its makes sense to put #20 into #10 - spoke of consideration hispanic population in south part of Pct. 44 (Thorpe Lane Public Housing) put in Pct. 1 - you increase the minority population in Pct. 1 - if you put that in Kyle you would not hit 60% - to get 60% in Pct. 2 you would have to start in Kyle and run into San Marcos and cut out some San Marcos hispanics - tried to create a district that was the most compact possible and reach the level of 62% - get the highest precentage without exceeding the "One Man One Vote" standard. Frank Arredondo stated that he did not like to see another precinct robbed from having a hispanic representative on Commissioners' Court. Albert Sierra asked about submitting the current precincts to the Justice Dept. Bill Emory stated that you could not submit that plan - it no where meets the "One Man One Vote" - you would have them overseeing your destiny - current districts are not in balance - anyone could file a lawsuit if you don't meet the "One Man One Vote" - Justice Dept. has made it clear that if you have the opportunity to create a majority hispanic district, you must do so. Sandra Martinez asked about minority population before and under the new district - Comm. Pct. #2 minority population was 8,128 (37%) will be 5,092 (33%). Marshall Smith asked about Pct. 4 (Valley View) - our problems is that you are so far away from Dripping Springs. Judge Etheredge spoke of Lime Kiln & Hilliard Road - residents are not getting the service that they deserve from Pct. 4 layout - because of equipment location - approach being taken is that Pct. 1 Commissioner and Commissioner Pct. 4 will enter into an interlocal where Pct. 1 will provide labor force and Pct. 4 will provide funding - unable to place this area in Pct. 3 or Pct. 2 without throwing numbers all out of proportion. Bill Emory spoke of how they had tried to move this into another precinct and numbers would not work out. Lamar LaCaze spoke of CR150 area. Lois LaCaze spoke of CR150 area which will be moved to Pct. 1 - did not feel she has the same opportunities to vote for people who she will comes into contact with on a regular basis in the Kyle community. Sandra Martinez asked about population in the Yarrington Road area. Commissioner Ford stated that the commissioners precinct goes all the way to San Marcos River - voting pct. will not change as far as commissioner the JP pct. will still cover that area and voting pct. will change but the area outside of City of San marcos is currently in #21 and #27 goes down to Yarrington - need to change voting line from #21 up to CR150 or move #27 down. Sandra Martinez stated that she did not understand what he just said - asked if Comm. Pct. 1 went to Yarrington Road. Commissioner Ford stated that it did not - it went to the San Marcos River. Bill Emory spoke of area in Pct. #29 and #27 - total number of people involved is about 75. Judge Etheredge spoke of consideration to equalize road miles within the precincts also. Billy Reeves asked about considerations on boundary lines between Pct. #2 & #4 that runs down Hwy 967 - makes sense to follow Hwy 1826. Commissioner Ford stated that Commissioner Rippy does not want to give up this area - they would have to drive 12 miles to go vote - would like to keep them in Driftwood - voting precinct would have to be created. Bill Emory stated that they tried to keep the boundaries the same whenever possible. Ruben Ruiz presented an alternate plan - roads are the Commissioners problems and

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are not a consideration - concerned with "One Man One Vote" - 55% hispanic minority vote in this plan.

JUSTICE PRECINCTS

Judge Etheredge spoke of J.P. Precincts and problems that have surfaced - they did not anticipated too much of a change. Bill Emory spoke of J.P. Pct. 1 having two places - J.P. Pct. 1 has a population of 35,531 Pct. 2 has 7,804 Pct. 3 has 5,914 Pct. 4 has 8,012 Pct. 5 has 8,353 - J.P. Precincts are not required to meet "One Man One Vote" - J.P. Pct. 1 has 35,531 people = 38% minority (12,149 hispanics = 34.2% 1,542 blacks = 4.3%) - high likelihood that when you send a Commissioners plan to the Justice Dept. which has a Comm. Pct. 1 with 62% or 55% minority concentration made up wholly of Pcts. that are within J.P. Pct. 1 that that would cause notes that someone would ask the question "why can't you create two discrete J.P. Pcts. within San Marcos and create a district where the minority has the ability to elect someone of their choosing" - wants to see what would happen if you create two J.P. Pcts. in San Marcos and not redistrict the existing elected minority office holders out of their districts as well as the Constable - Pct. 15, 31, 47 & 21 would be J.P. Pct. 6 J.P. Pct. 1 would have 17,435 people (8,660 hispanics 904 blacks) J.P. Pct. 6 would have 18,326 populations (3,587 hispanics 641 blacks) - end up creating a J.P. Pct. that is more than 50% minority - felt like the Justice Department would accept this plan - fundamentally the other J.P. Pcts. will stay the same - outside of San Marcos up the Yarrington Road will stay in J.P. Pct. 1. - plan makes sure that Uhland Road is still in J.P. 1 Pct. since one of the J.P. offices at the Jail and the courthouse is in the other J.P. Pct. 1 - created districts that did not create a problems with anyone that is presently holding an office - same consideration was given to Constable Pct. 1 - you cannot have an election precinct that is in two commissioners precincts - you cannot make changes in any districts without pre-clearance from the Justice Dept. - if you do not make any changes and the Justice Dept. feels like a change should have been made, they will reject your plan - could stop the election process until the plans is changed or until the Courts decide who is correct - trying to get an early start in submission of our plan to allow time to redo voter registration - spoke of 60 days that Justice Dept. has to review the plan. J.P. 1-2 Becky Sierra and J.P. 1-1 Macel Sullivan both spoke in opposition of changing the present J.P. Pct. lines - would like to keep J.P. Pct. 1 the same as it is currently. Leon Breeden spoke of problems with the plan will creating two J.P. Pcts. - felt like Justice Dept. would accept as is - spoke of problems that would be created with filing of J.P. court cases - urged the Court to submit the plan without splitting this precinct. Judge Etheredge spoke of Article 5 dealing with redistricting. Ruben Ruiz recommends letting the Justice Dept. reject a plan before making changes. Benny Wranitzky - former county commissioner - spoke of creation of J.P. Place 2 and requested that J.P. boundaries be left as is. Judge Etheredge told public that he appreciated their input and if they have any other suggestions they should notify their county commissioner of himself - another public hearing will be held concerning election precincts on August 1, 1991 at 7:00 P.M. Public hearing was closed.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF August, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 29TH DAY OF JULY , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10876 ADOPT A "LOSS CONTROL POLICY" FOR HAYS COUNTY

Dennis Deady, Safety Specialist for the Texas Association of Counties, appeared before the Court - presented a Safety Policy Statement for approval - TAC is attempting to enlist counties into a training program - spoke of new workers comp law to eliminate abuses - develops a safety program - an policy manual is needed and an accident investigation team - TAC will train personnel on how to develop the program - stated that last year Hays County had 89 accidents and 123 claims (50% of accidents are R&B employees 45-48% Sheriff's Dept. and 2-5% other) - the county's experience modifier will reflect the county's claims, since the claims are a key ingredient in the calculation of each county's modifier - a "high" modifier means "high" premiums - spoke of OSHA inspections and possible fines that could be incurred - County needs to appoint a Loss Control Coordinator and a 10-12 person Committee - 7 1/2 hours of training will be provided by TAC - monthly meetings to be held - Sheriff's involvement is needed. Commissioner Ford stated that he felt like this is not necessary - county already has a Loss Control Policy and Coordinator. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to adopt a "Lost Control Policy" for Hays County. Commissioner Rodriguez, Judge Etheredge, Commissioner Payne and Commissioner Rippy voting "Aye". Commissioner Ford voting "No".

SAFETY POLICY STATEMENT

Adopted on this the 29th day of July, 1991, at the Commissioners' Court meeting.

The County Judge and County Commissioners are concerned with the safety of employees and the public. Injuries cause suffering and financial loss to employees, their families, and the public, and cause a drain on the county tax dollars which are needed to produce essential services.

The Commissioners' Court will make every effort to reduce the frequency of injuries. As a minimum, the Commissioners' Court supports compliance with all safety ordinances, regulations and laws.

The Commissioners' Court will create and monitor a method for accomplishing the objectives of this policy statement. This will normally be done through the efforts of the Loss Control Director/Coordinator and Loss Control Committee.

s/ Eddy A. Etheredge
COUNTY JUDGE

s/ Peter Rodriguez
COMMISSIONER

s/ W. R. Ford
COMMISSIONER

s/ Craig Payne
COMMISSIONER

s/ Oran Hill Rippy
COMMISSIONER

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10877 APPROVE PAYMENT TO EMORY & YOUNG FOR AUGUST 1, 1991

A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to approve payment to Emory & Young for August 1, 1991 redistricting hearing. All voting "Aye".

10878 APPROVE PAYMENT TO SDHPT IN THE AMOUNT OF \$15,182.99 FOR HAYS COUNTY PORTION OF FISCHER STORE ROAD BRIDGE PROJECT

A Statement of Cost was received from the State Dept. of Highways and Public Transportation for Fischer Store Road Bridge Project (CR 180 @ Blanco River) - additional funds = \$15,182.99 are needed from Hays County to complete the funding obligations on this project. A motion was made by Commissioner Payne and seconded by Commissioner Ford to approve payment of \$15,182.99 to the State Dept. of Highways and Public Transportation for additional expenses on the Fischer Store Road Bridge Project. All voting "Aye".

10879 APPROVE CHANGE IN STREET NAME FROM "A.K. KRAUSE TRAIL" TO "THOUSAND OAKS LOOP"

Commissioner Rippy spoke of poll taken by the residents of Thousand Oaks Subdivision - 69% of the residents favored changing the name of the Street from "A.K. Krause Trail" to "Thousand Oaks Loop" - felt like renaming the street in this subdivision to correspond with the name of the subdivision would enhance name recognition by other area residents and enhance the efficiency of the 9-1-1 emergency teams. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve change of Street Name in the Thousand Oaks Subdivision from "A. K. Krause Trail" to "Thousand Oaks Loop ". All voting "Aye".

10880 APPROVE FENCE PAYMENT TO RICHARD & RODDY SHULTS FOR RANCH ROAD 12 ONE-MILE WIDENING PROJECT (\$12,437.58)

Fence estimates for 7537.93 feet of fence (calculated from Bryson & Assoc. Surveying Co., Inc.) construction along RR12 were submitted by Richard & Roddy Shults:

|                |              |
|----------------|--------------|
| Jess & Bo Dyer | \$ 13,490.12 |
| Del Schoate    | \$ 12,437.58 |

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve fence payment to Richard & Roddy Shults in the amount of \$12,437.58 for Ranch Road 12 One-Mile Widening Project. All voting "Aye".

10881 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of County invoices in the amount of \$103,065.81 as presented by the County Auditor. All voting "Aye".

|                  |              |                   |             |
|------------------|--------------|-------------------|-------------|
| State Shared Rev | \$ 2,217.10  | Auditor           | \$ 364.97   |
| Treasurer        | \$ 156.00    | Juv. Prob. Ofc.   | \$ 413.37   |
| Indigent Care    | \$ 4,894.87  | Transfer Station  | \$ 64.63    |
| Bldg. Maint.     | \$ 72.06     | Health Dept.      | \$ 334.38   |
| Countywide Misc. | \$ 41,905.50 | County Clerk      | \$ 381.76   |
| Sheriff's Dept.  | \$ 461.91    | Jail Operations   | \$ 8,807.35 |
| Co Crt @ Law 1   | \$ 479.80    | J.P. 1-1          | \$ 709.00   |
| J.P. 3           | \$ 42.12     | J.P. 4            | \$ 46.00    |
| J.P. 5           | \$ 44.83     | Constable 1       | \$ 193.35   |
| Constable 2      | \$ 86.75     | Constable 3       | \$ 41.95    |
| Constable 5      | \$ 68.64     | Veterans Admin    | \$ 50.63    |
| Data Proc Adm    | \$ 171.27    | TABC              | \$ 4.96     |
| Dist Court Oper  | \$ 9,007.49  | County Court Oper | \$ 337.50   |
| R&B General      | \$ 207.93    | Precinct 1        | \$ 2,458.42 |

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|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Precinct 2       | \$ 6,738.59  | Precinct 3        | \$ 7,880.45  |
| Precinct 4       | \$ 777.49    | Historical Comm   | \$ 28.30     |
| Adult Prob Oper  | \$ 10,967.61 | Adult Prob Fac    | \$ 645.83    |
| Adult Prob Prgms | \$ 2,020.00  | **Gen Fund Credit | \$ 17.00**** |

10882 AWARD CONTRACT ON ARTICULATED WHEEL LOADER FOR PCT. #2

Two bids were received for an Articulated Wheel Loader for Pct. 2:

|                       |              |              |
|-----------------------|--------------|--------------|
| Kuenstler Machinery - | \$ 51,153.00 | (John Deere) |
| Anderson Machinery -  | \$ 45,600.00 | (Fiatalis)   |

Commissioner Wayne Ford spoke of 1953 model that is currently being used by his Precinct. Judge Etheredge spoke of problems with financing through machinery warrants - would like to see equipment purchases budgeted accordingly. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to award contract for Articulated Wheel Loader for Pct. #2 to Anderson Machinery Company in the amount of \$45,600. All voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Rippy to finance \$45,600.00 equipment purchase through machinery warrant. Commissioner Rodriguez, Commissioner Ford, Commissioner Payne and Commissioner Rippy votng "Aye", Judge Etheredge voting "No".

10883 APPROVE BUDGET AMENDMENT FOR JUSTICE OF THE PEACE PCT. #1 PLACE #2

The following line item adjustments were requested:

| <u>Line Item</u>             | <u>Increase</u> | <u>Decrease</u> |
|------------------------------|-----------------|-----------------|
| # 425-5211 Ofc Supplies      |                 | \$ 23.00        |
| # 425-5331 Continuing Ed     |                 | \$ 96.00        |
| # 425-5391 Miscellaneous     | \$ 44.00        |                 |
| # 425-5471 Ofc Equip Mtc/Rep | \$ 75.00        |                 |
|                              | =====           | =====           |
|                              | \$119.00        | \$119.00        |

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to approve budget amendment (line item adjustments) as requested for Justice of the Peace Pct. #1 Place #2. All voting "Aye".

10884 DISCUSSION OF NEED FOR INTERLOCAL AGREEMENTS WITH MUNICIPALITIES REGARDING ANIMAL CONTROL

Commissioner Wayne Ford spoke of having been contacted by several municipalities concerning animal control - spoke of problem with cities that already have an ordinance and registration program - the City of Woodcreek and the City of Hays have requested animal control by the County - suggested that perhaps the County should enter into an interlocal agreement for this service or the City could adopt the County's ordinance. Commissioner Craig Payne stated that he was opposed to picking up expenses of the cities - this would increase County's expenditures and not so much our revenues. District Attorney Marcos Hernandez stated that he felt in the absence of a City Ordinance that the County Ordinance would apply in a City. Commissioner Ford stated that currently the Sheriff's Dept. does not enforce animal control within incorporated cities - he feels like cities that want animal control should be able to receive it from the County. A motion was made by Judge Etheredge and seconded by Commissioner Rodriguez to table any action until the District Attorney has had time to research the necessity of interlocal agreements for animal control. All voting "Aye".

ADDITIONAL COST OF FENCE CONSTRUCTION AT LAW ENFORCEMENT CENTER

Commissioner Wayne Ford spoke of cross fence (2 secure areas), fence around guy wire on power pole, and 24' double gate - total cost = \$3,893.00. Commissioner Rodriguez requested postponement until he can check with Jail Maintenance Supervisor.

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10885 APPROVE INCREASE IN TRAVEL ALLOWANCE TO IRS STANDARD EFFECTIVE OCTOBER 1, 1991

Commissioner Wayne Ford spoke of current travel allowance of 21 cents per mile - suggested that the County direct the Auditor to use the effective IRS standards. County Auditor Bill Herzog stated that the Effective IRS Standards are 27.5 cents per mile with a cap @ 15,000 miles per year. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to utilize the Effective IRS Standards for travel allowance to be effective October 1, 1991. Commissioner Ford, Judge Etheredge and Commissioner Rippy voting "Aye", Commissioner Payne voting "No" and Commissioner Rodriguez abstained from voting.

10886 ALLEN TRACT SECTION 3 SUBDIVISION - 1ST,2ND,3RD READINGS (PCT. 4)

Cotton Johnson presented the "Allen Tract Section 3" subdivision for first, second and third readings - subdivision is located off Hwy 290 W adjacent to Oak Hollow Subdivision - 25 acres to be subdivided into 2 lots. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Allen Tract Section 3" subdivision on first, second and third readings. All voting "Aye".

10887 ESTABLISH 3-WAY STOP SIGNS ON PHALAROP AT LEISUREWOODS DRIVE

Judge Etheredge called public hearing open to establish traffic regulations. Commissioner Wayne Ford spoke of petition he had received from area residents - there is a blind curve that has caused numerous accidents. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to establish traffic regulation of 3-Way Stop on Phalarop at Leisurewoods Drive (western end of Phalarop). All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF August, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 31st DAY OF JULY, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

FY91-92 BUDGET WORKSHOP

Judge Etheredge spoke of his proposed budget - equipment request were deleted and will be considered later on in the budget process - loss of revenue is more than anticipated: figures received this date show the estimated taxable value loss of \$129,960,791. (had been using the estimated figure of \$75,000,000).



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County Extension Service

Cliff Caskey and Susan Schramm appeared before the Court - Mr . Caskey spoke of staff needs - Lois is being used as a Program Aide for 4H camps, etc. - requested fulltime clerical staff. Mrs. Schramm spoke of need for additional travel funds - miles have exceeded what she is receiving in travel expenses - they are using Interns and volunteers and have one part-time office staff.

Juvenile Probation Dept.

Chief Probation Officer Ed Cooper appeared before the Court - spoke of revenue sources - their budget is based on predictions - went through various line items and explained their uses - vehicle they received last year has helped to reduce their travel expenses. Judge Etheredge spoke of his proposed figures being based on estimated actuals. Mr. Cooper spoke of need for a new copier to replace the used one they had received from the Tax A/C office - everyone on the third floor uses their copier - requested 7% merit increase for himself and his staff.

Election Administrator Dept.

Joyce Cowan, Election Administrator, appeared - spoke of telephone line item - requested installation of an additional telephone line to be used as a personal line for Election workers, etc. - spoke of change in equipment which has reduced expenses

County Court at Law #1

CCL Judge Howard Warner appeared - spoke of having been CCL Judge for 10 years - felt like CCL Judges should be paid the same as District Court Judges (\$80,000 per year) - as of October 1st all County Court at law jurisdiction for Civil cases will be raised from \$50,000 to \$100,000 limitations - felt like CCL will receive 60% of cases that are now filed in the District Court - stated that Criminal Caseload has increased - gave statistics of new cases, disposed cases and jury trials - stated that he utilizes college interns and has one Court Administrator, one Court Reporter and one part-time clerical staff (serving both Courts) - requested 20% salary increases for his staff. Judge Etheredge asked about the reduction in revenues. Judge Warner spoke of jail time being served and community service restitution in lieu of fines & court costs - projected that fine monies will increase - requested that Judge CCL #2 position be made fulltime due to projected increase in Civil matters. Judge Etheredge spoke of loss in property valuations.

Building Maintenance

Bryan Hoot, Maintenance Supervisor, requested moving the utility line items out of the building maintenance budget - spoke of elevator in the Courthouse needs to be repaired (new control panel = \$40-60,000) - Annex elevator has a problem with braking. Commissioner Payne asked about the exterior of the Max C. Smith building (painting eaves and lawn improvements)- when will improvement be made. Mr. Hoot spoke of limited funds - currently using 4 CSR workers and 4 Youth workers.

Justice of the Peace Pct. #4

J.P. John Burke appeared - requested paralegal position to be used among the J.P. offices - spoke of J.P. Civil jurisdiction being increased from \$2,500 to \$5,000 - spoke of 7 year employee in his office should have parity to other J.P. Clerks. Telephone line item was increased to \$750. Commissioner Payne spoke of reduction in revenues.

Justice of the Peace Pct. #5

J.P. Orlena Hehl appeared - requested increase in salary for Clerk Melinda Tucker - satisfied with proposed budget.

Data Processing Administrator

Lance Renfrew, D.P. Administrator, request funds for the J.P./D.P.'S. issue which was taken out of the budget - spoke of Animal Control computer (maintenance contract is \$1500 per year). Judge Etheredge spoke of need to address equipment request as a bond issue. DPS Sgt. Ralph Meyer spoke of current JP system that was implemented in 1983 being an obsolete Honeywell system (hooked up to the DPS main frame) - the JP Training Center is designing a statewide J.P. software package and the software will be available January 1st. Mr. Renfrew stated that equipment must be purchased for the software - suggested that vendors be sought when software is ready in order to get the best possible price for the hardware - requested \$4,000 for terminal replacement program replace terminals that are over 6 years old - requested increase in software funds (P.C. software) to replace pirated software with no documentation.

D.P.S.

Sgt. Ralph Meyer appeared - went through various line items - \$9,000 requested for data lines with addition of JP#3 to the system - spoke of request for radar (2 radar sets bought annually) - old radar units are used as spares or utilized by the Sheriff's Dept. and Constables - has three staff employees.

County Court at Law #2

Judge Linda Rodriguez appeared - spoke of criminal misdemeanor docket held and pretrial conferences and jury trials - duties are shared between herself and Judge Warner - stated that the CCL#2 job is not a part-time position - she is putting in over 20 hours per week in the office - spoke of increase in civil jurisdiction, increase in criminal case filings and increase in fines due to change in the Law. Judge Etheredge spoke of need for Judge Rodriguez to earn a living wage - she is having to practice law on the side and this could create a conflict - recommended a salary of \$32-35,000 per year.

District Attorney

District Attorney Marcos Hernandez appeared - spoke of cases filed, re-filed and appealed - requested increase for staff salaries, especially the Assistant D.A.'s - unable to compete with other counties regarding salaries for A.D.A.'s - spoke of revenues being generated for welfare cases prosecuted (\$3,000 has already been generated) - would like to increase part-time Investigator position to fulltime - spoke of need for a Victim Witness Coordinator (required by Law - Art. 59) to keep victims informed of case status - requested a Civil Attorney position (optional) which could be used to pick up Civil Cases (presently using Gene Majors for bail bond cases) - could use a paralegal in place of an ADA - spoke of need to increase postage and telephone line items - stressed to the Court that all parts of the legal system must be funded accordingly to be the most effective. Commissioner Rodriguez asked Mr. Hernandez how many hispanics he had on his staff. Mr. Hernandez stated that he had 5 Anglos and 6 Hispanics.

Justice of the Peace Pct. #1 Place #1

Judge Macel Sullivan appeared - requested \$600 travel for all J.P.'s (approved) - spoke of salaries for J.P.'s in Pct. 1 being \$7,000 less than other Elected Officials in the Courthouse - spoke of J.P. job being a hazardous job - revenue is not reflected in their workload - Legislature has updated legal forms and office supplies line item needs to be increased - spoke of magistration at the jail - the City Judges magistrate on the weekend and they supply all the magistration forms.

Justice of the Peace Pct. #1 Place #2

Becky Sierra spoke of J.P.'s salaries - felt like they are underpaid compared to other elected officials - J.P.'s in Pct. 1 are on call every other week - spoke of continuing education - Legislature created 200 bills that affect J.P.'s and Constables - amount of fines will increase from \$200 to \$500 - her office staff consist of 2 hispanics and 1 anglo (bilingual).

Tax Assessor-Collector

Ruth Clayton appeared - requested part-time employee (will not require additional staff funds) - spoke of stools needed for the front office and need for calculator replacement during the year - has 17 employees (6 are part-time) - spoke of motor vehicle registration fees. Commissioner Wayne Ford spoke of savings to the City of San Marcos and School District taxpayers due to Tax A/C collecting their taxes.

Justice of the Peace Pct. 3

Jim Stowe appeared - spoke of revenues having increased 40% since January 1, 1991 - requested salary of \$26,341 or \$25,699 per year - requested Head Clerk salary of \$13,658 per year - stated that he was available to the public during lunch, late on Mondays (6PM) and later if required. Commissioner Craig Payne spoke in support of J.P. salary increase.

Constable Pct. 3

Don Amerson appeared - requested \$700 for communication equipment (handi-talkie) to be used at the Precinct 3 offices - this radio would enable the J.P. to communicate with the Constable at any time - felt like he would need an increase in telephone expenses - additional postage is needed to return executed papers - spoke of repairs needed to his vehicle (steering, brakes, shocks and tires). Commissioner Payne suggested getting repairs done out of present FY budget.

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Constable Pct. 1

Lupe Cruz appeared - stated that his major concerns are fuel & lubes, telephone expenses and vehicle mtc. - spoke of his fulltime Deputy and one Reserve Deputy that are serving papers/required additional maintenance on the 1984 Fords that he has - would like to obtain 2 newer vehicles - requested telephone expense of \$950 instead of \$600 that was budgeted - communication equipment requested is for 2 handi-talkie radios for his Deputies - requested a salary increase and uniform allowance for his fulltime Deputy Constable. Commissioner Rodriguez stated that he supports this request.

Constable Pct. 4

Ed Bankston appeared - stated that he had been taking his postage out of office supply line item - requested \$3,000 for fuel & lubes (Reserve Deputy requires additional costs) - spoke of attending schools through grants - unsure as to future availability of this funding - spoke of vehicle maintenance (161,000 miles on his vehicle) - spoke of telephone expenses - his basic bill + \$20 per month is free since he is retired from SWBell - spoke of using his home and car as his office - requested funding for law enforcement equipment (i.e. handcuffs, flashlights, batteries, locks, etc) - spoke of hours he works (12 hrs per day) and requested funding for Reserve (6 hrs X \$8 per hr. per week).

Constable Pct. 5

Billy Reeves appeared - spoke of membership fees & bond line item = \$50 - this money would only cover his bond and not membership dues of \$50 (Member of the State & Regional Constables Association) - satisfied with remainder of his proposed budget.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF August, 1991

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 1ST DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP**

Treasurer

Dottie Sims appeared - spoke of office supplies needed (\$100 for shelving) - postage increased (ran out May of this year requiring a budget amendment) - data processing supplies increased (went from 1 printer to 3) - The Software Group is re-doing reports onto magnetic tape as required by TEC. New line items were created for "books & periodicals" and "membership fees & bonds".

Constable Pct. #2

James Kohler appeared - requested \$7,600 for an additional vehicle. Discussion was had on mileage reimbursement

Libraries

Stephanie Langenkamp, Director of the San Marcos Library, spoke on behalf of all the libraries in Hays County - stated that the San Marcos Library serves 50% of the residents of Hays County - population in Hays County is 65,600 and their request is for \$1.00 per capita for funding = \$65,600.00 - spoke of costs involved in operating a library. Ross Ogden, Dripping Springs Library, spoke of their library which is housed in the High School (apprx. 5000 books) - stated that the Dripping Springs Mayor has pledged financial support. Nancy Plegar, Kyle Community Library, spoke of their sources of funding (30% from the County and 40% from the City of Kyle) - any decrease will impact them greatly. Herb Felstead, Wimberley Community Library, stated that there are no city funds to support them - 75% of their funding is obtained through private funds and fundraisers. Jackie Lamb, Buda Library, spoke of their "Camp Wanna Read" program this summer - two childre from the program showed off their projects. Bill Meirs, Board Member/San Marcos City Library, spoke of funding for the Library - 5% county funding - spoke of Libraries being a valuable asset to the community. John Engel spoke of the Literacy programs and adult education - stated that it is important for libraries to be open a night for working adults. Judge Etheredge complemented the cooperation between the county libraries - asked for consideration in supporting a tax increase if required.

Sheriff's Dept.

Sheriff Paul Hastings spoke of salaries for the Sheriff's Dept. & Jail employees (requested 10% increase for those with one year or more of service) - stated that the county has been behind in salaries for years - spoke of difficulty in retaining personnel due to salaries and spoke of training cost (could be reduced with better wages) - compared Hays County's salaries vs. San Marcos Police Dept. and Travis County Sheriff's Dept. (Jailers start @ \$2000 per mo) - stated that 9-1-1 dispatchers will be hard to keep - uniform allowance is not adequate - SMPD pays for all equipment and uniforms for their officers - presently operating with inadequate dispatcher staff and with 9-1-1 programs calls will more than likely increase by 70% - spoke of present increase in patrol calls, serving warrants, more arrest, clearing more crimes - could possibly cut out night patrol and have deputies on call - has been subsidizing continuing education with drug funds - requested 10 new vehicles as instructed by the Court (this item was taken out of budget). Judge Etheredge stated that he would like vehicles to be addressed as an addendum to the budget as "equipment purchases".

Jail

Sheriff Paul Hasting requested same funding as last year. Discussion was had on janitorial supplies - if not funded appropriately, it will require a budget amendment later.

San Marcos-Hays County EMS

Tom Partin appeared - requested additional personnel - subsidized costs are shared 50/50 by the City of San Marcos and Hays County - employees receive 4-5% salary increases per year + Christmas bonus - there are 7 fulltime employees (1 female 6 males - no hispanics or blacks) - they do service the Martindale area, Hwy 123 to Southridge Estates and Hwy 621 to Staples. Judge Etheredge stated his concerns about calls made outside of the County.

San Marcos Area Food Bank

Alma Briggs appeared - stated that distribution sights are operated by volunteers, they operate in-house feeding programs and emergency food boxes - receives \$14,000 from the United Way \$10,000 from the City of San Marcos and \$6,000 from Hays County - the hold three annual fundraisers - are presently operating with an additional vehicle - paid staff is not fulltime and receives overtime pay (\$4.75 per hour).

Indigent Health Care

Eva Cruz, Indigent Health Care Administrator, spoke of need for \$170,000 in Medical/Dental Services - requested a salary increase and additional staff - spoke of responsibilities in her job - deserves equivalent salary of other Department heads - spoke of savings to the County and use of other agencies when possible - Misc. line item is used to pay for oxygen and other equipment necessary to get patients out of the hospital and for patient travel expense to Galveston - concerned about the home health care program - need a policy established for pauper burials.

Combined Community Action/Elderly Nutrition Program

Program Director Ella Hurst spoke of meals costs = \$138,000 - spoke of rising costs - 4 trucks are used to deliver the meals and the trucks are old - total budget is \$579,000 (65% Federal & State funds) - \$80,000 is spent in Hays County - frozen meals are offered to people in rural areas.

Hill Country Senior Citizens

Ruth Bennet, Director, appeared - their program serves north Hays county - provides meals and transportation - they work with CCA/Elderly Nutrition Program - provide 9,000 congregation meals and 3,500 home deliveries - grant money is 41% of their revenues - they hold numerous fundraisers and have an ongoing thrift shop - grant replaced the van (CARTS) and the van is an important part of their services.

Administrative Coordinator

Patsy Greiner spoke of mapping - need regional atlas maps for emergency purposes (\$15,000) - will need 5,000 sets of county map books - requested \$250,000 in funding each year for Right-of-Way projects (\$ to be rolled over each year) - requested that the Court consider a salary increase for Virginia - she does work for A.D. Carroll, Fire Marshal, V.A. Officer Tom Trvdik and Lupe Cruz Constable Pct. 1.

Community Action/Senior Citizens/Legal Aide

Ofelia Vasquez spoke of Legal Aide request for \$5,000 (\$2,655 proposed). Mike Grazier, Legal Aide Attorney, stated that he appreciates the office space in the Courthouse Annex - his services are on an "as-needed" basis. Ofelia Vasquez spoke of the Senior Citizens Program - requested \$15,000 (\$10,500 proposed) - they need a larger building. Discussion was had on obtaining an RTC property.

Hays-Caldwell Council on Alcohol & Drug Abuse

Mary Ann Smith spoke of their program - puts emphasize on prevention and intervention - they are active in Wimberley, Kyle and Buda - provides transportation and counselor. Sandra Martin spoke of funding - 87% grant funding - 5% match needed in the amount of \$13,500 - County funds go to local support.

County Clerk

Ronnie Dannelley passed out statistics of cases filed and revenues - there will be an increase in civil cases due to legislation (jurisdiction limitation changed from \$50,000 to \$100,000) - spoke of possibility of taking over the City of San Marcos vital statistics records.

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Hays County Women's Center

Cindy McCoy and Mary Fitzpatrick appeared - Mary spoke of revenues. Elva Enriquez, Director, spoke of the Shelter and Staff - counsels and offers support services to battered women and children - shelter has been full all summer - they have greatly increased their non-resident services - they no longer provide services to Caldwell County - service is limited to Hays County residents - they do have agreements with other counties to share services in some situation (to remove women/children from dangerous environment) - average stay is 17-20 days.

Scheib Opportunity Center

Jimmy Cobb, Chairman of the Board, appeared - spoke of mental health & retardation services provided - they have enlarged their workshop - facilities are owned and operated by Scheib - staff is employed by the State - principal sources of revenues are the City of San Marcos and Hays County - operating expenses = \$55,000.

Historical Commission

Lila Stillson, Chairperson, spoke of the HCHC goal of moving out into the County on their projects - would like to survey the entire county - a grant for Buda survey has been obtained - newsletter circulation is up to 1,000 (partially subsidized by grant) - \$10,000 grant to survey unincorporated areas will require \$2,500 from the County and \$2,500 from private funds.

Neiderwald V.F.D.

J. L. Houze spoke of request for \$5,500 - spoke of training expenses and expense of operating equipment - spoke of fundraisers - documentation is required by Law - Firemen have EMT training - 9-1-1 system will result in increased fire and EMS calls spoke of Haz-Mat situations - supports a countywide Haz-Mat Team.

**PUBLIC HEARING ON REDISTRICTING**

The following persons signed in as present for the public hearing:

- |                                     |                                         |
|-------------------------------------|-----------------------------------------|
| Jim Hollis (Mayor of Buda)          | Ollie W. Giles (Dunbar Neighborhood)    |
| Jeannine Pool (Mayor of Woodcreek)  | Linda Fritsche (Co Clk's Office)        |
| Becky Sierra (J.P. 1-2)             | Albert Sierra (San Marcos Resident)     |
| Macel Sullivan (J.P. 1-1)           | L. Nichols (Sheriff's Dept.)            |
| Al Sullivan (San Marcos Resident)   | Patricia Reyes (J.P. 1-2 Staff)         |
| Rachel Vasquez (Pct. 1 Resident)    | Paul Hastings (Sheriff/Pct. 4 Resident) |
| Frank Arredondo (San Marcos/Pct. 1) | Mary Joe Roddie (Pct. 35 Resident)      |
| Harvey Mathews (Hays Co. Rep)       | Bill Liddle (Hays Co Demo Party)        |
| J. B. Roddie Jr. (Pct. 35 Resident) | Janet Rippy (Dripping Springs Resident) |
| Joe Ptak (Pct. 20 Resident)         | Billy Reeves (Constable Pct. 5)         |
| Mary Gonzales (Pct. 1 Resident)     | Zeal Stefanoff (Green Democrat)         |
| James Kohler (Constable Pct. 2)     |                                         |

Judge Eddy Etheredge stated that the purpose of this meeting is to present the proposed voting precincts and to receive citizens input. Bill Emory explained that the voting precinct numbers currently being used will be the same with the addition of the new Commissioners' precinct number in front of the old number - creates a three digit voting precinct number (i.e. Pct. #35 will be #335 Pct. 20 will be #120) - each voting precinct must have at least 50 registered voters and not more than 5,000 - a group of 25 voters can petition the court to create a voting precinct - proposal shows no change in boundaries of current precincts # 43, 49, 42, 35, 15, 31, 10, 24, 26, 28 & 23 - the changes in Pcts. # 40 & 41 and # 48 & 37 boundaries is due to the State Senate lines - Pct. #10 currently ends at the San Marcos River - spoke of need to divide up Pct. #27 - part of #27 will be added to #25 - area from CR 150 to San Marcos will be Pct. #121 - boundary between Pct. #30 and #11 will be San Antonio Street - part of Pct. #36 will go to #451- part of Pct. #30 will go to #36 - no change in Pcts. # 16, 12, 13, 14, 20 - part of #44 would go into #123 and the other part of #44 would be #444. Woodcreek Mayor Jeannine Pool asked if an incorporated city should have a separate voting precinct. Bill Emory stated that they should have a separate voting precinct if possible, however, he will need to check to see if small cities are required to have their own voting precinct. Mary Jo Roddie suggested moving Pct. #35 boundary to Badger Road to create a voting location. Harvey Mathews, San Marcos Resident, asked about Pct. 36

changes. Bill Emory spoke of need to create a minority majority commissioner precinct in #1. Albert Sierra asked about proposal submitted by Ruben Ruiz. Bill Emory stated that the major difference was the Hopkins Street boundary and splitting of Pct. #16. Ollie Giles asked why boundary was changed from Hutchison Street to San Antonio Street. Bill Emory stated that the change was made to get a higher minority population in Pct. 1. Abel Tenorio, Kyle Resident, asked about the loss of minority vote in Kyle. Frank Arredondo stated that moving voters from Pct. 2 to Pct. 1 will dilute the hispanic vote in Pct. 2 - current lines make it possible to have two minorities on the Commissioners Court - voiced his concern about the proposed plan. Commissioner Wayne Ford Pct. 2 stated that it was necessary to take some of the population out of Pct. 2. Abel Tenorio suggested taking population out of the north end of Pct. 2. Bill Emory spoke of creating a minority majority precinct and consideration of One Man One Vote criteria - the Court must meet both standards. Ollie Giles asked about consideration made for the Black population. Bill Emory stated that to his knowledge the changes will not affect the Black population - this population is not sufficient to create a district. Zeal Stefanoff spoke of voting Precinct #46 (vote @ Travis Elementary School) - there is a confusion when you combine a city and county box. Bill Liddle spoke of problem with finding a polling location and problems when an election is held during school hours - spoke of voting precinct #26 being too large causing voters to have to wait to vote. Bill Emory stated that current liquor laws will not be affected by the changes - the current JP lines would retain their status for liquor establishments until another Election is held to change - voting precinct #15 will be changed to #315 and be in Comm. Pct. 3 area - the Election Administrator has suggested that the northern portion of #315 be placed in #331 so that voters can vote in Country Estates off RR12 - recommended that the Commissioners' Court make a decision on proposed redistricting plan on August 12, 1991 - after this decision is made the survey maps and legal documents will be prepared and Court will approve these on August 26, 1991. Albert Sierra requested that the Court hold evening meeting so that the public can attend.

Proposed Voting Precincts & Population:

|             |             |             |             |
|-------------|-------------|-------------|-------------|
| 110 = 1,328 | 223 = 2,245 | 315 = 2,904 | 440 = 663   |
| 111 = 1,022 | 224 = 1,799 | 330 = 3,035 | 441 = 3,068 |
| 112 = 1,494 | 225 = 1,694 | 331 = 293   | 442 = 856   |
| 113 = 2,514 | 226 = 4,536 | 334 = 3,156 | 443 = 1,889 |
| 114 = 923   | 227 = 1,445 | 335 = 2,632 | 444 = 1,919 |
| 116 = 1,377 | 228 = 2,018 | 336 = 1,862 | 445 = 1,600 |
| 120 = 3,347 | 229 = 2,190 | 337 = 3,164 | 446 = 2,410 |
| 121 = 728   | =====       | =====       | 447 = 1,748 |
| 122 = 1,706 | 15,927      | 17,046      | 448 = 621   |
| 123 = 1,676 |             |             | 449 = 1,033 |
| =====       |             |             | 451 = 719   |
| 16,115      |             |             | =====       |
|             |             |             | 16,526      |

Public hearing was closed.

MINUTES APPROVED IN OPEN COURT ON THE 30th DAY OF SEPTEMBER, 1991.

*Eddy A. Etheredge*  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 5TH DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DISCUSSION REGARDING ENFORCEMENT OF ANIMAL CONTROL ORDINANCE WITHIN MUNICIPALITIES

Commissioner Wayne Ford spoke of opinion of Marcos Hernandez concerning enforcement of the Hays County Animal Control in municipalities. D.A. Hernandez stated that in his opinion is that if the municipality does not have an animal control ordinance or if they repeal the one that they have, the county ordinance would apply and enforcement would fall upon the County - the County is under no obligation to increase its budget requirements for animal control - the most stringent ordinance will apply to any area - felt like there is no need to enter into any type of agreement unless you are asked to provide additional services.

10888 APPROVE ADDITIONAL COST OF FENCE CONSTRUCTION AT LAW ENFORCEMENT CENTER

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to approve additional cost of fence construction at the Law Enforcement Center with exception of widening of the gate. Commissioner Rodriguez, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye". Judge Etheredge voting "No".

10889 ACCEPT QUITCLAIM DEED FOR EXISTING R-O-W IN GOLDENWOOD WEST SECTION 6 SUBDIVISION (0.069 AC) FROM THE DRIPPING SPRINGS ISD

Patsy Greiner, Administrative Coordinator, spoke of need to clean up the tax rolls concerning this piece of property - no one has been paying taxes on it - \$17.00 in taxes due - both DSISD and Hays County will absorb the taxes and Dripping Springs I.S.D. will quitclaim the property to Hays County. A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to accept quitclaim deed from the Dripping Springs Independent School District for 0.069 acres in right-of-way out of the Goldenwood West Section 6 subdivision. All voting "Aye".

10890 AMEND BUDGET OF JUSTICE OF THE PEACE PCT. #3

County Auditor Bill Herzog presented proposed line item adjustments for Justice of the Peace Pct. 3 budget:

Table with 3 columns: Line Item, Increase, Decrease. Rows include items like 01-427-5121 Co Ret, 01-427-5211 Off Sply, 01-427-5391 Misc, 01-427-5411 Eqpt Maint, 01-427-5489 Telephone, 01-427-5711 Off Eqpt, and a total row with \$787.00.

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to amend the budget of the Justice of the Peace Pct. #3 by adjusting line items as presented in the amount of \$787.00. All voting "Aye".



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10891 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$107,219.82 as presented by the County Auditor. All voting "Aye".

|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Fine Overpayment | \$ 2.00      | Auditor           | \$ 220.64    |
| Treasurer        | \$ 78.50     | Extension Ofc.    | \$ 215.94    |
| Election Admin.  | \$ 1,008.00  | Transfer Station  | \$ 158.15    |
| Building Maint.  | \$ 3,307.51  | Civic Center      | \$ 109.78    |
| Countywide Misc. | \$ 2,484.42  | Tax A/C           | \$ 22.71     |
| District Clerk   | \$ 278.67    | County Clerk      | \$ 2,740.23  |
| Sheriff's Ofc    | \$ 23,409.01 | Jail              | \$ 12,301.67 |
| Dist. Atty.      | \$ 156.70    | J.P. 1-1          | \$ 168.41    |
| J.P. 2           | \$ 460.24    | J.P. 3            | \$ 108.30    |
| J.P. 4           | \$ 250.00    | J.P. 5            | \$ 100.00    |
| D.P.S.           | \$ 410.00    | Constable 1       | \$ 49.21     |
| Constable 2      | \$ 724.69    | Constable 5       | \$ 40.45     |
| Data Proc Admin  | \$ 804.36    | TDH M&C Care Grnt | \$ 13.02     |
| Fire Marshal/EMC | \$ 475.00    | District Court    | \$ 1,794.05  |
| County Court     | \$ 3,046.43  | Precinct 1        | \$ 374.91    |
| Precinct 2       | \$ 2,942.81  | Precinct 3        | \$ 5,528.67  |
| Precinct 4       | \$ 81.67     | Law Library       | \$ 126.25    |
| Jail Addn Const  | \$ 3,530.00  | Public Works      | \$ 30,807.87 |
| Public Works I&S | \$ 2,970.00  | Adult Prob Oper   | \$ 744.13    |
| Adult Prob Fac   | \$ 365.00    | Animal Control    | \$ 40.35     |
| Indigent Care    | \$ 4,770.07  |                   |              |

BUDGET WORKSHOP

Onion Creek Senior Citizens

Barbara Younts appeared - requested \$8,000. Proposed budget is \$6,500.

Southside Community Center

Bill Henderson, Pastor of First Methodist Church & Board of Directors of Southside Community Center, spoke of assistance provided - spoke of summer youth program that built and repaired homes.

Hays County Crisis & Information Center Hotline

Margie First appeared - requested \$1,000 in funding - has been in operation since 1973 - numerous suicide calls - make referrals to other social service agencies - they have fundraisers - funding has been fairly consistent - average 300-400 calls per month (4,364 calls last year) - 1 salaried person and the rest are volunteers - spoke of suicide prevention and education.

District Clerk

W. H. Moore, appeared - spoke of permanent record line item - microfiche has saved money - equipment request includes a new copier (State contract = \$10,000) - presently having a tremendous amount of repairs and maintenance - not sure about microfiche being archival - may need to change microfilming procedures - requested 1 additional employee to film fulltime - running out of file space - proposes using an optical disk in the future.

San Marcos Youth Services Bureau

Margie Hernandez appeared - spoke of projected funds from the City of San Marcos being \$13,500.00 and United Way being \$10,725.00 - spoke of vacancies on the Board of Directors (2 have been filled by Laroy "Rusty" Smith & Dennis Gutierrez) - spoke of school supplies funds being separate and not in the operating budget.

Hays County Soil & Water Conservation District

Benny Wranitzky spoke of matching funds up to \$7,500 available - requested funding of \$6,000 - recommended that County use their services for some of their surveying needs (short grades).

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Health Dept. - Personal Services & Environmental Services

Mary Hughes, Director of Nursing, appeared - they are currently closing their community services account and placing funds into the General Fund - 6 of their staff is currently covered by grants - spoke of revenues from shots, immunizations, drug testing, etc. - no change in revenues for TB clinic - Maternal & Child Care Grant & MAHIA grants have been obtained - total staff is 6 people (3 are hispanic). Commissioner Payne spoke of city employees becoming county employees will cost approx. \$100,000.00 - stated that Mrs. Hughes would like information sent to her rather than to Terry Ewald. Judge Etheredge stated that the City of San Marcos is concerned about personal health services for citizens of San Marcos - vital statistics will be kept by the City through interlocal agreement - City of S.M. will keep Terry Ewald and any other city employees that want to stay with the City.

Wimberley Institute of Cultures

Chip Ross appeared - requested funding = \$4,000 (could designate funds proposed for the Wimberley Senior Citizens) - WIC deals with economic development - Wimberley needs a community center for various groups to have a place to meet - \$2,000 has been pledged towards planning and design - they will solicit grants. Commissioner Payne stated that funding from the County would have to be for operating expense - spoke of Wimberley getting so little funding for social services. Judge Etheredge spoke of data base at the State Comptrollers office in Austin showing available grants.

Fire Marshal/EMC

A.D. Carroll requested same budget as last year - spoke of photo supplies and processing expenses.

Burnett Ranch Home Owners Association

Isy Day appeared - requested upgrading of roads in Burnett Ranch Subdivision Sections 1-3 - residents would pay expenses - requested that Section 4 be taken over as is - consist of 8.2 miles of roads - asked to be able to pay back over a 10 year period (apprx. 31 cents tax) - a vote was taken of residents (117 For 14 Against 50 Not voting) - Law states that you must have a majority of property owners for taxation - amendment states that majority of those voting (89% were For) - approximate cost = \$170,000. Commissioner Ford asked Commissioner Payne about providing the equipment and labor for this project. Commissioner Payne stated that it would not be fair to other citizens of his precinct.

Court was adjourned until August 12, 1991.

MINUTES APPROVED IN OPEN COURT ON THE 30th DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 12th DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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10892 DESIGNATE ROAD NAME OF "DIRT ROAD" TO ROADWAY RUNNING SOUTH OFF EAST HWY 290 OUT OF DRIPPING SPRINGS APPROXIMATELY 5 MILES (1/2 MILE IN LENGTH)

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to name the roadway running south off East Hwy. 290 approximately 5 miles out of Dripping Springs "Dirt Road" (1/2 miles in length - private road). All voting "Aye".

10893 PRESENTATION OF APPRECIATION BY INWOOD FOREST RESIDENTS AND DESIGNATION OF AGENT FOR THE COUNTY TO COORDINATE IMPLEMENTATION OF TODC URGENT NEED GRANT

Lisa Conner appeared before the Court - spoke of Inwood Forest Subdivision residents that had come before the court concerning their water source problems - Court advised residents to seek a grant - a Texas Dept. of Community Development Program Urgent Need Grant has been obtained in the amount of \$285,000 for water system improvements for their subdivision - she thanked the residents of Inwood Forest Subdivision that took an active role in this project, Board of Directors Members of the Wimberley Water Supply Corp., Hays County Commissioners' Court, Congressman Jake Pickle, State Representative Libby Linebarger & staff, and J. L. Howze. Judge Etheredge spoke of project and need for an Agent - suggested that the Court appoint Cloteal Haynes as the County's Agent for the TODC Urgent Need Grant. Commissioner Payne spoke of his appreciation to Commissioner Wayne Ford and J. L. Howze for their assistance to the residents of Inwood Forest - suggested that the Court designate Pro-Tech Engineering as the project engineers - Pro-Tech is familiar with this area. Kelly Kilber, Pro-Tech Eng., congratulated J. L. Howze and the residents of Inwood Forest for the speed in which they received the grant - stated that he has experience in engineering work related to grants - road repairs are to be used for construction damages and not for upgrading roads. Commissioner Payne stated that this road is a private road and could be made a county maintained road with road improvements.

A motion was made by Commissioner Payne, seconded by Commissioner Ford to designate Cloteal Haynes (Haynes, Eglen & Waters) as Agent for Hays County to coordinate implementation of TCOC Urgent Need Grant Re: Inwood Forest Subdivision water improvement project and to furthermore designate Pro-Tech Engineering to do engineering work. All voting "Aye".

10894 CANVASS ELECTION RESULTS RE: AUG 10, 1991 CONSTITUTIONAL AMENDMENT ELECTION AND HAYS COUNTY EDUCATION DISTRICT PROPOSITION ELECTION

Joyce Cowan, Election Administrator, presented results of the Special Joint Election held on August 10, 1991:

CONSTITUTIONAL AMENDMENT ELECTION

|   |          |       |
|---|----------|-------|
| Amendment #1 - Allowing elections for certain tax exemptions and property taxation in a CED | IN FAVOR | 1,886 |
|   | AGAINST  | 1,165 |
| Amendment #2 - Issuance of bonds for student loans  | IN FAVOR | 1,312 |
|   | AGAINST  | 1,707 |

HAYS COUNTY EDUCATION DISTRICT

|   |          |       |
|---|----------|-------|
| Proposition #1 - The exemption of 20 percent of the market value of the residence homestead of an individual who is disabled or 65 or older | IN FAVOR | 2,371 |
|   | AGAINST  | 688   |
| Proposition #2 - The exemption of \$10,000 of the market value of the residence homestead of an individual who is disabled or 65 or older   | IN FAVOR | 2,390 |
|   | AGAINST  | 634   |
| Proposition #3 - The taxation of all tangible personal property   | IN FAVOR | 172   |
|   | AGAINST  | 2,874 |

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve results of August 10, 1991 County Education District Election & Constitutional Amendment Election as presented by the Election Administrator. All voting "Aye".

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10895 TERMINATE LEASE WITH YOUTH SERVICES BUREAU AND ENTER INTO LEASE WITH JACKSON CHAPEL UNITED METHODIST CHURCH

District Attorney Marcos Hernandez spoke of fact that Jackson Chapel is currently using county property (Lot 8 Blk 4 D.S. Copmbs Addition) for parking - county had previously agreed to lease this property to the Youth Services Bureau to provide real estate for meeting the public need for adequate space for counseling and tutoring youths - the YSB never utilized this property or signed a lease with the county - obtained another location for this purpose - Jackson Chapel UMC has requested that the County lease this property to them for 20 years - YSB can supply the county with a letter of agreement. A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to terminate the lease with Youth Services Bureau and enter into a lease with Jackson Chapel United Methodist Church for property located at intersection of Herndon and Center Streets (Lot 8 Block 4 D. S. Combs Addition). All voting "Aye".

10896 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog spoke of Juvenile Detention line item is over, \$1,350 for underground tank fee (88-91) in countywide misc., Bldg. Maint. line items are over or close, payment of P.A.W.S. = \$2,000 (no formal agreement authorizing payment). Marcos Hernandez, District Attorney, stated that \$1,000 per month payment to P.A.W.S. is cheaper than actual charge per animal - Sheriff is in charge of animal control department - Court failed to enter into an agreement with P.A.W.S. and if you receive services you are obligated to pay for that service. County Auditor Bill Herzog spoke of funds available for this service. Judge Etheredge stated that the Court needs to honor the Sheriff's agreement with P.A.W.S. Commissioner Payne spoke of policy that was adopted - Court does not receive reports concerning number of calls made by animal control officer and number of animals picked up. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoices as presented by the County Auditor in the amount of \$111,755.12. All voting "Aye".

|                   |             |                   |              |
|-------------------|-------------|-------------------|--------------|
| Refund/Fines      | \$ 32.00    | Auditor           | \$ 1,250.06  |
| Treasurer         | \$ 70.85    | Extension Ofc     | \$ 153.48    |
| Juvenile Prob     | \$ 585.16   | Election Admin.   | \$ 52.15     |
| Transfer Station  | \$ 1,913.38 | Bldg. Maint.      | \$ 6,080.32  |
| Environ Health    | \$ 526.98   | Civic Center      | \$ 2,111.30  |
| Countywide Misc   | \$16,611.33 | Tax A/C           | \$ 400.13    |
| District Clerk    | \$ 138.03   | County Clerk      | \$ 268.09    |
| Sheriff           | \$ 1,892.30 | Jail Oper         | \$ 16,025.55 |
| County Judge      | \$ 139.44   | Admin. Coord.     | \$ 126.82    |
| Co Crt @ Law 1    | \$ 68.49    | District Atty.    | \$ 1,329.38  |
| J.P. 1-1          | \$ 55.14    | J.P. 1-2          | \$ 176.93    |
| J.P. 3            | \$ 36.95    | J.P. 5            | \$ 220.57    |
| D.P.S.            | \$ 904.32   | Constable 1       | \$ 30.40     |
| Constable 3       | \$ 10.95    | Constable 5       | \$ 45.17     |
| Veteran's Adm     | \$ 45.64    | Data Proc Admin   | \$ 156.95    |
| Co Crt @ Law 2    | \$ 31.37    | THC Hist Comm Grn | \$ 167.00    |
| TDH TB Grant      | \$ 16.00    | Foster Child Care | \$ 11,557.00 |
| TDH M&C Health Gr | \$ 727.93   | Fire Marshal/EMC  | \$ 108.44    |
| TABC              | \$ 95.93    | HC Hist Comm      | \$ 36.70     |
| Dist Court Oper   | \$ 1,442.70 | Co Court Oper     | \$ 2,746.03  |
| Dist Court Reprt  | \$ 56.60    | R&B General       | \$ 515.01    |
| Precinct 1        | \$ 584.00   | Precinct 2        | \$ 2,863.88  |
| Precinct 3        | \$ 3,120.50 | Precinct 4        | \$ 495.65    |
| Hot Check Fee     | \$ 98.00    | Law Library       | \$ 45.00     |
| Public Works      | \$27,620.57 | D.A. Drug Forf    | \$ 160.00    |
| Adult Prob Oper   | \$ 5,238.13 | Adult Prob Fac    | \$ 371.52    |
| Animal Control    | \$ 2,008.47 | Adult Prob Prgm   | \$ 190.43    |

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10897 AMEND BUDGET OF CONSTABLE PCT. #3

Reallocation of various line items needed to fund vehicle repairs and other adjustments:

| <u>LINE ITEM</u>     | <u>INCREASE</u> | <u>DECREASE</u> |
|----------------------|-----------------|-----------------|
| Office Supplies      |                 | \$ 50.00        |
| Postage              | \$ 25.00        |                 |
| Fuel & Lubes         |                 | \$200.00        |
| Continuing Education |                 | \$250.00        |
| Misc.                |                 | \$150.00        |
| Vehicle Maintenance  | \$475.00        |                 |
| Telephone            | \$150.00        |                 |
|                      | =====           | =====           |
|                      | \$650.00        | \$650.00        |

A motion was made by Commissioner Payne, seconded by commissioner Rippy to approve budget amendment for Constable Pct. #3 as proposed. All voting "Aye".

10898 AMEND BUDGET OF JUSTICE OF THE PEACE PCT. #5

Proposed budget amendment needed to fund typewriter repair & maint. agreement:

| <u>LINE ITEM</u>   | <u>INCREASE</u> | <u>DECREASE</u> |
|--------------------|-----------------|-----------------|
| Postage            |                 | \$ 60.00        |
| Misc.              |                 | \$ 120.00       |
| Off Eqpt Mtc & Rpr | \$ 180.00       |                 |
|                    | =====           | =====           |
|                    | \$ 180.00       | \$ 180.00       |

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend the budget of Justice of the Peace Precinct #5 as proposed in the amount of \$180.00. All voting "Aye".

10899 ACCEPT INTERNAL AUDIT REPORT OF TAX ASSESSOR-COLLECTOR AND JUSTICE OF THE PEACE PCT. #1 PLACE #1

County Auditor Bill Herzog presented internal audit reports and Department Heads responses for the Tax Assessor-Collector and J.P. 1-1 Departments. Discussion was had on cash shortages - it was felt they were the responsibility of the Department Head to make up shortages. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept Internal Audit Report of the Tax Assessor-Collector and Justice of the Peace Pct. #1 Place #1. All voting "Aye".

10900 KIRBY SPRINGS RANCH SECTION III - ABANDONMENT OF EASEMENT

Cotton Johnson presented a copy of abandonment of Easement executed by the Owners/Developers of the Kirby Springs Ranch Section III subdivision - request abandonment of portion of Kirby Springs Drive (0.6754 ac at cul-de-sac). Patsy Greiner, Admin. Coord., stated that all lots have road frontage and this part of the easement is not needed. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve abandonment of easement being approximately 0.6754 acres of land out of Kirby Springs Drive as more fully described in Abandonment of Easement document filed in the County Clerk's office. All voting "Aye".

**BUDGET WORKSHOP**

San Marcos Community Cemetery

Ollie Giles requested funding of \$5,000 to start a clean-up campaign - spoke of fence that is repeatedly damaged, need for blacktop roads, install lighting and water - there is no cemetery association.

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Inwood Forest TDOC Grant (water system improvements)

Cloteal Haynes appeared in reference to the Urgent Need Grant for water system improvements to the Inwood Forest Subdivision - spoke of procedures to be followed, paperwork to be prepared and engineering work.

Judge Eddy Etheredge spoke of letter writing campaign by employees and others of the Jail/LEC - requesting 10% salary increase - spoke of new figures for insurance (50% increase with current coverage) - cost of living increase needs to be considered - reorganization of the Health Dept. will require additional county funds - City of San Marcos will possibly contract for vital statistics with the County Clerk. Commissioner Craig Payne spoke of elimination of Chief Sanitarian position (Terry Ewald) leaving five sanitarian positions. Judge Etheredge spoke of obtaining grants for additional personnel - 9-1-1 funding will be necessary. Commissioner Craig Payne spoke of retirement funding - suggested reducing contribution amount from 7% to 4% or 5%. Commissioner Ford stated that reducing retirement contribution will increase social security costs. Judge Etheredge stated that the general feeling is "no more taxes" - need to hold the line and/or put out a bond proposal for the voters to consider - roads are the #1 priority. Commissioner Wayne Ford stated that roads are always considered last in the budget process - would like to see this reversed - fines from J.P. Pcts. are dedicated funds for roads and should not be put in the general fund. Judge Etheredge spoke of additional costs to provide insurance, prosecution of capital murder cases, and Judge County Court at Law #2 position. County Auditor Bill Herzog spoke of effective tax rate (38.632) + 3% = 39.799 - rollback rate = 39.979 - 1% pay increase for employees = \$77,585 50% increase in insurance = \$250,000. Judge Etheredge spoke of unitary road system stated that you will never solve road problems as currently funded: Pct. #1 = \$346,762 Pct. #2 = \$497,534 Pct. #3 = \$305,000 Pct. #4 = \$450,000. Commissioner Ford suggested bidding out road construction - his pct. is never finished with mowing that is needed - County Road #171 improvements will cost \$130,000 - could be done over a two year period. Commissioner Payne spoke of Burnett Ranch road improvement project could also be addressed over a two year period (estimated cost is \$130,000). Commissioner Rippy spoke of need to squirt top Hilliard Road (4.7 miles). Judge Etheredge suggested reducing insurance benefits (no wellness benefit and raise deductible). Commissioner Rodriguez and Commisisoner Rippy support no tax increase. Commissioner Ford suggested a 2 1/2% increase for employees making less than \$25,000 per year - insurance costs will offset this increase - Commissioner Payne stated that he supports this increase. Judge Etheredge spoke of need to address purchase of Sheriff's vehicles as well as other major equipment purchases. Mr. Phillips (taxpayer) stated that he use to be in favor of budget increases, however, he has talked to many people and some could not pay their taxes - he is now in favor of lids on taxes - Hays County is one of the poorest counties in the country - spoke of medical care costs. R&B General Fund is committed to fund \$3,000 per year for dam maintenance. Commissioner Ford spoke of park maintenance and roll-over of unexpended funds - spoke of need to drill a small well to service restroom facilities. Discussion was had on the two big road projects previously discussed = \$230,000 - could fund 1/2 @ \$115,000.00. Items to be considered in the budget: Sheriff's Vehicles(\$160,000.00), Road projects (\$115,000.00), Pct. 4 equip (\$30,000.00), Pct. 3 pickup(\$12,000.00), Pct. 4 pickup (\$12,000.00), Computer equipment(\$70,000.00).

10901 ADOPT REDISTRICTING PLAN FOR COMMISSIONER, JUSTICE OF THE PEACE AND ELECTION PRECINCT BOUNDARIES AND INSTRUCT CONSULTANT REGARDING PREPARATIONS OF FINAL PLAN IN REGARD TO VRA SUBMISSION

Citizens attending this 7:00 P.M. meeting:

- |                                     |                                 |
|-------------------------------------|---------------------------------|
| Albert & Becky Sierra (J.P. 1-2)    | Joyce Cowan (Election Admin.)   |
| Ruben Ruiz                          | Billy Reeves (Constable Pct. 5) |
| Rachel Vasquez                      | Lupe Cruz (Constable Pct. 1)    |
| Rose Brooks                         | Leon Breeden                    |
| Bill Liddle (Demo. Party Chairman)  | Al & Macel Sullivan (J.P. 1-1)  |
| Bob Barton                          | Mary Joe Roddie                 |
| Lee Schroeder (Rep. Party Chairman) | Harvey Mathews                  |
| Linda Fritsche                      |                                 |
- (All members of the Court were present)

Judge Etheredge stated that the purpose of the meeting is to take action on proposed boundaries for Commissioner, J.P. and Election Precincts.

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 Bill Emory stated that final adoption is after the legal description is prepared - decision this date is to determine where the lines will be so that he can prepare final populations figures and submission documents.

#### Commissioner Pcts.

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to adopt the draft plan for Commissioners' Precincts as presented. Commissioner Payne stated that this was not the exact plan presented at the previous public hearing - difference - part of precinct 36 was moved to #451. Bill Emory spoke of need for a polling place in Pct. 336. Joyce Cowan, Election Administrator, confirmed the problems with no voting box in Pct. #336. Bill Emory explained the change - Commissioners line must run with voting precinct lines - had to decrease Pct. 331 to meet the "One Man One Vote" standard. Commissioner Payne stated that the Lutheran Church needs to be in Pct. #336. Bill Emory stated that he is unable to make that change and keep in balance. Lee Schroeder spoke of plan removing Pct. 2 out of San Marcos creates possibility of San Marcos voting in three Commissioners. Bill Emory stated that that is a consideration that the Court must address - there are 35,000 of the 65,000 in Hays County population in San Marcos - you must balance the population. Judge Etheredge stated that there was a discussion about having two Commissioners in San Marcos and two rural Commissioners which did not work out - currently all four Commissioners are within the city limits of San Marcos. Ruben Ruiz stated that he agrees with the Commissioner Pct. #1 lines - was concerned about Kyle residents being in Pct. 1. Bill Emory stated that Pct. #223 will follow the boundaries of the City Limits of Kyle. Commissioner Pete Rodriguez spoke of roads to be considered. Ruben Ruiz stated that roads are not be considered in redistricting - roads are a budget issue. Bill Emory stated that the Court has the right to consider service issues, however, this cannot come in front of the "1 Man 1 Vote" or minority issues - after these standards are met, they can consider services issues and roads are a service issue. Lee Schroeder spoke of handful of voters on east side of Hunter Rd. - suggested IH35 be dividing line (put into #315) to the City limit line. Bill Emory stated that San Marcos is to large to have precinct within and outside of the city limits - area in Pct. 13 must be in the city limits of San Marcos - would have to refigure population to make sure precincts involved would not be adversely affected. No change was made. Commissioner Payne stated that he is concerned about losing part of Pct. 36. Judge Etheredge, Commissioner Rodriguez, Commissioner Ford, and Commissioner Rippy voting "Aye", Commissioner Payne voting "No".

#### Justice of the Peace/Constable Precincts

A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to adopt draft plan for Justice of the Peace/Constable Precincts as presented. Commissioner Wayne Ford stated that he would like to leave J.P. Pct. #2 line at Yarrington Road. Commissioner Craig Payne stated that he would like for more area to be put into J.P. 3 south of Ranch Road 12 west of San Marcos and the Rollings Oaks Subdivision. Bill Emory stated that J.P. boundaries can be changed as long as you don't change Commissioner Precinct lines and you don't split voting precincts. J.P. 1-2 Becky Sierra spoke of residents of Little Arkansas that are currently in the San Marcos Precinct and they are Wimberley residents - they would be in JP3 precinct. Commissioner Payne suggested following the pipeline and sink creek north of RR12. Bill Emory spoke of proposed change in the boundary between J.P. Pct. 1 & Pct. 3 to a point on the northern boundary of Pct. 31 cutting south to intersect with Sink Creek and following Sink Creek tributary south past RR12 until Sink Creek intersects C.R. 214 and following CR 214 to a point which a private road goes to the County Line - the boundary on J.P. Pct. 2 will remain Yarrington Road - J.P. Pct. 1 will remain as it is presently constituted - J.P. Pct. 5 boundary will run from CR 132 to its intersection with 2770 and following 2770 south to intersection with 1626 and north to intersection of Onion Creek. A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to adopt the draft plan for Justice of the Peace/Constable Precinct boundaries for Hays County with proposed changes. All voting "Aye".

#### Voting Precincts

Bill Emory spoke of State Senate lines creates a problem dividing Pct. #227 - we are unable to put part of #227 into #225. Bob Barton spoke of problem with non-city residents voting in Kyle - need to create a separate voting Pct. #222. Bill Liddle spoke of difficult of voting at the City Hall (#114) suggested combining with #114 -

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suggested dividing #315 along the line of Purgatory Creek and letting northern part of #315 go to #331 - suggested dividing #446 because of problems with #445 & #444 #445 is a student box with only 6 households in the Pct. which means the populations is constantly turning over and its hard to find election officials - #444 has no good place to vote, is an area of high turnover and close to Travis Elementary School - if you cut old box #46 in half running along Ed J. L. Green, Alta Vista, Mimosa and Lamar, you have border to border division - no one would be disadvantaged. Lee Schroeder concurred with change in #315 to #331. Discussion was had concerning a voting location in Pct. #330. Bill Emory spoke of putting Crocket School into Pct. #336 and Lamar School into #330. Joyce Cowan spoke of need for a portable building - spoke of handicapped reports that are required. Bill Emory stated that there is change involving Pct. #315 - the line we are using for J.P. will be a precinct boundary and area in #315 will be included in #335 and voting in Wimberley - floating portion of #227 will become Pct. #221 (area enclosed between IH35, City of Kyle and the Senate Line) - slight alteration in boundaries between Pct. #335 and #337 (as proposed by Commissioner Payne) - part of #331 the other side of Sink Creek up the Blanco River will go into #337 - #331 boundary will be at Sink Creek (pick up the Settlement and Fox Ridge subdivisions) - boundary of #330 will stay the same - Crocket School will go into #336. Commissioner Payne suggested that the north boundary of #330 and #334 run down RR12 instead of Academy Street to vote at Lamar School. Joyce Cowan, Elec. Admin., suggested not making this change. Bill Emroy spoke of splitting #446 beginning on Ed Green following up to Alta Vista to Quail Creek to Mandalay to the City limits - that part of what is now #46 is put together with what is now #45 creating #445 - #444 is simply done away with and merged with other part of #446 and voting at the School. Discussion was had concerning VTD lines and Senate Lines created - uses census blocks and not existing precinct lines - part of #225 to go into #228 - combining #114 and #123 into a single box to vote at Allenwood Homes Office. A motion was made by Commissioner Ford, and seconded by Commissioner Rodriguez to adopt draft plan for Voting Precincts as proposed with changes. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 30th DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 H A Y S C O U N T Y , T E X A S

Ronnie Dannelley  
 RONNIE DANNELLEY, COUNTY CLERK  
 H A Y S C O U N T Y , T E X A S

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 13th DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10902 AWARD CONTRACT ON LOW WATER CROSSING ON COUNTY ROAD #179

Bids were submitted by: Meyers Concrete, Aaron Construction Co., Capital Excavation and Peabody General Contractors - low bidder was Meyers Concrete (Total price including culvert = \$18,948 Total price excluding culvert = \$16,458 Ramps priced per square foot = \$2.19).

A motion was made by Commissioner Payne, seconded by Commissioner Ford to award contract on low water crossing on County Road #179 to Myers Construction Company - low bidder. All voting "Aye".



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#### BUDGET WORKSHOP

Discussion was had on how to increase county revenues. County Auditor Bill Herzog spoke of concerns with projected revenues at the LEC - Harris County is currently supplying 1/2 of the projected income and if they pull out we would have a problem - estimated revenue this year = \$2,500,000 - Revenues for JP #2 was raised to \$140,000 and JP#3 was raised to \$15,000. Judge Etheredge spoke of need to obtain more grants - the Health Department should be funded by grants. Court proceeded to go through the various department budgets.

#### Auditor

Recommended budget of \$229,675.00 was approved.

#### Treasurer

Recommended budget of \$128,283.00 was approved.

#### Indigent Health Care

Eva Cruz, Administrator, spoke of prescription drug bids that were received - spoke of need for an assistant - her main concern is the clients - they need someone to fill in when she is not available - needs a bilingual person with clerical experience. Judge Etheredge spoke of need for a clerical pool to assist the smaller departments (i.e. Constables, V.A. Administrator, etc.). Eva requested a salary adjustment for her position to equal that of other Department Heads.

#### Extension Office

Request in budget was to increase Lois LaCaze to an Aide and make the part-time clerical staff fulltime - requested additional travel allowance for Susan Schramm. Commissioner Ford supported making part-time employee fulltime - Commissioner Rodriguez, Commissioner Payne and Commissioner Rippe opposed this increase. Commissioner Rippe and Commissioner Payne supported reducing continuing education line item to \$475 - Judge Etheredge, Commissioner Rodriguez and Commissioner Ford opposed this reduction.

#### Juvenile Probation

Vehicle Maintenance & Repair line item was reduced to \$1,000.

#### Election Administrator

Telephone was increased to \$850.00. Commissioner Payne suggested moving the Election Department to the Courthouse Annex first floor (old Auditor/Treasurer offices).

#### Community Services

\$2,000.00 was transferred from the San Marcos Economic Development line item to the Food Bank line item (All Commissioners voting "For" Judge Etheredge Abstained). \$1,250.00 was transferred from the San Marcos EMS to Niederwald Vol Fire Dept. (Commissioners Ford, Payne & Rippe voting "For")

#### Indigent Care

\$12,000 allocated for fulltime clerical staff (Judge Etheredge, Commissioner Rodriguez and Commissioner Ford voting "For".) \$120,000 allocated for Medical/Dental Services (Commissioner Rodriguez, Commissioner Ford and Commissioner Payne voting "For").

#### Transfer Station

Line item #5710 taken out - approved Misc. = \$300.00 and Hvy Duty Equip M&R = \$2,000.

#### Building Maintenance

County Auditor Bill Herzog spoke of Bryan Hoot's request to have utilities placed in a separate department. Judge Etheredge spoke of budget not having funds for improvements to the courthouse, annex for moving the law library - the Law Library books are mostly now in the D.A.'s office - suggested letting Legal Aide be responsible for the law library - spoke of need for a lawyer/client meeting room - supports a bond issue but does not support spending C.O. funds. Bob Barton stated that the public's general opinion is to hold the line on expenditures - the City of San Marcos has voted to not increase their taxes - political distrust is out there - you need to be honest with the public and let the people decide the issues. Judge

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Etheredge stated that he prefers public input - there is an immediate problem in tele-communications for the 9-1-1 program that was left out of the budget. Commissioner Ford stated that the citizens require more services, especially for roads. Commissioner Payne suggested creation of road districts. \$7,500 was budgeted for Courthouse Annex first floor improvements.

Environmental Health Services

Commissioner Ford spoke of need to obtain some additional grants for Sanitariums. There are presently 4 county-paid Sanitariums and 1 on a Grant plus 1 secretary - most of the work is septic tank inspections. Commissioner Ford stated that the Environmental Health Services Dept. is being used to generate funds and not being used for public health. Terry Ewald will be going to work for the City of San Marcos - Court decided to cut one county paid Sanitarian position (Judge Etheredge, Commissioner Rodriguez and Commissioner Payne voted "For").

MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 14th DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| LINDA C. FRITSCH    | DEPUTY COUNTY CLERK       |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BUDGET WORKSHOP

Environmental Health Services

Judge Etheredge spoke of need to decide what the Sanitariums will be doing - present staff needs to take on more work - need to provide training so they can issue citations properly. Commissioner Wayne Ford recommended reducing Fuel & Lubes and Vehicle Mtc. & Rep since one Sanitarian position has been cut. Court agreed to reduce Fuel & Lubes to \$5,000 and Veh Mtc. & Rep. to \$2,000 and to increase the telephone line item to \$4,000.

Personal Health Services

City of San Marcos was budgeting \$158,552.00 for the Health Dept. - elimination of five positions + fringes, travel, supplies and other expenses could reduce the budget \$130,380.00 which would leave a balance of \$28,172 that the County would need to budget for (clerk/typist position \$14,144 + fringes and contractual = \$11,900).

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Civic Center & Transfer Station

Judge Etheredge spoke of his concern about Misc. supplies line item - stated that two more big rallies are coming up this year - spoke of problems associated with trailer rallies. Bill Herzog, County Auditor, stated that revenues are close to \$65,000 (\$30,000 last year). Commissioner Ford suggested closing transfer station and civic center - Civic Center could be turned over to another organization such as the Livestock Assn. or create a Parks & Recreation Commission - could increase rates at the transfer station. Commissioner Payne spoke of county's responsibilities - it would be a serious mistake to close the transfer station - concerned about garbage that would be dumped on county roads. Commissioner Ford stated that funding the transfer station benefits commercial haulers - suggested that county could possibly lease it to BFI. Commissioner Payne stated that he could cut one position if the transfer station was open only four days per week. Judge Etheredge spoke of need for a transfer station in the San Marcos-Kyle area - reluctant to close the Wimberley transfer station.

Personal Health Services

Environmental Health Services staff positions consist of 1 secretary and 5 Sanitarians (4 county funded and 1 grant funded). Mary Hughes, Director of Nursing, spoke of cuts in positions that were funded by the City of San Marcos - salaries request was for \$32,296.00 - medical supplies = \$15,500 and telephone = \$1,500 - spoke of grant for mammogram/pap test services is in the works - no figures were included in budget for clinics outside of San Marcos - spoke of possibly sharing rental cost with Community Action program in Kyle @ \$150.00 per month - spoke of STD audit - they had received complaints - audit indicated that they were ordering too much medication for the number of clients - they will train personnel on proper procedures - problems are being corrected - office equipment request of \$4,800 can be reduced to \$800 by eliminating purchase of a blood tester for Kyle Clinic (\$4,000). Discussion was had on office space needs for the Kyle Clinic - Mary Hughes stated that they would need a waiting area and an examining room - the Wimberley Senior Citizens Center will be used for their clinic.

Countywide Misc.

Judge Etheredge asked other members of the Court how they feel about the old hospital property - asked about getting involved in a convention center/hotel project proposed by private investors. Commissioner Ford stated that he is opposed to giving the property away, however, he would support selling it. Judge Etheredge spoke of removing debris and underground gas tank - a security fence needs to be installed. Auditor Bill Herzog was instructed to change "Consultant Expense" line item to "Redistricting Expense". Judge Etheredge stated that the Annex parking lot is on the market for sale. Commissioner Wayne Ford suggested changed the Department name of "Countywide Misc." - it was decided to call this Department "Countywide Operations".

Tax Assessor/Collector

Budget was left as proposed = \$382,123.00.

District Clerk

Budget was left as proposed = \$ 314,889 - office equipment request was deleted (need to wait and see if equipment is archival that he wants to purchase/optical disk).

County Clerk

Linda Fritsche, Deputy County Clerk, spoke of need for a better recording system for Commissioners Court. Commissioner Ford suggested allocating \$1,200.00 for a P.A. & Reel to Reel recording system to be put in Dept. 414 (Countywide Operations) line item #5719 - Court agreed. Discussion was had on relocating the Commissioners' seating arrangement.

Sheriff

Judge Etheredge spoke of Sheriff's request for five telecommunication persons for 9-1-1 service - calls will be greater through the Sheriff's Dept. than the City Police - County must fund these positions - there is a problems with space for the equipment and cooling needs - system will go on line January 1992 - personnel will need to be trained (60-90 days of training). Patsy Greiner spoke of reason for two 9-1-1 systems - politics - there is a shortage of dispatchers in the County and City. Judge Etheredge spoke of rural fire departments and EMS being concerned about

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the City Police dispatching for 9-1-1 out in the county. Commissioner Payne spoke of his concerns about costs for duplication of services. Judge Etheredge stated that the population would probably require the same amount of equipment and dispatchers anyway - if the dispatcher is not answering 9-1-1 calls, they will be handling other calls related to the Sheriff's Dept. - \$90,000 is requested. \$15,000 was requested for continuing education - Sheriff has been paying for some continuing education out of drug money - \$7,589 was requested for radar equipment. Judge Etheredge spoke of need to address new vehicles and make it a part of the budget as financing - suggested limiting to 5 vehicles - total employees for the Sheriff's Dept. is 42 - concerned about only 2 deputies on patrol at night countywide - concerned about expenses for the Jail and Sheriff's Dept. compared to other county departments. Auditor Bill Herzog stated that the Jail needs an accounting person.

MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

Ronnie Dannelley  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
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 COUNTY OF HAYS \*

ON THIS THE 19th DAY OF AUGUST, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10903 APPROVE SUPPORTING THE NATIONAL ORGANIZATION ON DISABILITY

Judge Eddy Etheredge spoke of National Organization on Disability being an active group working towards making all public facilities wheelchair and handicapped accessible - the City of San Marcos and Southwest Texas State University have authorized their support towards this effort. A motion was made by Commissioner Ford, seconded by Commissioner Payne to become a partner with the National Organization on Disability. All voting "Aye".

10904 APPROVE MINUTES OF JULY 1991

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve Minutes of July 1991 as presented by the County Clerk. All voting "Aye".

10905 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$ 134,821.23 as presented by the County Auditor. All voting "Aye".

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|                                 |              |                 |              |
|---------------------------------|--------------|-----------------|--------------|
| Fines                           | \$ 70.00     | Auditor         | \$ 228.20    |
| Extension Ofc                   | \$ 108.92    | Juv Probation   | \$ 1,028.77  |
| Election Admin                  | \$ 5,120.00  | Indigent Care   | \$ 8,717.47  |
| Transfer Station                | \$ 4,856.48  | Bldg. Maint.    | \$ 616.67    |
| Environ Health                  | \$ 4,768.00  | Civic Center    | \$ 10.09     |
| Countywide Misc.                | \$ 28,576.63 | Tax A/C         | \$ 1,546.30  |
| District Clerk                  | \$ 270.87    | County Clerk    | \$ 47.68     |
| Sheriff's Ofc.                  | \$ 3,706.60  | Jail Operations | \$ 29,183.55 |
| Admin. Coord.                   | \$ 92.10     | Co Crt @ Law 1  | \$ 115.72    |
| District Clerk                  | \$ 252.85    | J.P. #3         | \$ 75.00     |
| D.P.S.                          | \$ 5,488.27  | Constable 1     | \$ 104.61    |
| Constable 5                     | \$ 60.00     | Veterans Admin  | \$ 30.45     |
| Data Proc Admin                 | \$ 81.90     | Co Crt @ Law 2  | \$ 115.72    |
| THC Hist Comm NL                | \$ 167.00    | TDH TB Grant    | \$ 54.40     |
| Protective HM Grn               | \$ 195.81    | TDH M&C Grant   | \$ 816.11    |
| Fire Marshal/EMC                | \$ 81.44     | TJPC ISP Grant  | \$ 12.25     |
| Historical Comm                 | \$ 18.21     | CJD VOAC        | \$ 46.13     |
| Dist Crt Oper                   | \$ 3,753.36  | Co Crt Oper     | \$ 3,205.60  |
| R & B General                   | \$ 68.21     | Precinct 1      | \$ 1,437.27  |
| Precinct 2                      | \$ 1,222.16  | Precinct 3      | \$ 3,975.08  |
| Precinct 4                      | \$ 6,690.85  | Self Insurance  | \$ 18,175.00 |
| Hot Check Fee                   | \$ 405.98    | Adult Prob Oper | \$ 132.81    |
| Adult Prob Fac                  | \$ 443.72    | Animal Control  | \$ 138.60    |
| Adult Prob Prgms                | \$ 42.00     |                 |              |
| **GEN FUND Credits \$1,533.61** |              |                 |              |

10906 AWARD BID ON PRESCRIPTION DRUGS FOR INDIGENT HEALTH CARE

Cindy Simon Casparis, Auditor's Office, spoke of bids received for prescription drugs for Indigent Health Care - bids were received from Appletree, Medpark, Pharmacy, Thorpe Lane Pharmacy an B & J Pharmacy (for San Marcos Area) and from Kyle Drug (Kyle Area) - - received a discount on dispensing fee - did not receive bid from Wimberley Pharmacy (address no good) or from Dripping Springs. A motion was made by Commissioner Payne, seconded by Commissioner Ford to award bid on prescription drugs for Indigent Health Care to Medpark Pharmacy (San Marcos Area) and Kyle Drug (Kyle Area). All voting "Aye".

10907 APPROVE BUDGET AMENDMENTS FOR THE DATA PROCESSING DEPT., HISTORICAL COMMISSION, COUNTY COURT AT LAW #2, T.B. GRANT, COMMUNITY AND RURAL HEALTH GRANT AND THE MATERNAL & CHILD HEALTH GRANT

County Auditor Bill Herzog presented proposed budget amendments as follows:

|                                  | INCREASE    | DECREASE    |
|----------------------------------|-------------|-------------|
| <u>Data Processing Dept.</u>     |             |             |
| 456-5011 Dept. Head              |             | \$ 2,629.00 |
| 456-5021 Staff                   | \$ 1,466.00 |             |
| 456-5221 Data Proc Sply          | \$ 324.00   |             |
| 456-5311 Travel                  |             | \$ 425.00   |
| 456-5331 Contin Ed               | \$ 382.00   |             |
| 456-5422 DP Consultants          | \$ 500.00   |             |
| 456-5428 DP Eqpt M&R             | \$ 534.00   |             |
| 456-5429 Software M&R            |             | \$ 250.00   |
| 456-5718 Software                | \$ 98.00    |             |
|                                  | =====       | =====       |
|                                  | \$ 3,304.00 | \$ 3,304.00 |
| <br><u>Historical Commission</u> |             |             |
| 490-5212 Postage                 | \$ 250.00   |             |
| 490-5301 Operating Exp           |             | \$ 130.00   |
| 490-5331 Cont Ed                 |             | \$ 120.00   |
|                                  | =====       | =====       |
|                                  | \$ 250.00   | \$ 250.00   |

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County Court at Law #2

|                            |           |           |
|----------------------------|-----------|-----------|
| 461-5160 Insurance         |           | \$ 120.00 |
| 461-5211 Office Sply       | \$ 100.00 |           |
| 461-5212 Postage           |           | \$ 200.00 |
| 461-5213 Books/Periodicals | \$ 20.00  |           |
| 461-5391 Misc.             | \$ 200.00 |           |
|                            | =====     | =====     |
|                            | \$ 320.00 | \$ 320.00 |

TDH-TB Grant

|                        |           |           |
|------------------------|-----------|-----------|
| 465-5110 Fica/Medicare | \$ 167.00 |           |
| 465-5231 Medical Sply  |           | \$ 161.00 |
| 465-5311 Travel        | \$ 124.00 |           |
| 465-5331 Contin Ed     | \$ 170.00 |           |
| 465-5391 Misc          |           | \$ 300.00 |
|                        | =====     | =====     |
|                        | \$ 461.00 | \$ 461.00 |

Community & Rural Health Grant

|                         |             |
|-------------------------|-------------|
| 466-5449 Contracted Svc | \$ 6,801.00 |
|-------------------------|-------------|

TDH Maternal & Child Health Grant

|                           |             |             |
|---------------------------|-------------|-------------|
| 469-5021 Staff Salaries   | \$ 9,254.00 |             |
| 469-5110 Co FICA/Medicare | \$ 708.00   |             |
| 469-5121 Retirement       | \$ 648.00   |             |
| 469-5160 Insurance        | \$ 1,097.00 |             |
| 469-5231 Medical Supp     | \$ 1,000.00 |             |
| 469-5311 Travel           | \$ 710.00   |             |
| 469-5712 Data Process Eq  | \$ 3,035.00 |             |
| 469-5719 Misc Eqpt.       | \$ 775.00   |             |
| 381-6469 TDH-MCH Reimb.   |             | \$17,227.00 |
|                           | =====       | =====       |
|                           | \$17,227.00 | \$17,227.00 |

**BUDGET WORKSHOP**

County Judge

Judge Etheredge spoke of office supplies expenses - various people in the courthouse use his copier which increases the expenses. County Clerk Ronnie Dannelley spoke of use of his copier in Room 104 by A.D. Carroll which causes an increase in meter charges and toner. Discussion was had on coding that could be added to bill appropriate departments or putting copier expenses in the County Judge's office into the County Operations Dept. Judge Etheredge stated that he didn't mind having this expense come out of his budget, he just wanted the Court to be aware of why his office supply expenses are as high as they are.

Administrative Coordinator

Patsy Greiner spoke of needing \$15-20,000.00 for mapping - \$5,000 for an Intern to work on this project - updated maps will be available soon for Commissioners to review their precincts - 20 page atlas will be put together. Court agreed to put \$15,000 in for mapping (atlas expense).

County Court at Law #1 & County Court at Law #2

Commissioner Ford suggested a salary of \$47,000 for Judge CCL#1 and raising Judge CCL#2 to salary of \$34,500 - Court agreed to \$34,500 salary for CCL#2. Judge Etheredge spoke of this office not keeping normal office hours - they close the office on days that are not official holidays - CCL#2 does need to be a fulltime position - CCL#2 being fulltime will reduce the workload on CCL#1 - spoke of problem with Data Processing Dept. not being able to use their office during a jury trial - they are not allowed to make a long distance call out of the CCL office. No increase was made in CCL#1 salary.

District Attorney

Commissioner Wayne Ford stated that he supports the D.A.'s request for salary increases for his ADA's - we need to pay adequate salaries to obtain competent ADA's those persons receiving a salary increase during the budget process would not receive any additional increases given to other employees. Judge Etheredge recommended that the Court look at salary increases all at one time - spoke of adding a Civil Asst. D.A. to the budget. Commissioner Ford state that we need to provide the services and if it exceeds the effective tax rate we can let the taxpayers decide if they want a rollback. Court decided to add a Civil Asst. D.A. position to the budget.

Justice of the Peace Pct. 1-1

Court approved proposed budget of \$77,815.00 (cut office equipment \$700 and add this amount of office supplies).

Justice of the Peace Pct. 1-2

Court approved proposed budget of \$95,298.00.

Justice of the Peace Pct. 2

Court approved proposed budget of \$74,757.00.

Justice of the Peace Pct. 3

Court increased J.P. 3 salary to \$23,000 per year.

Justice of the Peace Pct. 4

Court increased J.P. 4 salary to \$23,000 per year.

Justice of the Peace Pct. 5

Court approved proposed budget of \$69,271.00.

DPS

Court approved Law Enforcement Equipment = \$5,000 for radar.

Insurance

Jim Rotan and Debra Spellings appeared. Debra Spellings presented claims analysis report - paid claims through July 1991 = \$547,189.00 - specific stop loss level = \$50,000 - year to date attachment point = \$635,155.00 and unused attachment = \$87,966.00 - group is currently running at 108% of the expected paid claim level (should be at 70-80%) - large claim information: \$76,248 f/lung cancer \$57,583 f/leukemia (deceased), \$50,000 f/chronic renal failure and \$35,000 f/triple bypass. Commissioner Ford spoke of continuing with self funding or going back to traditional insurance - we need to look at the best coverage for the lowest cost. Debra Spellings stated that the Court had been misled the first year - spoke of new jail employees that had not filed their claims (30-40) and several claims that exceeded \$50,000. Current coverage (\$50,000 SSL 125% ASL - Claim liability per employee per month = \$161.45 fixed costs: employee = \$20 dependent = \$24.80) Several options were discussed. Commissioner Ford asked about deleting retirees and not giving 18 months coverage for non-employees - spoke of people leaving employment with 10 years retirement vested can get county insurance once they start receiving retirement income - suggested going with HMO and get quotes.

MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 20TH DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BUDGET WORKSHOP

Sheriff's Dept/Jail

Sheriff Paul Hastings appeared before the Court - spoke of telecommunicators needed for 9-1-1 system - people will be more likely to call 9-1-1 to report situations other than emergencies - feels like 9-1-1 is going to overload the dispatchers and patrol deputies - telecommunicators must have special training - Carol Drake has been trained as an instructor for new telecommunicators - spoke of training of officer (combine several agencies making it cheaper to train) - unable to use drug funds for training - laws are stricter on how you can spend your drug funds - request \$15,000 for Sheriff's Dept. continuing education (\$500 per person) - stated that drug funds had previously been used for continuing education as well as other items (i.e. radios, fingerprint kits, vests, etc) - spoke of time involved in receiving forfeiture funds - dispatch control officer could be upgraded to dispatcher with an increase in salary and training - dispatch control officers are in charge of watching Attorneys with their clients and operating door controls - two separate 9-1-1 systems were decided because of concerns by other agencies (i.e. Volunteer Fire Depts. & EMS) with City of San Marcos as the main control - we could provide call forwarding but other agencies were uncomfortable with that situation. Commissioner Payne stated that he feels that the City of San Marcos could handle countywide 9-1-1. Commissioner Ford stated that the volunteers have stated they would refuse to participate if the City of San Marcos operates 9-1-1. Commissioner Rippy stated that the taxpayers need to be advised of this situation and the increased costs. Judge Etheredge stated that there is a problems with space at the L.E.C. - asked the Sheriff to staff 9-1-1 out of his existing staff. Sheriff Hastings stated that he will need to re-classify and increase salaries - dispatch control officers salary is currently \$1,000 per month - requested \$1,400.00 per monthly salaries for dispatchers (most are making \$1,200 per month) - 90% of the calls are police calls and the others will be emergency calls - spoke of medical training for dispatchers to handle medical emergencies until EMS arrives - they will have two stations and can backup up to 60 calls even if caller hangs up - stated that the telephone companies have not received addresses at this time from the mapping program - new employee expense (\$350-500 per person for psychological exam and medical exam) - requested four patrol deputies - stated that he started with 20 street deputies with no supervision - created 1 Lt. 2 Sgts and 17 street deputies - spoke of use of Reserves to compile information to pass on to the street deputies - two deputies are in Wimberley on the weekends - two deputies work the night shift (cover East & West Hays County) - the Lt. is a paperwork position, 2 Sgts. (1 works days and 1 works nights) are working supervisors - Court gave Sheriff's Dept. 1 Warrant Officer - Patrol Records Clerk enters data into computer for various officers - stated that most people in the Department wear 2 or 3 hats - 1 Sgt. is a Civil process server and Supervisor of Dispatch and Records - Constables serve some papers that go through the Sheriff's Dept. - Constables primarily serve process for J.P. Courts - Constable Pct. #2 will not accept civil papers (works school zones, assist DPS and JP2) and Constable #3 is selective - Chief Deputy coordinates the Jail and Sheriff's Dept. operations, approves bills and spends time on the streets. Commissioner Payne stated that he feels the Sheriff's Dept. is top heavy with Administration and Wimberley does not have fulltime coverage. Sheriff Hastings



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spoke of crime clearance rates. Judge Etheredge spoke of vehicles requested - Court had agreed to purchase 10 cars per year - he had asked the Sheriff to include this request into his budget line item and let the Court decide how to address it (purchase outright or finance). Commissioner Rippy stated that he did not feel like the Court had committed to 10 vehicles per year - would like to see less cars. Sheriff Hastings stated that there has been a need for equipment for a long time and he is trying to play catch up. Judge Etheredge asked about consolidation of positions. Sheriff Hastings spoke of jail standards laying out how many positions you must have according to the number of inmates - requested increase in uniform allowance from \$20 per month to \$30 per month - spoke of prisoner meal expenses with increased food costs and increase in prisoners - averaging 250 contract prisoners per day - spoke of various sources of revenues - handheld radios need replaced (35) in the Jail - Sheriff's Dept. needs fingerprint equipment, investigative equipment and radar units - traffic tickets are a low priority. Commissioner Payne stated that we need to raise more revenues through traffic tickets to offset expenses.

Insurance

Mary Organek with PCA (HMO) insurance appeared - spoke of HMO insurance coverage keeping costs down - they are offering a dual option plan (Indemnity plan for those not eligible or unwilling to join HMO) - premiums are different for the HMO plan and the Indemnity plan - employee must live in the PCA service area to obtain HMO coverage. Commissioner Ford spoke of possible discrimination against those employees not living in PCA are who would have to pay more for their insurance coverage. PCA will report back on premium amounts.

Child Welfare

Elaine Jones spoke of additional needs requested by foster parents (i.e. school clothes and medical needs) - Child Welfare was receiving \$6,000 and it has been reduced to \$1,900 this year - checks issued presently are \$1,175.00 - they are having a problems with foster parents submitting receipts for purchases to be reimbursed - feel like the families are unaware of funds available. Commissioner Ford recommended funding \$3,000. County Auditor Bill Herzog stated that receipts must be required for reimbursement. Elaine Jones stated that money is received prior to the purchases because the families do not have the money to make the purchases.

Sheriff's Dept.

Court approved continuing education = \$5,000.00 - telecommunicators (9-1-1): change 5 dispatchers by reclassification to make \$1,400 per month salary.

District Attorney

Dist. Atty. Marcos Hernandez spoke of his priority being his Asst. D.A.'s - requested increase in salaries = \$8,700 to be split between 4 ADA's (will get additional dollars from other areas) - requested making part-time Investigator fulltime = \$7,200 - spoke of getting Bill Henry sworn in as an Asst. D.A. to handle bond forfeiture cases (Add \$15,900 + fringes and take out Civil ADA). Commissioner Ford stated that Gene Majors will work on a percentage basis.

Jail/Sheriff's Dept.

Court approved upgrading 3 dispatch control officers to dispatcher positions @ \$1,400 per month and bump up current dispatchers to \$18,450 per year - approved new employee expense = \$2,000 and law enforcement equipment = \$2,000 for Sheriff's Dept. - Jail continuing education = \$1,000 communication equipment = \$3,750 - dispatchers for 9-1-1 = \$39,945 (Sheriff's Dept \$19,035 Jail \$20,910) for dispatchers making \$18,450 per year and \$27,000+ for dispatchers making \$16,800 per year.

Constable Pct. #1

Discussion was had on vehicles requested and possible replacement by used DPS vehicles - Court approved telephone = \$950 fuels & lubes = \$3,000 and \$3,000 for used vehicles.

Constable Pct. #2

Commissioner Ford supports additional money for travel.

Constable Pct. #3

Court approved salary of \$23,000.00.

Constable Pct. #4

Court approved salary of \$23,000.00.

Constable Pct. #5

Commissioner Ford supports staff salary of \$18,300 for a Deputy Constable. Judge Etheredge stated that redistricting indicates no need for a Deputy (8,000 population in JP5 and 35,000 in JP1). Court approved uniform allowance = \$300 telephone = \$2,200 membership fees & bonds = \$100.

Social Services

Discussion was had concerning the Wimberley Cultural Institute (seed money for grants), Hill Country Recreation Assn. (ball fields) - P.A.W.S. was cut out of the Social Services Dept. and \$14,500 budgeted for animal care - Animal Control Dept. budget request was for \$43,635.00.

Veterans Administration Ofc.

Court approved proposed budget - \$10,000 was requested for a larger van to transport veterans to the VA hospital.

Data Processing Admin.

D.P. Equipment line item represents all request for data processing equipment (i.e. \$60,000 for DPS + \$4,000 for extra terminals). Judge Etheredge spoke of situation with present computer system. Lance Renfrew spoke of DPS and JP's would be tied into one system and would free up DPS staff from doing J.P.'s work - would solve DPS backlog and J.P.'s needs - have not received proposals from vendors - 2 work stations and printer needed for all J.P.'s and 3 work stations & printer for DPS - system will include word processing capabilities. Discussion was had on old Alpha Mirco computer system that was moved to the LEC - maintenance contract is \$6,000 per year - Alpha Micro software availability is limited. Court approved \$50,000.00 for DPS/JP computer equipment to be financed and \$12,500 for D.P. Equipment line item.

County Court at Law #2

Court approved salary of \$34,500 per year.

Fire Marshal/EMC

Court approved proposed budget \$36,634.00.

District Court Operations

Court approved budget of \$262,171.00.

County Court Operations

Court approved budget of \$99,983.00.

District Court Reporters

Court approved budget of \$61,080.00.

Road & Bridge General

Court approved Dam Mtc. & Rep = \$3,000 and \$12,000 for a pickup truck for Pct. #3 (to be financed). Commissioner Ford stated that he wanted to turn the Park back over to the court.

R&B Precincts

Commissioner Rippy stated that precinct funds should be divided by road mileage. Commissioner Rodriguez asked for his requested budget - he needs a trailer and/or tractor. Commissioner Ford stated that he would like his requested budget of \$497,534 which reflects a 10% increase. Commissioner Payne requested a budget of \$388,612.00. Discussion was had on how funds are divided between the precincts: Pct. 1 = 20% Pct. 2 = 29% Pct. 3 = 22% Pct. 4 = 29% Commissioner Rodriguez, Commissioner Payne and Commissioner Rippy agreed to leave all R&B Precincts at their present funding level. Commissioner Ford stated that he would vote against the budget and tax increase if the Court does not increase road funding. Discussion was had concerning R-O-W needs (i.e. RR12).

Court was recessed until 1:00 P.M. August 21, 1991.

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MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 21ST DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BUDGET WORKSHOP

County Auditor Bill Herzog explained the increases in the budget from previous actions - 1 cent increase n taxes = \$155,000 additional revenue.

Commissioner Rippy recommended that telecommunicators for 9-1-1 receive salaries of \$14,400 per year as originally requested. Commissioner Payne asked Commissioner Rodriguez to take care of some of Pct. 4 roads at no cost. Commissioner Rodriguez stated that he will donate time to other precincts when possible after meeting the needs of Pct. 1. Discussion was had on Hilliard Road. Commissioner Rippy and Commissioner Rodriguez recommended no pay increases for anyone - Commissioner Rippy stated that these are hard economic times and the employees receive good benefits. Judge Etheredge spoke of need to decide on precinct budgets to satisfy the taxpayers - first obligation is roads. Commissioner Payne spoke of increases over the last couple of years - C.O.'s were used towards road improvements. Commissioner Payne and Commisisoner Ford recommended 2 1/2% salary increases for employees to be disbursed at the Dept. Heads discretion - none for elected officials or others receiving increases. Judge Etheredge supports across the board increase - spoke of Criminal Cases (3 murder cases) that could cost \$20-25,000 each.

R&B Precincts

Commissioners Rodriguez, Payne and Rippy agreed to not increase the road budgets.

R&B General

\$65,000.00 was budgeted for 1st phase of County Road 171 project in Pct. #2.  
\$65,000.00 was budgeted for 1st phase of Burnett Ranch Subd. road project in Pct. #3

Commissioner Ford suggested putting Park maintenance line item into the Building Maintenance Dept. Discussion was had on Dripping Springs park.

Court agreed to put \$1,500.00 into Pct. 1 budget to be used for maintenance on the San Marcos Community Cemetery.

San Marcos Economic Development

Court agreed to cut budgeted amount to \$9,000.00.

Transfer Station

Commissioner Ford asked about reducing hours at the transfer station. Commissioner Payne stated that he would consider cutting out Wednesday service.

Environmental Health Services

Court agreed to cut 1 Sanitarian position (lowest paid position) and add \$5,000 to Department Head's salary. Commissioner Rippy spoke of his concerns about service to Dripping Springs with cutting one Sanitarian.

Court recessed until August 23, 1991 at 1:00 p.m.

MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 23RD DAY OF AUGUST, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BUDGET WORKSHOP

Insurance

Kevin O'Connor and Mary Organeck of PCA Health Plans appeared - explained HMO plan: \$10 per office visit, no deductible, no claim form, and covers all services - prescription drugs and dental available - employees that do not live in PCA service area will be eligible for indemnity plan.

Joel Haas of Central Texas Medical Center spoke of proposed medical plan that they are putting together - insured person must use Central Texas Medical Center and Staff Doctors - contracted hospitals are M.D. Anderson and St. David's Hospital for services that CTMC cannot provide as well as Austin Diagnostic Clinic - no deductible - 80/20% coverage - no prescription drug program or dental coverage - a preventative package will be offered - Reinsured Insurance would pick up emergency hospital coverage. Discussion was had about extending contract with Transport Life for at least 30 days to get figures from CTMC.

MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
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COUNTY OF HAYS \*

ON THIS THE 26TH DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10908 APPROVE RESOLUTION APPROVING CAD PURCHASE FROM THE FDIC A 5.042 ACRE VACANT TRACT OF LAND FOR THE SUME OF \$70,000.00 LOCATED ON THE WEST ACCRESS ROAD OF IH-35 AT YARRINGTON ROAD FOR THE PURPSE OF LOCATING CAD OFFICES

Bill Backus and Billy Moore appeared before the Court. Billy Moore, CAD Board Member, spoke of lease contract with the City of San Marcos (80 cents per sq. ft.) - recent negotiations are at 72 cents per sq.ft. - spoke of looking at other properties(would require expensive rehab expenses because of massive data base system)- proposes to use fund balances to purchase the property - no immediate plans to start the building - they are looking at constructing a butler building with rock veneer with expansion possible - location is easy access to other taxing entities - rental dollars saved could be used towards building construction costs. Bill Backus, Chief Appraiser, stated that building should cost less than \$40,000.00 for a 9,000 sq.ft. building - presently paying rental costs = \$77,760.00 per year - spoke of 1.5 acres for parking and other considerations. Claude Lilly spoke in opposition to CAD purchasing property - read a letter concerning lease negotiations with the City of San Marcos (offering 65 cents psf lease, parking, maintenance, security,etc.) - spoke of costs paid by various entities to the CAD - need to consider operational costs once the building is complete. Lupe Carbajal, Former CAD Board Member, spoke of how lots of money was wasted in the beginning by the CAD - felt like the lease is too costly - need to get out of lease situation and get out on their own. Billy Moore stated that existing buildings are either inadequate for parking, electrical needs, etc. - stated that 65 cent psf negotiation did not include utilities and was unacceptable. Judge Etheredge spoke of 14 taxing entities involved which are presently buying and paying for a City Annex building - Court would like to have more definite figures for a building plus other costs for consideration. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to adopt resolution in support of CAD purchasing 5.042 acres of land for the sum of \$70,000.00. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye", Commissioner Ford voting "No".

RESOLUTION

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, APPROVING THE CENTRAL APPRAISAL DISTRICT PURCHASE FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION OF A 5.042 ACRE VACANT SUBDIVIDED TRACT OF LAND LISTED AS CHAMPION'S BUSINESS PARK LOT #2 ON THE WEST ACCESS ROAD OF IH-35 SOUTH AT YARRINGTON ROAD FOR THE PURPOSE OF LOCATING THE CENTRAL APPRAISAL DISTRICT OFFICES FOR THE SUM OF \$70,000.

WHEREAS, the Central Appraisal District desires to construct offices as an alternative to renting; and

WHEREAS, the FDIC owns a vacant subdivided tract of land which is available for purchase for \$70,000.00;

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

they approve the Central Appraisal District purchase from the Federal Deposit Insurance Corporation of a 5.042 acre vacant, subdivided tract of land listed as Champion's Business Park Lot #2 on the west access road of IH-35 at Yarrington Road for the purpose of there locating the Central Appraisal District offices for the sum of \$70,000.00.

RESOLUTION PASSED AND ADOPTED ON THIS 26TH DAY OF AUGUST, 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

s/ Peter Rodriguez  
Pete Rodriguez, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Hill Rippy  
Oran Rippy, Pct. 4

ATTEST:  
s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

10909 AUTHORIZE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF COMMERCE FOR COMMUNITY DEVELOPMENT GRANT FUNDS AND AUTHORIZE THE COUNTY JUDGE TO ACT AS THE COUNTY'S REPRESENTATIVE - RE: HILL COUNTRY WATER SUPPLY CORPORATION

J. L. Howze and Marian Cross (Secy/Treas. HCWSC) appeared before the Court. Mr. Howze spoke of grant application for a 24" water main for residents who do not have sufficient funds for improvements needed (17 residents qualify) - water will come from the City of Austin. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to adopt resolution authorizing the submission of a Texas Community Development Program application to the Texas Dept. of Commerce for the Community Development Fund, and authorizing the County Judge to act as the county's Executive Officer and authorized Representative in all matters pertaining to the County's participation in the Community Development Program. A voting "Aye".  
(SEE RESOLUTION ON PAGE 745)

10910 DENIED EXEMPTION REQUEST TO JUNKYARD ORDINANCE FROM BOB MCADOO & PERRY SHEFFIELD OF ROLLING OAKS

Bob McAdoo appeared before the Court - spoke of recycling business (scrap metal) that requires him to store junk cars before they are shipped out - cars are kept no longer than 30 days - he has a problem with people dumping trash on his property. Perry Sheffield stated that the County Junkyard Ordinance does not require a permit for a recycling business - their business is not a wrecking/salvage yard - the cars are sold as metal (crushed) and are not rebuilt - he requested that an exemption be granted. Commissioner Rippy spoke of Rolling Oaks subdivision being a residential area. Commissioner Payne stated that this subdivision is generally a residential area, however, there are/has been businesses located in the subdivision - stated that he would like to see the business permitted and fenced according to the ordinance. Mr. Sheffield stated that fencing is not necessary - cars are not visible. Jeffrey Stefanoff spoke of the residents concerns - felt like there is a place for recycling, but not in this area - the subdivision has restrictions - spoke of businesses run by Mr. McAdoo - he has been sited for violations for operating a landfill, etc. - this business is an eyesore - property is located at the entrance of the subdivision and reduces the property values - area is located over the aquifer recharge zone. Terry Ewald, Health Dept., spoke of his concerns about hazardous fluids from the cars released into the recharge zone - spoke of numerous other violations (septic system, dump, etc.) - approving the permit would require a public hearing and water abatement plan. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to deny exemption to Junkyard Ordinance requested by Bob McAdoo and Perry Sheffield. Commissioner Ford, Commissioner Rippy and Judge Etheredge voting "Aye", Commissioner Payne & Commissioner Rodriguez abstained.

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RESOLUTION

STATE OF TEXAS \*
COUNTY OF HAYS \*

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HAYS, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF COMMERCE FOR THE COMMUNITY DEVELOPMENT FUND, AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, the Commissioners' Court of Hays County desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the County of Hays to apply for funding under the 1991 Texas Community Development Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

- 1. a Texas Community Development Program application for the Community Development Fund is hereby authorized to be filed on behalf of Hays County with the Texas Department of Commerce; and
2. the County's application be placed in competition for funding under the Community Development Fund; and
3. the application be for \$86,786.00 of grant funds to hook up seventeen low/moderate income families to Hill Country Water Supply Corporation's water distribution system; and
4. the Commissioners' Court directs and designates the County Judge as the County's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the County's participation in the Texas Community Development Program; and
5. the County of Hays is committing \$2,000.00 from its General Fund as a cash contribution toward the activities of this project of hooking up seventeen families to Hill Country Water Supply Corporation.

RESOLUTION PASSED AND ADOPTED ON THIS 26th DAY OF AUGUST, 1991, TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

Eddy Etheledge, County Judge

Pete Rodriguez, Pct. 1

Craig Payne, Pct. 3

Wayne Ford, Pct. 2

Oran Rippy, Pct. 4

ATTEST: Ronnie Dannelley, County Clerk

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10911 AUTHORIZE THE COUNTY JUDGE TO ACT AS AGENT FOR THE COURT IN EXECUTION OF AN AGREEMENT FOR THE PREDATOR CONTROL PROGRAM

Judge Eddy Etheredge spoke of Field Agreement submitted by the U.S. Dept. of Agriculture regarding the predatory animal and injurious rodent control program in Texas - County Judge needs to be authorized to sign the agreement. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize the County Judge to act as Agent for the Court in execution of an agreement for the Predator Control Program. All voting "Aye".

PRESENTATION OF LONG DISTANCE TELEPHONE SERVICE PROVIDED BY MCI THROUGH THE STATE CONTRACT

Cindy Casparis, Auditor's Ofc., spoke of need to select a long distance carrier. Linda Hageman of MCI appeared and spoke of State contract offered to other governmental agencies - asking for a portion of the business (that area not in LATA) - spoke of billing. Scott Watson appeared representing San Marcos Long Distance - SMLD can handle all calls and is competitive with other long distance companies. Linda Hageman stated that SMLD does not have a network. Cindy spoke of SMLD affiliation with AT&T - there is more of a savings with MCI. No action taken.

10912 APPROVE BUDGET AMENDMENTS: TDH MATERNAL & CHILD HEALTH GRANT, ADULT PROBATION PROGRAMS, ADULT PROBATION OPERATING AND JUSTICE OF THE PEACE #3

County Auditor Bill Herzog presented proposed budget amendments:

TDH Maternal & Child Health Grant (Dept. 469)

| *Line Item* | *Increase* | *Decrease* |
|-------------|------------|------------|
| 5311 Travel | \$ 350.00  |            |
| 5391 Misc.  |            | \$ 350.00  |

Adult Probation Programs

|        |                              |           |           |
|--------|------------------------------|-----------|-----------|
| *Expen | 448-5211 Office Sply         | \$ 200.00 |           |
|        | 448-5332 Training Sply       | \$ 200.00 |           |
|        | 448-5392 Transf'd Fees       | \$ 100.00 |           |
|        | 448-5448 Contract Svcs       | \$6610.00 |           |
|        | 448-5459 Janitorial Svcs     | \$ 140.00 |           |
|        | 448-5471 Office Rent         | \$ 800.00 |           |
|        | 448-5480 Utilities           | \$ 200.00 |           |
| *Rev   | 342-3675 Adult Ed Fees       |           | \$7230.00 |
|        | 342-3676 Pre-Trial Diversion |           | \$ 500.00 |
|        | 361-3611 Depository Interest |           | \$ 150.00 |
|        | 369-3691 Program Reimbursing |           | \$ 370.00 |
|        |                              | =====     | =====     |
|        |                              | \$8250.00 | \$8250.00 |

Adult Probation Operating

\*Community Services Restitution Grant\*

|  |                          |           |           |
|--|--------------------------|-----------|-----------|
|  | 488-5021 Staff Salaries  |           | \$ 240.00 |
|  | 488-5160 Insurance       | \$ 455.00 |           |
|  | 488-5311 Travel          |           | \$ 455.00 |
|  | 488-5391 Misc            |           | \$ 89.00  |
|  | 488-5419 Misc Eqpt Maint | \$ 329.00 |           |
|  |                          | =====     | =====     |
|  |                          | \$ 784.00 | \$ 784.00 |
|  | 488-5419 Misc Eqpt Maint | \$ 55.00  |           |
|  | 369-3692 Other Rev/CSR   |           | \$ 55.00  |



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Justice of the Peace 3

|                    |          |          |
|--------------------|----------|----------|
| 427-5211 OFF SPLY  |          | \$ 33.00 |
| 427-5212 POSTAGE   | \$ 33.00 |          |
| 427-5489 TELEPHONE | \$ 37.00 |          |
| 427-5711 OFF EQPT  |          | \$ 37.00 |
|                    | =====    | =====    |
|                    | \$ 70.00 | \$ 70.00 |

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve budget amendments as proposed for the Maternal & Child Health Grant, Adult Probation Programs, Adult Probation Operating and Justice of the Peace #3. All voting "Aye".

10913 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to approve payment of county invoices as presented by the County Auditor in the amount of \$107,437.00. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Wastewater Fee    | \$ 240.00    | Auditor          | \$ 438.49    |
| Juvenile Prob     | \$ 6,722.00  | Elec Admin       | \$ 82.34     |
| Indigent Care     | \$ 7,964.22  | Transfer Station | \$ 33.54     |
| Building Maint.   | \$ 553.06    | Countywide Misc. | \$ 16,409.61 |
| Tax A/C           | \$ 118.21    | District Clerk   | \$ 894.02    |
| County Clerk      | \$ 3,426.67  | Sheriff's Ofc.   | \$ 3,288.26  |
| Jail Operations   | \$ 11,507.17 | County Judge     | \$ 40.39     |
| District Attorney | \$ 313.61    | J.P. 1-1         | \$ 22.99     |
| J.P. 1-2          | \$ 137.16    | J.P. 2           | \$ 20.00     |
| J.P. 3            | \$ 158.66    | J.P. 4           | \$ 41.15     |
| J.P. 5            | \$ 273.44    | D.P.S.           | \$ 523.31    |
| Constable 1       | \$ 117.10    | Constable 2      | \$ 10.84     |
| Constable 3       | \$ 33.60     | Constable 5      | \$ 151.42    |
| Veterans Admin    | \$ 340.40    | Data Proc Admin  | \$ 388.67    |
| TDH TB Grant      | \$ 7.00      | TDH M&C Health   | \$ 3,507.88  |
| TABC              | \$ 3.71      | Dist Court Oper  | \$ 2,965.00  |
| County Court Oper | \$ 602.60    | R&B General      | \$ 784.91    |
| Precinct 1        | \$ 5,114.98  | Precinct 2       | \$ 6,261.31  |
| Precinct 3        | \$ 19,889.80 | Precinct 4       | \$ 3,700.06  |
| Self Insurance    | \$ 346.70    | Hot Check Fee    | \$ 28.00     |
| Law Library       | \$ 321.00    | D.A.'s Drug Forf | \$ 900.63    |
| Adult Prob Oper   | \$ 6,862.92  | Adult Prob Fac   | \$ 436.26    |
| Animal Control    | \$ 18.91     | Adult Prob Prgms | \$ 1,460.00  |

\*\*General Fund credit = \$25.00\*\*

10914 DECLARE AN EMERGENCY AND AMEND BUDGETS OF THE SELF-INSURANCE FUND AND THE MEDICAL & DENTAL FUND

County Auditor Bill Herzog presented proposed emergency budget amendments in the General Fund:

| <u>Line Item</u>                                          | <u>Increases</u> | <u>Decreases</u> |
|-----------------------------------------------------------|------------------|------------------|
| Countywide Misc. 414-5920 Perm Trnsf to<br>Med/Dental Ins | \$ 50,000.00     |                  |
| *****                                                     |                  |                  |
| Medical & Dental<br>Ins. Fund 31 483-5344 Claims          | \$ 50,000.00     |                  |
| (Revenue) 392-0001 Perm Trnsf from<br>General Fund        |                  | \$ 50,000.00     |

NOTE: To change temporary transfer from General Fund to Medical and Dental Insurance Fund to Permanent Transfer and to allocate this transfer to claims line item.

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| Line Item                                              | Increases    | Decreases |
|--------------------------------------------------------|--------------|-----------|
| Countywide Misc. 414-5919 Perm Trnsf to Self-Insurance | \$ 5,000.00  |           |
| Self Insurance Fund 09                                 |              |           |
| 444-5343 Self-Insurance                                | \$ 3,000.00  |           |
| 444-5345 Unemplmnt Ins                                 | \$ 17,672.00 |           |
|                                                        | =====        |           |
|                                                        | \$ 20,672.00 |           |
| (Revenue)                                              |              |           |
| 392-0001 Perm Transf From                              | \$ 5,000.00  |           |
| 511-0000 Self-Ins Fund Bal                             | \$ 15,672.00 |           |
|                                                        | =====        |           |
|                                                        | \$ 20,672.00 |           |

NOTE: To allow temporary transfer from General Fund to Self-Insurance to become permanent, and to allocate remainder of funds needed in self-insurance expenses from fund balance.

**10915 APPROVE VARIANCE REQUEST TO PLATTING ACREAGE OWNED BY FIRST GIBRALTER BANK**

Cotton Johnson, Agent for First Gibraltar Bank, requested a variance on platting acreage that will be divided into three tracts - all tracts have ample road frontage and if they are divided into smaller tracts they could then be platted (tracts will be 135.0401 ac., 179.320 ac., and 80 ac.) - existing roads are 30 ft. and they are giving 15 ft. additional r-o-w on roads abutting the property. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve variance request to platting acreage owned by First Gibraltar Bank. All voting "Aye".

**10916 AMENDED PLAT OF LOTS 1 & 2 OF HARNER ESTATES SUBDIVISION**

Patsy Greiner, Admin. Coord., stated that amendment was to relocate the lot line between Lot 1 and Lot 2 of the Harner Estates subdivision. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve Amended Plat of Lots 1 & 2 of Harner Estates Subdivision. All voting "Aye".

**10917 KIRBY SPRINGS RANCH PHASE IV - PLAT APPROVAL (PCT.4)**

Cotton Johnson presented "Kirby Springs Ranch Phase IV" subdivision on first, second and third readings - 14 lot subdivision with cul-de-sacs (West Creek Cove and Kirby Springs Drive) - cul-de-sac on Kirby Springs Drive as platted in Phase 3 was relocated - Letter of Credit was filed. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve Kirby Springs Ranch Phase IV subdivision plat. All voting "Aye".

**BUDGET WORKSHOP**

Insurance

Commissioner Craig Payne introduced Gene Oldham - he had asked him to look over the current insurance coverage and proposals. Mr. Oldham (Insurance Representative for New York Life Insurance Co) spoke of proposal presented to Wimberley ISD with a \$200 deductible - spoke of how most insurance companies make their profits - if you change insurance companies every year you will pay a higher premium - HMO's are not insured and you could take on a high liability to your employees - suggested that higher deductibles are the way to go - stated that health insurance is designed as a convenience to sell life insurance - reiterated that self insurance will work if you raise your deductible.

Greater San Marcos Economic Development Council

Jerry Romero appeared representing the San Marcos Chamber of Commerce and the San Marcos Economic Development Council - requested that the \$2,000 reduction be reinstated - requested same funding as last year (\$20,000) - spoke of jobs created and sales tax revenues - spoke of the San Marcos Factory Shops project and its impact to Hays County - they propose to fund a fulltime position to promote minority

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businesses with assistance from the Hispanic Chamber of Commerce - spoke of prospects they are working with - spoke of HEB Warehouse project with 185 employees. Judge Etheredge spoke of a possible bond package to be put before the voters - requested support from the SMEDC in promoting a bond issue. Mr. Romero stated that he felt like the council would support the issue. Commissioner Payne stated that he will consider funding of \$20,000 - sales tax revenues have greatly increased.

Court recessed for Lunch.

#### Insurance

Judge Etheredge spoke of need to include funding for insurance in the budget - we may need to go out for bids. Discussion was had on proposal submitted by Transport Life - new figures are needed with higher deductibles - need to know what premiums will be before employees can sign up for 125 deferred plan. Commissioner Ford Spoke of problems with the office visit \$5.00 co-pay - Need to breakdown and separate the benefits by cost and determine what benefits will be offered (i.e. dental, prescription card, medical). Discussion was had concerning negotiating with local Doctors and Dentists.

#### Salaries

Judge Etheredge spoke of salary increases requested by the County Court at Law Judge and J.P.'s. Commissioner Payne recommended they file a grievance and let Grievance Committee decide.

#### San Marcos Economic Development

Put \$2,000 back into San Marcos Economic Development.

#### Civic Center & Transfer Station

Commissioner Ford spoke of possibly leasing the Civic Center out - not criticizing management - need to look at options to save tax monies - spoke of leasing the transfer station to BFI. Judge Etheredge stated that he is not in favor of closing the Civic Center - need to setup a Commission with authority to run the Civic Center - leadership is needed - Civic Center is not going to make money - it is a popular place and provides a place for young people involved in agriculture.

#### Parks

Commissioner Ford stated he would like to give up the park and put it into maintenance. Judge Etheredge stated that if Commissioner Ford doesn't want it then it could be put somewhere else - you need to take care of the park. Commissioner Ford spoke of holding back funds until he had enough to proceed with his plans for installation of restrooms. Judge Etheredge stated that he took the money out because he was not aware of the fund rollover.

#### Salaries

Commissioner Ford suggested salary increase of \$50.00 per month (\$600 per year) for employees. \$50 per month = \$200,000.00 increase in the budget.

#### Courthouse Annex

Ruth Clayton spoke of renovations needed for the first floor annex.

#### Jail

Commissioner Payne suggested cutting positions in the Jail/Sheriffs budget. Commissioner Ford spoke of unfilled positions. Eliminated 5 Correction Officers positions not presently filled.

#### Unitary Road System

Discussion was had on having a referendum concerning creation of a unitary road system.

#### PCA (HMO) Insurance

Mary Organek presented PCA Health Plans cost summary broken down by: Health, RX, Dental, Life/AD&D by PCA HMO Plan and PCA Indemnity Plan - gave estimates of Transport Life premiums with 40% increase - gave census breakdown of employees coverage (243 employee only 22 employee & spouse 63 employee & children 35 employee & family) - proposed costs estimates were:

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|               |                     |           |
|---------------|---------------------|-----------|
| PCA HMO PLAN  | Employee Only       | \$ 134.83 |
|               | Employee & Spouse   | \$ 282.28 |
|               | Employee & Children | \$ 241.89 |
|               | Employee & Family   | \$ 444.85 |
| PCA INDEMNITY | Employee Only       | \$ 149.74 |
|               | Employee & Spouse   | \$ 301.96 |
|               | Employee & Children | \$ 267.66 |
|               | Employee & Family   | \$ 464.85 |

Mary stated that they are financially sound - if drug rider is dropped the only drugs that will be covered are those administered during a hospital stay only.

Kelly Kilber presented redistricting maps for Commissioners to review.

MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 29TH DAY OF AUGUST , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10918 ADOPT PROPOSED COMMISSIONER PRECINCTS, JUSTICE OF THE PEACE/CONSTABLE PRECINCTS AND ELECTION PRECINCTS

Bill Emory presented the field notes descriptions and maps for the proposed Commissioner Precincts, Justice of the Peace/Constable Precincts and Election Precincts - advised the Commissioners' Court that they need to adopt the actual legal definitions for the redistricting - next step is to prepare the submission to the Justice Department - stated that is is required under Federal Regulations to publish a notice that a copy of the submission is available to the public - the Justice Department has 60 days to review the plan and if you do not hear from them within the 60 days, you are considered pre-cleared - advised that he will need copies of the minutes of every meeting and all newspaper clippings dealing with redistricting - it is helpful if you have letters of support from other organizations (i.e. Democratic & Republican Parties, LULAC, NAACP, etc). Melissa Millicam (City of San Marcos) stated that she knows of no problems that the City of San Marcos has with the proposed plan. A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt the proposed plan for Commissioner Precincts, Justice of the Peace/Constable Precincts and Election Precincts. All voting "Aye". A motion was made by Commissioner Ford, seconded by Commissioner Rippy to publish and post notices of submission of Hays County redistricting plan to the Dept. of Justice. All voting "Aye".

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Kelly Kilber, Surveyor, presented the original field notes and maps of the redistricting to the Commissioners Court. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve the maps and surveys as presented for purposes of redistricting following the 1990 census of Hays County, Texas and to direct the Surveyor to provide 15 copies of each map to the Court and one linen copy for the County Clerk. All voting "Aye".

(SEE PAGE 753 FOR RESOLUTION)

**BUDGET WORKSHOP**

Justice of the Peace Pct. 1 Place #1 & #2

J.P. Becky Sierra submitted a list of salaries of department heads and employees earning over \$2,142 a month and those earning slightly under \$2,142 a month - (\$2,142.00 per month is J.P. 1-1 & 1-2 current salary) - request increase because of responsibilities and tenure - spoke of duties: San Marcos J.P.'s hold Administrative Hearings, bulk of examining trials and bulk of eviction proceedings because of their geographic location. J.P. Macel Sullivan spoke of bulk of criminal cases occur in San Marcos, holds juvenile detention hearings & magistrations. J.P. Sierra spoke of sizable revenues brought in by J.P.'s - spoke of bad checks division - asked to be treated equitably - spoke of employees making larger salary with less responsibilities. Judge Etheredge spoke of effective tax rate over the 8% rollback rate - we could lose control - its a calculated risk if you go above the 8%. Commissioner Payne spoke of extra money earned from performing marriages. J.P. Sierra stated that this is not a sure source of income and many marriages are performed free of charge.

Justice of the Peace Pct. 3

Jim Stowe appeared requesting a salary increase - spoke of being on call 24 hours a day - magistration and coroner duties are on a rotation basis with other J.P.'s - spoke of having only one clerk that answers the telephone for the J.P., Constable and Commissioner - spoke of responsibilities: will see an increase in small claims, holds jury trials - has operated on a personal deficit salarywise since he became J.P. - holds night court on Mondays - feels like all J.P.'s should have the same salary (J.P. #3 should be the same as J.P. #2 & #5). Commissioner Payne stated that the legal responsibilities are the same but the caseload is less than others - stated that the Court knows he will do the job required. J.P. Stowe spoke of increase in his area with redistricting and increase in fees.

Adult Probation Dept.

Linda Turley, Chief Probation Officer, spoke of State Mandate concerning the number of Probation Officers per Client - they will be getting 2 additional Probation Officers which will make them short 2 offices - unable to share offices because they are too small (use to be examing rooms when it was a Health Dept) - money for the additional staff will come September 1st - spoke of inadequate parking at the Max C. Smith Building - unable to relocate staff to another building because their clerical staff is small and must stay at their present location. Judge Etheredge spoke of possible remodeling of the existing building to add on office space (canopy area).

Insurance

Debra Spellings of Transport Life Insurance Co., appeared - spoke of raising the deductible to \$300,400,500 80/20% up to \$5,000 or \$10,000 out of pocket expense could eliminate dental and/or wellness benefits - 7% of claims are dental (\$41,230) wellness is 10% (\$51,816) and retirees claims are 1% (\$7,055)

|                 |     |                    |    |
|-----------------|-----|--------------------|----|
| Hospital        | 25% | InPatient Surgery  | 7% |
| Routine Exam    | 10% | OutPatient Surgery | 5% |
| Kidney Dialysis | 9%  | Private Room       | 5% |
| Office Visits   | 4%  |                    |    |

Commissioner Ford spoke of his concerns about the local Doctors not participating in the PPO. Discussion was had on setting a 90-day limit to file claims for payment. Commissioner Ford spoke of excluding eyeglasses from the wellness benefit and still not losing the positive side of the wellness care. Debra Spellings spoke of PCS program that will fill generic prescription drugs - charges more for brand name prescriptions. Commissioner Ford spoke of pre-certification loophole (not less than 5 days and not more than ? days) - precertification could be made 10-12 months prior to procedure. Debra Spellings stated that claims submitted after September 15, 1991 will go into the next years coverage. Commissioner Ford suggested

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increasing the deductible and out-of-pocket expense. Debra Spellings spoke of need to increase the deductible - spoke of County having changed insurance companies every year for the past four years - felt like the claims will decrease - going to an HMO will jeopardize the County getting coverage in the future by an insurance carrier because there will be no claims history for that period of time - presented breakdown on fixed costs (Administration, DC/COBRA, U.R., SSL, ASL) - increase in administration is due to having a 2 year contract and seeing 12 months of claims vs. 9 months - spoke of dependent rates.

Court agreed to a \$500 deductible 80/20% w/\$10,000 stoploss - look at wellness benefit - PCS card \$5/\$10 co-pay.

Jacque Jordan, County Insurance Representative, spoke of two deaths that occurred during current coverage and kidney dialysis has been taken over by Medicare. Commissioner Ford spoke of self-funding is almost a disaster - we need to make drastic changes to improve this system. Dottie Sims, County Treasurer, spoke of need to have meetings to inform all employees of coverage that will be offered.

10919 RESCHEDULE COMMISSIONERS' COURT MEETING FROM SEPTEMBER 2ND TO SEPTEMBER 3RD

A motion was made by Commissioner Payne, seconded by Commissioner Ford to reschedule the next Commissioners Court meeting from September 2, 1991 to September 3, 1991 due to Labor Day Holiday. All voting "Aye".

BUDGET WORKSHOP - CONTINUED

Judge Etheredge spoke of need to deal with insurance and salaries. Court agreed to give salary increase of \$50.00 per month per employee with exception of Department Heads and Elected Officials.

Vital Statistics from City of San Marcos - Ronnie Dannelley, County Clerk, spoke of vital statistics that will be obtained from the City: 34 Birth Records Volumes and 19 Death Records Volumes and 1 file cabinet - approximately 900 birth certificates and 225 death certificates are issued yearly with \$9,700 in revenues - stated that he would need a bilingual employees (\$13,016) - need to keep City and county records separate.

Judge Etheredge spoke of housing prisoners - we need to enter into an agreement with the City of San Marcos that holds the County harmless. Commissioner Ford stated that we can get a clause that make the County liable only after the person becomes a prisoner in the jail - we do not have to justify the arrest.

County Court at Law #1

Judge Howard Warner spoke of his salary increase request (current salary is \$42,611) - feels that his position should receive in excess of \$50,000 salary - anticipates additional revenues - spoke of juvenile cases (more violent offenses are being committed by juveniles) - TYC is full - most counties pay additional money to Judges for handling juvenile cases - more family law cases will be taken on by the County Court at Law. Commissioner Ford stated that he supports a \$5,000 salary increase.

Discussion was had on revenues and reserves

Justice of the Peace Pct. #3 & #4

Commissioners Ford, Payne and Rippy voted in favor of raising J.P. #3 & J. P. #4 salary to \$24,000 - Commissioner Rodriguez & Judge Etheredge voted "No". Judge Etheredge suggested waiting to see J.P.#3 performance. Commissioner Ford spoke of need to correct inequities.

Justice of the Peace Pct. #1-1 & #1-2

Commissioners Rodriguez, Payne & Rippy voted to raise J.P. 1-1 & J.P. 1-2 salaries to \$27,500.

County Court at Law #1

\$5,000 increase in salary for Judge CCL#1 (Commissioners Ford & Rippy "For" Commissioners Rodriguez & Payne & Judge Etheredge voting "Against") - Judge Etheredge spoke of Court having increased Judge CCL#2 to fulltime which will reduce caseload for Judge CCL#1.

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District Clerk

W. H. Moore, District Clerk, spoke of permanent records - introduced Bill Wright of Business Micrographics - W.H. spoke of equipment needs to make records archival: camera = \$6,798 lease purchase available \$190 months X 48 months - spoke of services provided. Bill Wright spoke of cities and counties that are having to look into better records storage systems. W. H. Moore spoke of State law requiring microfilming and explained the microfiche process. Bill Wright spoke of film testing (\$100 per year vault fee + \$20 per roll of film for testing).

Data Processing Dept.

\$10,000 was left out of the budget - backup equipment is needed for the Health Dept. Judge Etheredge spoke of need to get people cross-trained to handle minor computer problems. D.P. Administrators salary is currently \$27,000 (\$28,774 was in the budget for Danny Dever's salary) - Judge Etheredge, Commissioner Ford and Commissioner Rippy voted "For" increasing Lance Renfrew's to \$28,774.00 - Commissioner Rodriguez and Commissioner Payne voted "Against".

Jail C.O.'s

Commissioner Wayne Ford suggested placing \$300,000.00 in the budget for improvements to the old jail building and possibly adding a butler building to it for a maintenance facility (out of Jail C.O.'s).

\*\*\*\*\*RESOLUTION #10918 AUG 29, 1991 RE: REDISTRICTING\*\*\*\*\*

STATE OF TEXAS

ORDER OF COMMISSIONERS COURT

COUNTY OF HAYS

On the 29th day of August, 1991, the Commissioners Court of Hays County, Texas, met in a Special Call Meeting. All members were present, to-wit:

EDDY ETHEREDGE  
PEDRO RODRIGUEZ  
WAYNE FORD  
CRAIG PAYNE  
ORAN H. RIPPY  
RONNIE DANNELLEY

COUNTY JUDGE  
COMMISSIONER, PRECINCT #1  
COMMISSIONER, PRECINCT #2  
COMMISSIONER, PRECINCT #3  
COMMISSIONER, PRECINCT #4  
COUNTY CLERK

When the following proceedings, among others, were had, that is:

PRECINCT MAPS

Kelly Kilber, County Surveyor and Bill Emory, of Emory Young and Associates, Inc. presented maps and surveys for County Commissioner Precincts, Justice of the Peace Precincts, and Voting Precincts for purposes of redistricting following the 1990 census for Hays County, Texas.

A motion was made by Commissioner Wayne Ford, seconded by Oran H. Rippy to approve the maps and surveys as presented for purposes of redistricting following the 1990 census of Hays County, Texas. All members voting "Aye".

Therefore, I Eddy Etheredge, as County Judge of Hays County, hereby Order that the maps and surveys, approved hereby, be implemented for the purpose stated effective January 1, 1992.

s/ Eddy A. Etheredge  
COUNTY JUDGE

s/ Ronnie Dannelley  
COUNTY CLERK

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MINUTES APPROVED IN OPEN COURT ON THE 30TH DAY OF SEPTEMBER, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 3RD DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10920 ACCEPT "REAVES ROAD" FOR COUNTY MAINTENANCE AS PETITIONED (APPROX. 1/4 MILE IN LENGTH)

Commissioner Oran Rippy spoke of petition received by property owners along "Reaves Road" - road is located 6/10 mile west of RR 1826 on Hw. 150 - stated that he will grade the road a couple of times each year - it is a caliche road and not in bad shape. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept "Reaves Road" for county maintenance. All voting "Aye".

10921 ACCEPT DONATION OF R-O-W ON AYRES ROAD (QUITCLAIM DEED) AND ACCEPT ROADWAY FOR COUNTY MAINTENANCE

Commissioner Wayne Ford spoke of private road leading to a subdivision that has county maintained roads - owner has offered to quitclaim this roadway (1.97 acres) to the County. A motion was made by Commissioner Ford, seconded by Commissioner Payne to accept donation of 1.97 acres, being a roadway, out of the J. W. Williams 1/3 League by Quitclaim Deed executed by J. Howard Ayers and wife, Anne Ayers and to furthermore accept this roadway for county maintenance. All voting "Aye". (Quitclaim Deed recorded in Volume 888 Pgs 241-243 Official Public Records)

10922 AMEND 1991 BUDGET TO COVER COSA AIDE SALARY \$1,200.00

Mary Hughes, Director of Nursing, spoke of Mehia Grant position - grant starts September 1, 1991. A motion was made by Judge Etheredge and seconded by Commissioner Payne to amend the Health Dept. budget \$1,200.00 to reflect Cosa Aide Salary. All voting "Aye".

AMEND BUDGET TO PROVIDE TLETS ACCESS TO COUNTY DEPARTMENTS

Lance Renfrew - D.P. Admin., Jim Coley - D.A. Investigator, and Linda Turley - Chief Adult Probation Officer appeared before the Court. Lance spoke of request from the Adult Probation Dept., District Attorney's Office, Constable Pct. #1 and the Fire Marshal/EMC to provide TLETS access to their offices - the LEC has the main TLETS system which they could be tied into. Jim Coley spoke of TLETS being used to obtain crime information on individuals - this info is needed to prepare cases and update their files - info is needed on a daily basis and they are presently dependent on the Sheriff's Dept., DPS and City Police for access to this information. Linda Turley spoke of need by their department to have access to up-to-date service that is required by Law. Lance Renfrew spoke of cost being approximately \$6,500 - each office would need a terminal, printer and modem. Commissioner Payne felt like the Constable and Fire Marshal could utilize the District Attorney's system. Judge Etheredge stated that the Court will take this item up in budget workshop later this date.



10923 APPROVE PAYMENT COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve payment of county invoice as presented by the County Auditor in the amount of \$89,661.62 as well as the storage tank payments previously submitted. All voting "Aye".

|                   |             |                   |              |
|-------------------|-------------|-------------------|--------------|
| Auditor           | \$ 434.21   | Treasurer         | \$ 44.51     |
| Extension Ofc.    | \$ 513.61   | Juv Probation     | \$ 390.86    |
| Election Admin    | \$ 1,218.00 | Indigent Care     | \$ 692.80    |
| Transfer Station  | \$ 467.00   | Bldg. Maint.      | \$ 510.20    |
| Health Dept.      | \$ 88.20    | Countywide Oper   | \$ 10,493.72 |
| Tax A/C           | \$ 2,178.00 | County Clerk      | \$ 1,661.34  |
| Sheriff           | \$ 574.60   | Jail Operations   | \$ 9,802.36  |
| County Judge      | \$ 231.98   | Co Crt @ Law #1   | \$ 33.50     |
| District Atty.    | \$ 2.00     | J.P. 1-2          | \$ 43.47     |
| J.P. 2            | \$ 350.00   | J.P. 4            | \$ 250.00    |
| J.P. 5            | \$ 100.00   | Constable 1       | \$ 93.57     |
| Constable 5       | \$ 283.26   | Data Proc Admin   | \$ 714.00    |
| TDH TB Grant      | \$ 131.43   | TDH M&C Health    | \$ 409.12    |
| TABC              | \$ 14.23    | TDH Dir Nurs Grnt | \$ 6,458.40  |
| Dist Court Oper   | \$ 1,591.70 | Co Court Oper     | \$ 5,062.09  |
| R & B General     | \$ 4,347.76 | Pct. 1            | \$ 666.08    |
| Pct. 2            | \$ 4,052.92 | Pct. 3            | \$ 18,495.19 |
| Hot Check Fee     | \$ 161.99   | Law Library       | \$ 113.50    |
| Accts Payable CI  | \$ 170.85   | Public Works      | \$ 10,018.00 |
| Adult Prob Oper   | \$ 5,497.90 | Adult Prob Fac    | \$ 499.27    |
| Adult Prob Prgrms | \$ 800.00   |                   |              |

10924 AMEND BUDGET OF DISTRICT ATTORNEY, CONSTABLE PCT. #2, HEALTH DEPARTMENT AND JUSTICE OF THE PEACE PCT. #1 PLACE #2

County Auditor Bill Herzog presented proposed budget amendments:

| LINE ITEM                             | INCREASES   | DECREASES   |
|---------------------------------------|-------------|-------------|
| <u>District Attorney Office (423)</u> |             |             |
| 423-5021 Staff Salaries               | \$ 3,100.00 |             |
| 423-5110 FICA/Medicare                | \$ 200.00   |             |
| 423-5121 Retirement                   | \$ 307.00   |             |
| <u>Revenue/Legal Services (344)</u>   |             |             |
| 344-3441 District Attorney            |             | \$ 3,607.00 |
|                                       | \$ 3,607.00 | \$ 3,607.00 |
| <u>Constable Pct. 2 (432)</u>         |             |             |
| 432-5391 Misc.                        | \$ 178.00   |             |
| <u>Social Services (443)</u>          |             |             |
| 443-5893 Home Health                  |             | \$ 178.00   |
|                                       | \$ 178.00   | \$ 178.00   |
| <u>Health Dept (411)</u>              |             |             |
| 411-5021 Staff Salary                 |             | \$ 789.00   |
| 411-5221 Data Proc Sply               |             | \$ 237.00   |
| 411-5271 Fuel & Lubes                 | \$ 3,721.00 |             |
| 411-5272 Vehicle Sply                 | \$ 73.00    |             |
| 411-5411 Off Eqpt Maint               | \$ 108.00   |             |
| 411-5391 Misc                         |             | \$ 235.00   |
| 411-5413 Vehicle Maint                | \$ 636.00   |             |
| 411-5489 Telephone                    |             | \$ 2,933.00 |
| 411-5711 Off Eqpt                     |             | \$ 344.00   |
|                                       | \$ 4,538.00 | \$ 4,538.00 |

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|                                       |           |           |
|---------------------------------------|-----------|-----------|
| <u>Justice of the Peace 1-2 (425)</u> |           |           |
| 425-5021 Staff Salary                 | \$ 300.00 |           |
| 425-5110 FICA/Medicare                |           | \$ 450.00 |
| 425-5121 Retirement                   |           | \$ 270.00 |
| 425-5160 Insurance                    | \$ 50.00  |           |
| 425-5211 Off Sply                     | \$ 576.00 |           |
| 425-5212 Postage                      |           | \$ 50.00  |
| 425-5391 Misc                         | \$ 30.00  |           |
| 425-5711 Off Eqpt                     |           | \$ 141.00 |
| <u>Social Services (443)</u>          |           |           |
| 443-5893 Home Health Prgrm            |           | \$ 45.00  |
|                                       | \$ 956.00 | \$ 956.00 |

County Auditor Bill Herzog spoke of District Attorney's additional revenue being from welfare cases and an additional person was hired. Marcos Hernandez, District Attorney, spoke of welfare case revenues & victims witness coordinator position - law requires 10 days notice to victims and others - spoke of problems that the law creates with no additional funding.

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to amend budget of District Attorney, Constable Pct. #2, Health Department and Justice of the Peace Pct. #1 Place #2 as proposed by the County Auditor. All voting "Aye".

**10925 AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR PRINTING**

Cindy Casparis, Purchasing Agent, spoke of not having bid specs at this time - feels like the County can save a lot of money by going out for bids - spoke of standardizing envelopes. Bill Herzog, County Auditor, spoke of differences in business cards and the amount of money spent. Bob Barton stated that he supports bidding out - need to have a pretty substantial savings before going with out-of-county vendors. Jerry Romero stated that the Court needs to give the local printers a chance to bid and keep the business in the county - suggested re-doing some forms so that local printers can get the business and need to go with recycled paper when possible. A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize the County Auditor to advertise for bids for printing - approval of bid specs will be necessary before going out for bids. All voting "Aye".

**10926 ACCEPT AUDIT REPORT OF THE CIVIC CENTER**

A motion was made by Commissioner Payne and seconded by Judge Etheredge to accept the audit report of the Civic Center. All voting "Aye".

**10927 JOHN ALLEN TRACT #3 AMENDMENT - 1ST,2ND,3RD READINGS (PCT. 4)**

Surveyor Cotton Johnson spoke of error made in the bearings requiring an amendment to the plat. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "John Allen Tract #3 Amendment" on first, second and third readings. All votng "Aye".

**BUDGET WORKSHOP**

Insurance

Debra Spellings appeared with new figures as requested by the Court - Option XV renewal with \$50,000 SSL/125% ASL total annual at Maximum = \$1,120,201.80 - Option XV assumes the following benefit changes: \$500 deductible, 80/20 to \$10,000 (\$2,000 Out-of-Pocket), remove glasses & contact lenses from Wellness benefit, and change PCS deductibles to \$5 for Generic and \$10 for Brand Name drugs - suggested funding dependents at projected figures and employees at maximum - spoke of dental coverage (Employee \$10.33 Spouse \$12.38 Child/ren \$9.52 Family \$20.50) - suggested court go with \$60,000 Stop Loss - it is the best deal. County Treasurer Dottie Sims spoke of problems with payroll deductions - the Insurance Representative

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needs to meet with approximately 100 employees that get paid on the 15th of September to sign them up for coverage - they must be signed up before deductions are made from their salaries. Meetings to be held in the District Courtroom to sign up employees - Pcts. will send their employees in to attend the meetings - Court decided to go with Medical Coverage using Option XV and with Dental coverage.

Health Services

Mary Hughes, Director of Nursing, appeared - requested budget of \$97,594.00 - cut one LVN position - stated that she needs part-time Nurses Aide position (Isabel Garcia/City Employee) = \$7,186.00 - Court agreed to add part-time Nurses Aide position back into the budget.

Discussion was had concerning placing \$130,000.00 (Road improvements) and \$75,000 (Capital Murder Cases) into reserves - Judge Etheredge, Commissioner Ford and Commissioner Rippy voting "For". Commissioner Wayne Ford spoke of need for capital improvement funds.

Data Processing Dept.

Discussion was had on \$82,700.00 Data Proc Equipment request: \$2,700 f/animal control computer \$60,000 f/DPS&JP computer system, \$4,000 f/replacement terminals \$6,000 f/PC's @ DA or LEC ofcs \$10,000 regular budget amount. Lance Renfrew, DP Admininstrator, spoke of storm damage at the LEC - no funds available for this type of situation - spoke of backup equipment needed (tape backups) for various PC's (Auditor=2, Juv Prob=1, Constable #5=1, EMC=1, County Judge=1, DP ofc=1). Court agreed to allow \$17,200 for DP Equipment (\$2,700/animal control \$10,000/equipment \$5,000/TLETS for D.A. & Adult Prob).

Commissioner Ford spoke of looking at returning increases that were given to Elected Officials - put back to their current levels (4 JP's & Constables) with exception of Judge County Court at Law #2 (increased from part-time to fulltime position). Commissioner Payne felt like there are positions in the budget that could be cut out - suggested cutting Sheriff's Civil Process position to \$20,000 . Commissioner Ford spoke of addressing elected officials - need to treat them all the same. Commissioner Ford, Commissioner Rodriguez and Judge Etheredge voted to return all Elected officials that were increased back to their current salary levels with the exception of Judge County Court @ Law #2 (will become a fulltime position) - Cost-of-Living increase of \$50.00 per month for all Employees and Department Heads (Elected Officials excluded).

Parks

\$15,000 was budgeted for parks. Commissioner Ford spoke of replacing signs and need for restroom facilities.

1% increase = \$60,000 1 cent increase = \$150,000. Commissioner Ford suggested a 1.3% increase to a 10% effective tax rate would create \$80,000.00 for roads. Commissioner Payne spoke of additional road mileage he picked up from redistricting (41 miles). Judge Etheredge stated that he would support the budget and a tax increase. Commissioner Rippy stated that his constituents say "no tax increase".

|                          |              |                  |
|--------------------------|--------------|------------------|
| Raises and fringes       | \$212,000.00 | (\$50 per month) |
| Medical/Dental Insurance | \$175,000.00 |                  |
|                          | =====        |                  |
|                          | \$387,000.00 |                  |

County Auditor Bill Herzog suggested putting off salary increases until January 1st. Commissioner Ford opposed this suggestion - Court would have to pick up the entire 12 months next year. Discussion was had on increase in road precincts and cutting departments services. Discussion was had on increasing revenues. Discussed reducing: Indigent Care \$10,000, Park/DS \$10,000, ADA's Salary incr \$1,000, and raising Ad Varlorem P&I revenues \$21,000.00.

San Marcos Economic Development

SMED has indicated that if the Court puts the \$2,000 back into their budget line item, they will get \$3,000 in goods to put into the Food Bank.

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 9TH DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10928 APPROVE COUNTY TREASURER'S REPORT FOR JULY 1991

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to approve County Treasurer's Report of July 1991 as presented. All voting "Aye".

AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 9th day of SEPTEMBER, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of JULY, 1991 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

s/ Eddy A. Etheredge  
COUNTY JUDGE

s/ Peter Rodriguez  
COMMISSIONER, PRECINCT 1

s/ Wayne Ford  
COMMISSIONER, PRECINCT 2

s/Craig Payne  
COMMISSIONER, PRECINCT 3

s/ Oran Hill Rippy  
COMMISSIONER, PRECINCT 4

ATTEST:  
s/Ronnie Dannelley  
HAYS COUNTY CLERK

County of Hays  
Summary of Receipts and Disbursements  
For the Period July 1991

|   | General (M/M) | July      | R & B General | R & B Pct. # 1 | R & B Pct. # 2 | R & B Pct. # 3 | R & B Pct. # 4 | Total Funds  |
|---|---------------|-----------|---------------|----------------|----------------|----------------|----------------|--------------|
| Checking Balance on 7/1/91                | 544,510.60    | 38,865.94 | 21,620.75     | 20,904.67      | 21,306.93      | 21,793.15      | 24,329.83      | 693,831.87   |
| Money Market Interest Deposits (receipts) | 2,865.18      | 12,086.80 | 17,004.35     | 9,210.40       | 29,205.46      | 27,204.78      | 29,056.09      | 2,869.38     |
| Disbursements (Claims)                    | 1,384,091.82  | 45,394.79 | 13,122.03     | 19,732.89      | 36,289.53      | 30,897.17      | 48,427.22      | 1,577,955.45 |
| Total                                     | 321,673.60    | 5,557.95  | 25,503.07     | 10,382.18      | 14,222.86      | 18,100.76      | 5,458.70       | 400,899.12   |
| Certificates of Deposit Balance on 7/1/91 | 1,275,000.00  | 57,000.00 | 30,000.00     | 53,000.00      | 115,000.00     | 150,000.00     | 157,000.00     | 1,837,000.00 |
| New C. D. 's                              | 500,000.00    |           |               |                |                |                |                | 500,000.00   |
| Matured C. D.'s transferred to Checking   | 150,000.00    |           |               | 3,000.00       | 20,000.00      | 20,000.00      | 20,000.00      | 213,000.00   |
| Total                                     | 1,625,000.00  | 57,000.00 | 30,000.00     | 50,000.00      | 95,000.00      | 130,000.00     | 137,000.00     | 2,124,000.00 |

|   | Unemployment Self Insurance | Hot Check Fee Fund | Law Library | Cummings | County Jail Construction (MM) | Jail Addition Construction (MM) | Hays County Public Works (MM) | Pioneer Trails Road District |
|---|-----------------------------|--------------------|-------------|----------|-------------------------------|---------------------------------|-------------------------------|------------------------------|
| Checking Balance on 7/1/91                | 19,838.25                   | 4,577.91           | 6,527.59    | 106.68   | 20,955.87                     | 34,375.75                       | 29,543.42                     | 497.52                       |
| Money Market Interest Deposits (receipts) |                             | 3,746.37           | 1,372.00    |          | 90.00                         | 147.63                          | 103.39                        |                              |
| Disbursements (Claims)                    | 2,932.46                    | 2,163.22           | 107.75      |          |                               |                                 | 7,374.50                      |                              |
| Total                                     | 16,905.79                   | 6,161.06           | 7,791.84    | 106.68   | 21,045.87                     | 34,523.38                       | 22,272.31                     | 497.52                       |
| Certificates of Deposit Balance on 7/1/91 | -0-                         | -0-                | -0-         | -0-      | 1,700,000.00                  | 100,000.00                      | 210,000.00                    | -0-                          |
| New C. D. 's                              |                             |                    |             |          |                               |                                 |                               |                              |
| Matured C. D.'s transferred to Checking   | -0-                         | -0-                | -0-         | -0-      | 1,700,000.00                  | 100,000.00                      | 210,000.00                    | -0-                          |
| Total                                     | -0-                         | -0-                | -0-         | -0-      | 1,700,000.00                  | 100,000.00                      | 210,000.00                    | -0-                          |

#8-91 from General to Medical and Dental Fund \$50,000.00

*Dorothy F. Sims*  
Dorothy F. Sims, County Treasurer



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 10929 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 69,151.89 as presented by the County Auditor. All voting "Aye".

|                   |              |                  |              |
|-------------------|--------------|------------------|--------------|
| Auditor           | \$ 272.62    | Treasurer        | \$ 85.92     |
| Extension Ofc.    | \$ 188.23    | Juv Probation    | \$ 172.72    |
| Election Admin    | \$ 109.65    | Transfer Station | \$ 49.40     |
| Bldg. Maint       | \$ 6,368.90  | Health Dept.     | \$ 566.42    |
| Civic Center      | \$ 1,499.67  | Countywide Oper  | \$ 7,379.87  |
| Tax A/C           | \$ 436.00    | Dist. Clerk      | \$ 196.48    |
| County Clerk      | \$ 87.41     | Sheriff          | \$ 2,316.04  |
| Jail Operations   | \$ 21,262.92 | County Judge     | \$ 142.55    |
| Admin Coord.      | \$ 107.17    | Co Crt @ Law 1   | \$ 71.41     |
| Dist. Atty.       | \$ 809.95    | J.P. 1-1         | \$ 55.54     |
| J.P. 1-2          | \$ 106.20    | J.P. 2           | \$ 191.64    |
| D.P.S.            | \$ 1,433.52  | Constable 1      | \$ 29.62     |
| Constable 2       | \$ 351.72    | Veterans Admin   | \$ 24.80     |
| Data Proc Admin   | \$ 162.88    | Co Crt @ Law 2   | \$ 51.67     |
| C & R Health Grnt | \$ 547.50    | Fire Marshal/EMC | \$ 86.37     |
| TABC              | \$ 113.02    | *Gen Fund Credit | \$ 25.53**** |
| Dist Court Oper   | \$ 292.93    | Dist Court Rep   | \$ 54.45     |
| Road & Bridge Gen | \$ 26.73     | Precinct 1       | \$ 150.56    |
| Precinct 2        | \$ 105.05    | Precinct 3       | \$ 4,165.90  |
| Precinct 4        | \$ 61.49     | Hot Check Fee    | \$ 25.00     |
| Law Library       | \$ 45.00     | Jail Constrction | \$ 3,188.00  |
| Public Works      | \$ 10,000.00 | Adult Prob Oper  | \$ 4,179.95  |
| Adult Prob Fac    | \$ 353.01    | Animal Control   | \$ 1,000.00  |
| Adult Prob Prgms  | \$ 251.54    |                  |              |

10930 AMEND BUDGET OF CONSTABLE PCT. #1

County Auditor Bill Herzog presented proposed line item adjustments for Constable Pct. #1 budget:

| LINE ITEM                   | INCREASES  | DECREASES  |
|-----------------------------|------------|------------|
| =====                       | =====      | =====      |
| 431-5021 Staff Salary       |            | \$ 417.00  |
| 431-5110 FICA               |            | \$ 300.00  |
| 431-5121 Retirement         |            | \$ 150.00  |
| 431-5160 Insurance          |            | \$ 300.00  |
| 431-5211 Office Supply      | \$ 196.00  |            |
| 431-5212 Postage            | \$ 34.00   |            |
| 431-5271 Fuel & Lubes       | \$ 644.00  |            |
| 431-5413 Veh Maint          | \$ 349.00  |            |
| 431-5417 Law Enf Eqpt Maint |            | \$ 175.00  |
| 431-5489 Telephone          | \$ 119.00  |            |
|                             | =====      | =====      |
|                             | \$1,342.00 | \$1,342.00 |

A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to approved budget amendment for Constable Pct. #1 in the amount of \$1,342.00 as proposed by the County Auditor. All voting "Aye".

10931 MISTY MEADOWS SUBDIVISION - 1ST,2ND,3RD READINGS (PCT. 3)

Patsy Greiner, Admin. Coord., stated that the fees were paid, no road frontage on the two lots, access is from an easement - notes are needed on the plat concerning the aquifer and ETJ. A motion was made by Commisisoner Payne, seconded by Commissioner Rippy to approve "Misty Meadows" subdivision on first, second and third readings contingent on aquifer and ETJ notes being added to the plat. All voting "Aye".

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10932 TRIPLE CREEK RANCH PHASES 1-4 - 1ST READING (PCT. 4)

Kelly Kilber presented "Triple Creek Ranch Phases 1-4" subdivision on first reading - this subdivision was started in 1986 and has been approved on two readings, however, it was never developed - need to reinstate the subdivision - they are presently having environmental studies done. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Triple Creek Ranch Phases 1-4" subdivision on first reading. All voting "Aye".

BUDGET WORKSHOP

Personal Health Services

Mary Hughes appeared - requested that Isabel Garcia's part-time position be increased to fulltime (current salary is \$7,186 - proposed salary = \$14,400) - Commissioner Rodriguez stated that this employee has worked for the Health Dept. for 28 years and should be paid accordingly. Court agreed to increase salary of Isabel Garcia to \$14,400 per year (fulltime position). Mary Hughes spoke of need for a separate telephone line for their computer to be hooked up to Medicaid.

Animal Control

Commissioner Ford suggested that animal care expenses be put back into Community Services (\$14,500) - would not require bidding process if funding goes straight to P.A.W.S. for services. Court agreed to put funding back into Community Services.

Parks

Commissioner Ford spoke of need to allow Judge Etheredge and Commissioner Rippy to negotiate for the Dripping Springs Park and budget an additional \$2,000 for it. Commissioner Payne stated that the D.S. Park is a city park and the City should tax for it and be responsible for maintenance. Court agreed to fund \$20,000 for Parks.

Uniform Allowance for Law Enforcement

Commissioner Ford spoke of need to raise uniform allowance for Deputies and Jailers from \$20 to \$30 per month. Judge Etheredge advised that this increase had been approved.

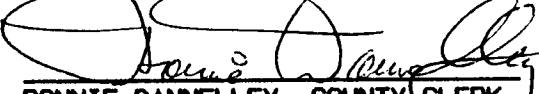
Roads

Commissioner Ford spoke of need to increase Road & Bridge Precincts funding for Pct. #2, #3, & #4 - 1/2 cent tax increase would generate \$75,000 ( Pct. #2 = \$30,000 Pct. #3 = \$15,000 Pct. #4 = \$30,000). Commissioner Payne opposed this proposal - funds should be split between all four precincts. Commissioner Rodriguez and Commissioner Ford voted for the proposal and Commissioner Rippy supports it if the tax rate stays below the rollback. Precinct balances will be rolled over. Judge Etheredge spoke of need for Commissioners to share funding required for work done at the Civic Center by Precinct #1.

County Auditor Bill Herzog stated that the tax rate probably increase from 35 cents to 44 cents.

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 12TH DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DISCUSSION - VOTE ON PROPOSED TAX RATE

County Auditor Bill Herzog presented Schedule of Estimated Receipts, Disbursements and Fund Balances and the Itemized Tax Rate.

Table with 2 columns: Description and Amount. Rows include Estimated Beginning Fund Balances (\$ 3,710,598), Estimated Receipts (\$17,813,048), Estimated Disbursements (\$18,716,986), and Estimated Ending Fund Balances (\$ 2,806,660).

Itemized Tax Rate:

Table with 2 columns: Fund Name and Rate. Rows include General Fund (24.28), Jury Fund (2.54), Pct. 1 (1.32), Pct. 2 (2.18), Pct. 3 (1.52), Pct. 4 (2.08), Jail I&S (4.91), Co. I&S (.89), Road I&S (.84), Jail Add I&S (1.14), Public Works I&S (2.21), Springlake (77.04), and Pioneer (57.95).

Discussion was had concerning Legislation and how it is interpreted (HB93). Figures show that the rollback tax rate = 44.823 cents. Commissioner Ford spoke of need for a legal opinion from the AG's office. Bill Herzog spoke of need to run the Public Notice of the Tax increase in the newspaper before final adoption of the budget. No action was taken this date.

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991.

Signature of Eddy A. Etheredge
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS

Signature of Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 16TH DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANIELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10933 ACCEPT THE RESIGNATION OF ANN VLIET FROM THE CLAIBORNE KYLE LOG HOUSE COMMISSION AND APPOINT MRS. DOROTHY KERBOW TO FILL THE VACANCY

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept the resignation of Ann Vliet from the Claiborne Kyle Log House Commission and to appoint Mrs. Dorothy Kerbow to fill the vacancy. All voting "Aye".

10934 APPROVE USE OF THE COURTHOUSE LAWN BY THE PLACENTO PLAYERS

James Hoover and Larry Hovis appeared before the Court requesting approval to use the courthouse lawn on October 5, 1991 for a festival promoting Theatre and the Arts. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve use of the Courthouse lawn on October 5, 1991 by the Placento Players. All voting "Aye".

10935 APPROVE CONSOLIDATION OF VOTING PRECINCTS FOR THE NOVEMBER 5TH CONSTITUTIONAL AMENDMENT ELECTION

Joyce Cowan, Election Administrator, requested approval to combine Voting Precincts #46 & #47 and having polling at Pct. #46 location. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve consolidation of Voting Precincts #46 & #47 as proposed by the Election Administrator. All voting "Aye".

10936 AUTHORIZE INDIGENT HEALTH CARE COORDINATOR TO ADVERTISE FOR POSITION

Judge Etheredge explained that the job description was prepared by Eva Cruz, Indigent Health Care Coordinator, and the job needs to be advertised - salary will be \$1,000 per month (\$12,000 per year). Commissioner Rodriguez stated his concerns about the qualification required and the salary being offered - felt like you would not be able to obtain a qualified person for this salary. Eva Cruz was present and stated her concerns. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the Indigent Health Care Coordinator to advertise for a clerical position at \$1,000 per month. All voting "Aye".

10937 AUTHORIZE TRANSPORTATION FOR INDIGENT BURIAL FROM HARRIS COUNTY TO HAYS COUNTY AND AUTHORIZE THE INDIGENT BURIAL

Eva Cruz, Indigent Health Care Coordinator, spoke of a Hays County resident that passed away at the M.D. Anderson Hospital - it is necessary to transport the body back to Hays County for burial. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize transportation for Indigent burial from Harris County to Hays County and to authorize the Indigent Burial. All voting "Aye".

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10938 ADOPT RESOLUTION SUPPORTING CENTRAL APPRAISAL DISTRICT LAND PURCHASE

Judge Etheredge spoke of letter received from Bill Backus, Chief Appraiser for the Hays County Appraisal District - requested that the Court ratify the previous resolution supporting the land purchase (adopted resolution on August 26, 1991. ) A motion was made by Commissioner Payne, seconded by Commissioner Rippy ratify the Court's resolution supporting the Central Appraisal District land purchase. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Ford voting "No".

RESOLUTION

STATE OF TEXAS \*

COUNTY OF HAYS \*

WHEREAS, the Central Appraisal District desires to construct offices as an alternative to renting; and

WHEREAS, the FDIC owns a vacant subdivided tract of land which is available for purchase for \$70,000.00;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, that:

they approve the Central Appraisal District purchase from the Federal Deposit Insurance Corporation of a 5.042 acre vacant, subdivided tract of land listed as Champion's Business Park Lot #2 on the west access road of IH-35 at Yarrington Road for the purpose of there locating the Central Appraisal District offices for the sum of \$70,000.00.

RESOLUTION PASSED AND ADOPTED ON THIS THE 16TH DAY OF SEPTEMBER, 1991.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
EDDY ETHEREDGE, COUNTY JUDGE

s/ Pete Rodriguez  
PETER RODRIGUEZ, COMMISSIONER PCT. 1

s/ Wayne Ford  
WAYNE FORD, COMMISSIONER PCT. 2

s/ Craig D. Payne  
CRAIG D. PAYNE, COMMISSIONER PCT. 3

s/ Oran Hill Rippy  
ORAN H. RIPPY, COMMISSIONER PCT. 4

ATTEST:

s/ Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK

10939 ADOPT PROCLAMATION RECOGNIZING SEPT. 15-21, 1991 AS "FARM AND RANCH SAFETY WEEK"

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to adopt Proclamation recognizing the week of September 15 - 21, 1991 as "FARM AND RANCH SAFETY WEEK". All voting "Aye".

PROCLAMATION

WHEREAS, the President has proclaimed the 48th Annual National Farm Safety Week and the Governor has proclaimed the same period as Texas Farm and Ranch Safety Week; and

WHEREAS, the National Safety Council estimates indicate that in 1990 farm work accidents resulted in approximately 1,300 deaths and 120,000 disabling injuries. The death rate was 42 per 100,000 workers, among the highest compared with the composite rate for all industries of 9 per 100,000. Many more farm and ranch residents and workers were killed or seriously injured in home, recreation and roadway accidents. An undetermined number of people involved in agricultural work suffered job-related illnesses known to cause disability or death; and

WHEREAS, during the week, a statedwide farm and ranch accident prevention education campaign is being undertaken by the Texas Farm Bureau; the Texas Farm and Ranch Safety Council; the Texas safety Association; the Texas Agricultural Extension Service and the 4-H Clubs; the Texas Education Agency through the Texas Future Farmers and Future Homemakers of America, the Young Farmers and Young Homemakers of Texas and the Hays County Farm Bureau with the theme, "SAFETY PROTECTS AGRICULTURE'S GREATEST RESOURCE...YOU!", and

WHEREAS, accident prevention is often a matter of common sense; putting into practice basic safety rules like always buckling your safety belt; reading and following instructions in operator's manuals and product labels; and many other simple, sensible measures that involve little or no extra time, effort, or expense.

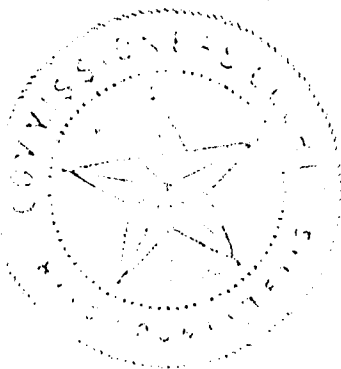
NOW, THEREFORE, the Commissioners' Court of Hays County, Texas, hereby declares the week of

SEPTEMBER 15 - 21, 1991  
as  
FARM AND RANCH SAFETY WEEK

and urges all those who live and work on farms or ranches to take necessary precautions to protect their safety and health - on the job and off. The Commissioners' Court also urges all leaders in the agricultural community to bolster safety and health efforts in your area by example and by educational programs.

PROCLAMATION ADOPTED ON THIS THE 16TH DAY OF SEPTEMBER, 1991.

TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW.



*Delby A. Scheraga*  
COUNTY JUDGE

*Peter Rodriguez*  
COMMISSIONER, PRECINCT #1

*Wayne Ford*  
COMMISSIONER, PRECINCT #2

*Greg Dyer*  
COMMISSIONER, PRECINCT #3

*Oran Hill Rippey*  
COMMISSIONER, PRECINCT #4

ATTEST:  
*[Signature]*  
HAYS COUNTY CLERK

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10940 APPROVE ROAD NAME DESIGNATION OF "PURCELL RANCH ROAD" (OFF RR12)

Patsy Greiner, Admin. Coord., spoke of roadway with three houses - located on Ranch Road 12 south of Dripping Springs - spoke of need to set a policy concerning naming of private roadways and set a deadline for new roads to be placed on the new Atlas. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve road name designation of "Purcell Ranch Road" to a private roadway located off RR12 south of Dripping Springs. All voting "Aye". *Rescinded #11209 0/107 2-24-92*

10941 ACCEPT "BURNT OAK DRIVE" FOR COUNTY MAINTENANCE AS PETITIONED BY PROPERTY OWNERS IN THE REGAL OAKS & DONAGHE SUBDIVISIONS (4/10 MILE) IN PCT. 4

Commissioner Rippy spoke of unplatted subdivision "Regal Oaks" and petition submitted by the property owners requesting that the County maintain the subdivisions main road. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept "Burnt Oak Drive" for county maintenance (4/10 mile). All voting "Aye".

10942 ACCEPT "SUNNY RIDGE DRIVE" FOR COUNTY MAINTENANCE (920 LIN FT.)

Commissioner Ford spoke of Sunny Ridge Subdivision located off Co. Rd. 127 - the subdivision road is built to county standards. A motion was made by Commissioner Ford, seconded by Commissioner Payne to accept "Sunny Ridge Drive" for county maintenance (920 lin ft). All voting "Aye".

10943 DESIGNATE ROAD NAME "KOHLEK KROSSING" TO COUNTY ROAD #171

Commissioner Ford spoke of roadway project on CR 171 - Mr. Negley has donated the R-O-W and approves the naming of CR171 as "Kohler Krossing". A motion was made by Commissioner Ford, seconded by Judge Etheredge to designate road name of "Kohler Krossing" to County Road #171. Commissioner Rodriguez, Commissioner Ford, Commissioner Rippy and Judge Etheredge voting "Aye", and Commissioner Payne voting "No".

10944 ACCEPT DONATION OF RIGHT-OF-WAY ON COUNTY ROAD #171 BY WILLIAM NEGLEY

Commissioner Ford spoke of quitclaim deed signed by William Negley for property on CR 171 - provides an additional 10-12 feet of roadway - Mr. Negley is donating all the property on the roadway (was a roadway by prescriptive easement). A motion was made by Commissioner Ford, seconded by Commissioner Rippy to accept the donation of right-of-way on County Road #171 by William Negley. All voting "Aye".

10945 APPROVE PAYMENT FOR FENCING ON COUNTY ROAD #171

Commissioner Ford spoke of funding that was set aside in the R-O-W line item for fencing on this project - estimates were received from Sonny Hawkins Fence Bldg & Repair (\$16,770) and from Kenneth Brown Fence Co. (\$19,565). A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment for fencing on County Road #171 in the amount of \$16,770.00 to Sonny Hawkins Fence Bldg. & Repair. All voting "Aye".

10946 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$160,305.42 as presented by the County Auditor. All voting "Aye".

|                |    |          |                  |    |          |
|----------------|----|----------|------------------|----|----------|
| Wastewater Fee | \$ | 180.00   | Fine Overpymnt   | \$ | 70.00    |
| Auditor        | \$ | 193.17   | Treasurer        | \$ | 106.74   |
| Extension Ofc  | \$ | 17.03    | Election Admin   | \$ | 3,382.51 |
| Indigent Care  | \$ | 6,538.01 | Transfer Station | \$ | 5,371.00 |

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|                  |              |                   |              |
|------------------|--------------|-------------------|--------------|
| Bldg. Maint.     | \$ 18.95     | Civic Center      | \$ 104.67    |
| Countywide Oper  | \$ 48,197.36 | Tax A/C           | \$ 249.63    |
| Sheriff          | \$ 5,662.56  | Jail Operations   | \$ 10,313.14 |
| County Judge     | \$ 25.00     | Dist. Attorney    | \$ 48.00     |
| J.P. 1-1         | \$ 80.00     | J.P. 1-2          | \$ 30.00     |
| J.P. 2           | \$ 91.16     | J.P. 5            | \$ 124.56    |
| D.P.S.           | \$ 25.25     | Constable 1       | \$ 94.86     |
| Constable 4      | \$ 68.16     | Constable 5       | \$ 225.95    |
| TDH TB Grant     | \$ 37.97     | Foster Child Care | \$ 10,658.00 |
| Protective Hmkr  | \$ 189.25    | TDH M&C Health    | \$ 1,083.08  |
| Fire Marshal/EMC | \$ 9.23      | Dist Crt Oper     | \$ 7,462.66  |
| CountyCrt Oper   | \$ 2,382.57  | R&B General       | \$ 634.45    |
| Precinct 1       | \$ 6,963.32  | Precinct 2        | \$ 6,164.04  |
| Precinct 3       | \$ 23,151.92 | Precinct 4        | \$ 6,486.39  |
| Self Insurance   | \$ 225.77    | Springlake Rd     | \$ 391.67    |
| Public Works     | \$ 685.78    | Pioneer Rd Dist   | \$ 29.21     |
| Adult Prob Oper  | \$ 9,086.40  | Adult Prob Fac    | \$ 3,266.00  |
| Animal Control   | \$ 50.00     | Adult Prob Prgm   | \$ 130.00    |

10947 BUDGET AMENDMENT FOR COMMUNITY & RURAL HEALTH GRANT AND DIRECTOR OF NURSING GRANT FOR PURCHASE OF EQUIPMENT

County Auditor Bill Herzog presented proposed budget amendment to reflect TDH Amendment and transfer of amounts to fund medical supplies and equipment for the Buda/Kyle clinic:

| **Line Item**                             | **Increases** | **Decreases** |
|---|---------------|---------------|
| <u>Community &amp; Rural Health (466)</u> |               |               |
| 466-5449 Contract Svs                     |               | \$ 4,601.00   |
| <u>TDH Dir Of Nursing Grant (478)</u>     |               |               |
| 478-5011 Salary                           |               | \$ 2,476.00   |
| 478-5231 Medical Sply                     | \$ 1,043.00   |               |
| 478-5719 Misc Equip                       | \$ 6,034.00   |               |
|   | =====         | =====         |
|   | \$ 7,077.00   | \$ 7,077.00   |

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve budget amendment for the Community & Rural Health Grant and the Director of Nursing Grant for purchase of equipment in the amount of \$7,077.00. All voting "Aye".

10948 BUDGET AMENDMENT FOR COUNTY COURT AT LAW #1

County Auditor Bill Herzog presented the following proposal for line item adjustments in the County Court at Law #1 budget:

| **Line Item**           | **Increases** | **Decreases** |
|-------------------------|---------------|---------------|
| 422-5021 Staff Salaries |               | \$ 749.00     |
| 422-5160 Insurance      |               | \$ 400.00     |
| 422-5211 Ofc Sply       | \$ 160.00     |               |
| 422-5212 Postage        | \$ 559.00     |               |
| 422-5331 Continuing Ed  | \$ 193.00     |               |
| 422-5411 Ofc Equip Mtc  | \$ 82.00      |               |
| 422-5489 Telephone      | \$ 155.00     |               |
|                         | =====         | =====         |
|                         | \$ 1,149.00   | \$ 1,149.00   |

A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve budget amendment for County Court at Law #1 in the amount of \$1,149.00. All voting "Aye".

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10949 ACCEPT AUDIT REPORT FOR ELECTION OFFICE AND COUNTY JUDGE

A motion was made by Commissioner Ford, seconded by Commissioner Payne to accept Audit Report for the Election Office and the County Judge's Office. All voting "Aye".

10950 AUTHORIZE THE COUNTY AUDITOR TO PURCHASE A FAX MACHINE FOR THE COURTHOUSE ANNEX

Cindy Casparis, Purchasing Clerk, spoke of State contract - Local Vendor Texas Copy has a Canon Fax Machine for \$1,938.00. Commissioner Rippy asked the Auditor's office to remember their recommendation to go with local vendors when accepting bids for other County Departments.

A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize the County Auditor to purchase a fax machine for the Courthouse Annex. All voting "Aye".

10951 AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR PRESCRIPTION & OVER-THE-COUNTER DRUGS FOR THE JAIL

Cindy Casparis, Purchasing Clerk, spoke of special packaging required at the Jail for dispensing medication - bidder must provide 24-hour per day dispensing services. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize the County Auditor to advertise for bids for precription and over-the-counter drugs for the Jail. All voting "Aye".

10952 DISCUSSION - ON ADVERTISING FOR BIDS FOR LONG DISTANCE TELEPHONE SERVICE

Cindy Casparis, Purchasing Clerk, spoke of State contract being with MCI - San Marcos Long Distance will still handle the LATA calls if desired. Commissioner Ford spoke of extended service being provided in the Buda and Dripping Springs areas - does not want to loose this service. Scotty Fischer, San Marcos Telephone Co., spoke of surcharge on credit card calls. Cindy spoke of credit cards calls through SMLD is costing \$2.78 per minute - credit cards are used by the Sheriff's Dept. Ron Brewer, San Marcos Long Distance, spoke of charges for credit card calls - a special card with SMLD would lower the cost to 63 cents per minute - stated that he felt SMLD would have the best bid and not necessarily the lowest bid. Judge Etheredge stated that the Court needs to make every effort to stay with San Marcos Long Distance - spoke of San Marcos Telephone Company being an important entity in Hays County. Commissioner Ford stated that the County is not mandated to go out for bids for this service - requested that Cindy work with San Marcos Long Distance. Marcos Hernandez, District Attorney, spoke of high-tech process allows for negotiations. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to table this matter for further research. All voting "Aye".

10953 AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR OFFICE SUPPLIES

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize the County Auditor to advertise for bids for office supplies. All voting "Aye".

COUNTY EXTENSION OFFICE - REQUEST FOR BUDGET INCREASES

This item was not on the agenda - Court allowed discussion. Cliff Caskey and Susan Schramm appeared. Mr. Caskey stated that his and Susan's positions are considered State Employees, however, they are not mandated to have health insurance coverage through the State - if they get their insurance through the State, it comes out of their checks - they would prefer to have insurance through Hays County and request that the Court allow them the same insurance and salary increases as all county employees.

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 10954 VOTE ON PROPOSED TAX RATE FOR FY1992

Marcos Hernandez, District Attorney, spoke of his request to the AG's office for an opinion concerning the figuring of the County's tax rate (HB93) - the AG's office has received this same request from other counties and they should have an opinion soon. Commissioner Ford read exact wording on obtaining the formula from HB93. County Auditor Bill Herzog presented breakdown of itemized tax rate and copies of the public notice to be placed in the newspaper - proposed tax rate would be below the rollback rate. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to adopt a tax rate of 43.91 cents for FY1992. Commissioner Rodriguez, Commissioner Ford, Commissioner Rippy and Judge Etheredge voting "Aye", and Commissioner Payne voting "No".

ITEMIZED TAX RATE

| <u>FUND</u>       | <u>TAX GENERATED</u> | <u>TAX RATE</u> |
|-------------------|----------------------|-----------------|
| General           | \$ 3,781,314.00      | 24.28           |
| Jury              | \$ 395,443.00        | 2.54            |
| Pct. 1            | \$ 203,350.00        | 1.32            |
| Pct. 2            | \$ 335,943.00        | 2.18            |
| Pct. 3            | \$ 234,132.00        | 1.52            |
| Pct. 4            | \$ 320,018.00        | 2.08            |
| Jail I & S        | \$ 765,075.00        | 4.91            |
| Hays Co. I&S (Co) | \$ 138,766.00        | .89             |
| Hays Co. I&S (Rd) | \$ 128,747.00        | .84             |
| Jail Add I & S    | \$ 177,850.00        | 1.14            |
| Public Works I&S  | \$ 341,003.00        | 2.21            |
|                   |                      | =====           |
|                   |                      | 43.91           |
| Springlake        | \$ 55,306.00         | 77.04           |
| Pioneer           | \$ 4,100.00          | 57.95           |

10955 LANIER RANCH ADDITION REPLAT OF TRACT 2 (PCT. 4)

Patsy Greiner, Admin. Coord., stated that the only thing needed was an ETJ note on the plat - all other requirements have been met. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "LANIER RANCH ADDITION REPLAT OF TRACT 2" on first, second and third readings. All voting "Aye".

10956 APPOINTMENT OF INTERIM DIRECTOR OF ENVIRONMENTAL HEALTH AND FLOODPLAIN ADMINISTRATOR AND DISCUSSION ON HEALTH DEPARTMENT REORGANIZATION

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to appoint Allen G. Walther as Interim Director of Environmental Health and Floodplain Administrator. All voting "Aye". Allen Walther and Director of Nursing Mary Hughes appeared before the Court. Allen Walther presented an Organizational Chart of the Hays County Health Department - suggested creation of a Hays County Health Services Committee (members: County Judge, County Commissioners, Medical Director, Mary Hughes, & Allen Walthers) - they would develop budgets and approve purchasing. Mary Hughes stated that the Committee would advise and direct the Health Department - spoke of need for a fulltime Medical Director - expertise is needed. Judge Etheredge stated that the Medical Director does not need to be a fulltime salaried position, however, we do need to move toward the direction of a fulltime Medical Director and clinic - Central Texas Medical Center has indicated that they will help equip an expanded clinic with their surplus equipment that is available - Doctors will be available on a rotation volunteer basis - the Environmental Health Services will use the Emergency Management Coordinator concerning dealing with hazardous materials. Allen Walther spoke of goals and areas of concern - primary duties are regulating and developing on-site sewerage facilities and inspecting existing systems for certification - other duties are inspection of food establishments (Restuarants, grocery stores, schools, hospitals, nursing homes & mobile food establishments) - there are approximately 165 in San Marcos and 95 in the County -



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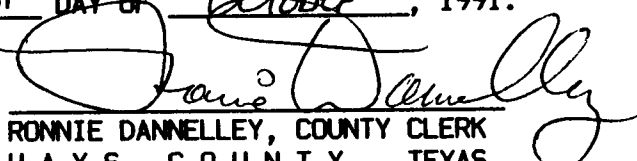
they provide training for all Food Handlers - other duties are management of flood plain program, inspection of facilities for State License, assess and abate environmental hazards and public health nuisances and review and regulate development of new Subdivisions - spoke of receiving calls daily concerning floodplain status - annual inspections for general sanitation and safety are performed on daycares, foster care homes and specialized care homes. Commissioner Ford asked if the Health Dept. has looked for violations of the junkyard ordinance without complaints or variance requests. Mr. Walther stated that they did not. Commissioner Ford spoke of drainage system in his precinct that continues to have high counts - unable to locate the source of the problem - asked how will this situation be handled? Allen Walther stated that they will need to work with the City of Buda - stated that he has walked the bar ditch - no septic failure was found - testing has been done. Judge Etheredge spoke of fact that septic systems do not always work. Mr. Walther stated that he would like to see improved septic systems designed and used - suggested a \$50 review fee - would monitor new designed systems to make sure they work properly - suggested developing procedures to notify State Agencies when necessary - suggested licensing food establishments and training personnel outside in the county - recommended developing agreements with other Incorporated Cities to establish food services ordinances (regulatory control and training) - will pursue funding from grants and increased training for staff - would like to adopt a County Liquid and Solid Waste Licensing Ordinance which would require reporting by haulers (manifest) - suggested \$25.00 for the license fee. Judge Etheredge spoke of need to be involved in planning stage of industrial growth to make sure State Laws are being followed (has received complaints of soap and scum in the rivers). Allen spoke of need to take samples periodically of the rivers and streams and spoke of reduction in his staff. Judge Etheredge spoke of need to obtain grants for staff and increase in revenues. Allen spoke of projection in revenues to help rebuild their organization - they will retire the oldest vehicle and have 1 spare - requested a separate telephone line from the Personal Health Services. Judge Etheredge suggested continuation of food handlers training. Allen stated that equipment would be needed to continue training (TV, VCR & handouts). Commissioner Payne stated that we should let the City provide the training. Commissioner Rippy spoke of his concerns about duplication of services. Judge Etheredge stated that it is to our advantage to provide the training. Allen stated that most of these people will be at the Health Dept. for their TB skin test and they could get the food handlers training at the same time.

Mary Hughes spoke of goals for the Personal Health Care Services: Goal #1 involved increase in revenues by making application for Federal and State Grants - suggested assistance of a professional grant writer - spoke of being unable to get the breast/cervical cancer grant (required several days preparation) because she did not have enough time to work on it (will re-apply next year) - spoke of software obtained for Medicaid eligibility screening - submitted current Medicaid reimbursement rates (Maternity Clinic = \$12/per patient Well Child Clinic = \$40/child/visit Case management = \$15-20/per patient/session) - spoke of revenues from immunization (current charge is \$3 - suggested going up to \$5) - stated that more middle class people are getting immunization through the health department.

Goal #2 is to expand community responsive health care programs - initiate the development of Community Advisory Committees in San Marcos, Wimberley/Dripping Springs and Kyle/Buda (to direct when and what type of services are needed) - development of a Health Care Clinic in the Kyle/Buda area - initiate an acute care clinic for children at the San Marcos site and begin the initial process of application to become a Federally Qualified Health Care Center (Ambulatory Health Care service at 100% Medicaid reimbursement rate - would deal with earaches, sorethroats, etc.)

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991.

  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 23RD DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10957 AMEND BUDGET FOR HEALTH DEPARTMENT (TRUCK REPAIRS)

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve budget amendment for the Health Department in the amount of \$341.00. All voting "Aye".

Table with 3 columns: \*\*LINE ITEM\*\*, \*INCREASES\*, \*DECREASES\*. Row 1: 411-5413 Veh Maint, \$ 341.00. Row 2: 347-3475 Pers Hlth & Comm Service Fees, \$ 341.00.

10958 APPROVE USE OF COURTHOUSE LAWN FOR SIGHTS & SOUNDS OF CHRISTMAS (DEC. 5-7, 1991)

Kelly Franks appeared - requested use of Courthouse Lawn and parking area on LBJ Drive, San Antonio Street and part of Hopkins Street - events will run from Thursday through Saturday - City has agreed to not give parking tickets to county employees. Commissioner Ford requested a letter in writing from the City concerning parking. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve use of the Courthouse lawn and parking areas for the Sights & Sounds of Christmas - December 5-7, 1991. All voting "Aye".

10959 APPROVE USE OF COURTHOUSE LAWN FOR HOMECOMING PEP RALLY - OCTOBER 18, 1991

Kelly Franks requested use of the courthouse lawn to hold San Marcos High School Homecoming Pep Rally on October 18, 1991 from 5:00 to 6:00 P.M. - stated that in years past the Homecoming Pep Rally was traditionally held at the Courthouse. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve use of the Courthouse lawn for the San Marcos High School Homecoming Pep Rally on October 18, 1991. All voting "Aye".

10960 AUTHORIZE THE COUNTY AUDITOR TO OBTAIN PROPOSALS FOR COUNTY'S FY91 AUDIT

A motion was made by Commissioner Ford, seconded by Commissioner Payne to authorize the County Auditor to obtain proposals for County's FY91 Audit. All voting "Aye".

10961 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$214,164.54. All voting "Aye".

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|                  |              |                 |              |
|------------------|--------------|-----------------|--------------|
| Permit Refund    | \$ 85.00     | Auditor         | \$ 2,782.18  |
| Treasurer        | \$ 182.37    | Extension Ofc   | \$ 619.57    |
| Election Admin   | \$ 2,828.26  | Indigent Care   | \$ 29,673.62 |
| Transfer Station | \$ 600.59    | Bldg Maint      | \$ 52.29     |
| Health Dept.     | \$ 436.53    | Countywide Misc | \$ 14,609.02 |
| Tax A/C          | \$ 244.38    | District Clerk  | \$ 116.11    |
| County Clerk     | \$ 3,386.38  | Sheriff's Ofc   | \$ 3,411.02  |
| Jail Operations  | \$ 39,507.90 | County Judge    | \$ 33.55     |
| Admin. Coord.    | \$ 12.95     | District Atty.  | \$ 635.43    |
| J.P. 1-1         | \$ 25.00     | J.P. 1-2        | \$ 471.14    |
| J.P. 2           | \$ 33.90     | J.P. 4          | \$ 10.00     |
| J.P. 5           | \$ 32.27     | D.P.S.          | \$ 769.79    |
| Constable 1      | \$ 72.96     | Constable 3     | \$ 711.16    |
| Constable 5      | \$ 679.32    | Data Processing | \$ 65.28     |
| TDH TB Grant     | \$ 103.20    | TDH M&C Health  | \$ 49.95     |
| Fire Marshal/EMC | \$ 144.87    | Historical Comm | \$ 1,500.00  |
| CJD CVOA Crimes  | \$ 79.12     | Dist Court Oper | \$ 6,669.62  |
| Co & JP Crt Oper | \$ 5,185.07  | Dist Crt Reprtr | \$ 118.63    |
| R & B General    | \$ 2,606.40  | Precinct 1      | \$ 1,243.28  |
| Precinct 2       | \$ 19,559.42 | Precinct 3      | \$ 30,616.54 |
| Precinct 4       | \$ 24,531.61 | Hot Check Fee   | \$ 433.62    |
| Law Library Fund | \$ 120.80    | Public Works    | \$ 16,920.00 |
| D.A.'s Forf Fund | \$ 236.25    | Adult Prob Oper | \$ 1,358.90  |
| Adult Prob Fac   | \$ 637.48    | Animal Control  | \$ 111.35    |
| Adult Prob Prgms | \$ 300.00    |                 |              |

\*\*Gen Fund Credit = \$431.54\*\*  
 \*\*Jury Fund Credit= \$ 18.00\*\*

**10962 ACTION TO REQUIRE CITY EMPLOYEES TO VACATE OFFICE SPACE AT THE HEALTH DEPARTMENT PRIOR TO OCTOBER 1, 1991**

Commissioner Wayne Ford spoke of need to confirm letter from County Judge addressing relocation of City Employees at the Health Department - request is to have all City Employees out by the end of the day on September 30, 1991 - this action is necessary in order to proceed with reorganization - the City of San Marcos has been aware for some time that they were expected out by October 1st. Judge Etheredge spoke of members of the Court that have been working on this reorganization for the last six months - this action is crucial to the Health Department. A motion was made by Commissioner Ford, seconded by Judge Etheredge to require that City Employees vacate office space at the Health Department by the end of the day on September 30, 1991. All voting "Aye".

**10963 TRIPLE CREEK RANCH, PHASES 1-4 (PCT. 4) - 2ND READING**

Kelly Kilber presented "Triple Creek Ranch, Phases 1-4" on second reading. Commissioner Payne spoke of his concerns about availability of water. Kelly Kilber stated that they have drilled a test well and there is water, however, it is deep. Judge Etheredge spoke of the cost to drill wells in this area are astronomical. Commissioner Rodriguez spoke of his concerns about lots in the subdivision that have three different pipeline easements running across them. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve "Triple Creek Ranch, Phases 1-4" subdivision on second reading. Commissioner Ford, Commissioner Payne, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Rodriguez abstained from voting.

**10964 PAINTED ROCK SUDIVISION (PCT. 3) - 1ST,2ND,3RD READINGS**

Subdivision contains two lots (Lot 1 = 2.377 ac Lot 2 = 2.610 ac) located on Brinkley Drive - adjacent to Paradise Hills subdivision. Patsy Greiner, Admin. Coord., stated that floodplain note and ETJ note not on plat. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Painted Rock" subdivision on first, second and third reading. All voting "Aye".

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BUDGET WORKSHOP

Commissioner Ford spoke of need to update the Junkyard Ordinance related to recycling business. Allen Walther, Environmental Health, spoke of need for temporary help to assist in the transition - 1 person for 6-8 weeks 6 hrs per day @ \$6.25 per hour - spoke of Clerk with 5 years of service who is making \$1,189 per month - Personal Health Services is interviewing clerks for \$1200 per month - requested salary increase for his Clerk. Court advised Mary Hughes, Personal Health Services, to notify job applicants that the starting salary for County employees is \$1,000 per month. Commissioner Ford stated that longevity pay addresses seniority. court left Environmental Health Clerk as current salary - she will receive the \$50 per month increase allowed for all county employees beginning Oct. 1st. County Treasurer Dottie Sims spoke of county employees that started at \$850 per month and whose salaries increased slowly while new employees were started at \$1,000 per month - spoke of increased responsibilities for employees in her office - their workload has doubled with increase in jail employees. Allen Walther spoke of one of his employee that is making more than he is (Jim Conner \$28,000 Allen Walther - Dept. Head \$27,000). Mary Hughes, Personal Health Services, asked if the Nurses will get raises. Commissioner Wayne Ford stated that all County Employees will receive \$600 increase next Fiscal Year if they have not received at least this amount during the preceding year - if they had already received \$400, they will get \$200. Mary Hughes stated that she would like to develop an accounting system for receiving revenues that will be acceptable with the Court.

Kelly Kilber, Surveyor, spoke of his charges for redistricting maps and field notes - provided members of the Court with documentation - stated that this project required a lot of extra work and time - 3 extra people were hired.

Machinery Warrants - Discussion was had concerning putting a limit of \$500,00.00 for financing per year - \$261,000 worth of time warrants will be retired this coming year - Court decided to finance the following items: DPS Computer, 5 Sheriff's vehicles, Pct. 3 Pickup Truck, Pct. 4 Flatwheel Roller, TLETS terminals for D.A. & Adult Probation, District Clerk camera, Pct. 1 Tractor w/shredder and Pct. 1 dumptruck (6 yd).

Commissioner Rippy stated that it is unfair that Elected Officials are not receiving salary increases - recommended \$600 increase for all County Personnel. Commissioner Payne stated that he was in favor of giving increase to the J.P.'s and Constables that had already been considered for increases, but not for all. Commissioner Rippy stated that if he is going to take the heat for increasing employees, he might as well take it for all - to be fair to all. District Clerk W. H. Moore spoke of government figures for cost-of-living - has increased 25% in the last 3 years. Judge Etheredge stated that the taxpayers are opposed to any increases. County Auditor Bill Herzog stated that the increase for Elected Officials plus fringes is approximately \$15,822. Commissioner Rippy, Commissioner Ford and Judge Etheredge voting "FOR" \$600 increase for All County Employees, Dept. Heads and Elected Officials.

W. H. Moore, District Clerk, spoke of need for J.P.'s to select their juries the same as County and District Courts (Counties with populations over 50,000 must comply) - they will need to purchase questionnaire forms and have sufficient postage funds (bulk mail permit) - not sure how much money will be needed.

Salaries - \$600 per employee will be given out at the discretion of the Department Head. Commissioner Ford stated that he supports allowing Lance Renfrew, Data Processing Administrator, to receive \$600 increase even though he is already receiving an increase in salary (\$27,000 to \$28,774 + \$600). Commissioner Ford, Commissioner Rippy and Judge Etheredge "FOR" increase, Commissioner Payne and Commissioner Rodriguez "AGAINST".

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS \*  
 \*  
 COUNTY OF HAYS \*

ON THIS THE 26TH DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**PUBLIC HEARING ON THE PROPOSED COUNTY TAX RATE INCREASE FOR FY 92**

County Judge Eddy Etheredge called Public Hearing open regarding the proposed county tax rate increase for FY92. County Auditor Bill Herzog presented the itemized tax rate:

| VALUATION                       | GEN & JURY FUNDS         | TAX RATE | TAX LEVY    | ESTIMATED TAX COLL. |
|---------------------------------|--------------------------|----------|-------------|---------------------|
| 1,739,612,970<br>(1¢ = 155,755) | MAINTENANCE & OPERATION  |          |             |                     |
|                                 | General M & O            | 24.28    | \$4,201,928 | \$3,781,314         |
|                                 | Jury M & O               | 2.54     | \$ 439,576  | \$ 395,443          |
|                                 | TOTAL GENERAL M & O      | 26.82    | \$4,641,504 | \$4,176,757         |
|                                 | LONGTERM DEBT            |          |             |                     |
|                                 | Jail I & S               | 4.91     | \$ 849,731  | \$ 765,075          |
|                                 | Jail Add I & S           | 1.14     | \$ 197,290  | \$ 177,850          |
|                                 | Machinery Warrants       | .89      | \$ 154,025  | \$ 138,766          |
|                                 | TOTAL LONGTERM DEBT      | 6.94     | \$1,201,046 | \$1,081,691         |
| 1,708,775,590<br>(1¢ = 153,790) | ROAD & BRIDGE MTC & OPER |          |             |                     |
|                                 | Pcts. 1-4                | 7.10     | \$1,213,231 | \$1,093,443         |
|                                 | TOTAL R&B M & O          | 7.10     | \$1,213,231 | \$1,093,443         |
|                                 | LONGTERM DEBT            |          |             |                     |
|                                 | Machinery Warrants       | .84      | \$ 143,537  | \$ 128,797          |
|                                 | Public Works             | 2.21     | \$ 377,639  | \$ 341,003          |
|                                 | TOTAL LONGTERM DEBT      | 3.05     | \$ 521,176  | \$ 469,800          |
| TOTAL TAX COUNTY.....           |                          | 43.91    | \$7,576,957 | \$6,821,691         |

TAX RATES SPECIAL ROAD DISTRICTS

|           |                    |       |           |           |
|-----------|--------------------|-------|-----------|-----------|
| 7,976,520 | SPRINGLAKE ROAD    | 77.04 | \$ 61,451 | \$ 55,306 |
| 786,540   | PIONEER TRAIL ROAD | 57.95 | \$ 4,558  | \$ 4,100  |

J.L. Howze commended the court on a job well done in preparing the budget. Ruben Ruiz spoke of large fund balance - felt like salary and insurance increases should have come from fund balance - spoke of million dollar reserves the County had when he was County Commissioner with a much smaller budget - asked about no beginning balances brought forward in the Road & Bridge Precincts shown on the budget. Bill Herzog stated that the money in R&B Precincts are rolled-over and shown in the budget - the dollars rolled over this year will be small. Judge Etheredge stated that one and one-half million dollars in reserves is not excessive for an 18 million dollar budget. Auditor Bill Herzog stated that just the General Fund payroll per month is over \$600,000 - stated that reserve funds affect the County's bond rating.

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County Judge called public hearing on the Tax Rate Closed and announced that the Court will vote on the Tax Rate September 30, 1991 at 10:00 A.M.

Court recessed until 1:00 P.M. for Special Meeting regarding the FY92 budget.

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Ronnie Dannelley  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 26th DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| DRAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**PUBLIC HEARING ON THE HAYS COUNTY FY 92 BUDGET**

Judge Etheredge opened the public hearing on the Hays County FY92 budget.

Economic Development Council - Jerry Romero spoke of cut in funding from \$20,000 to \$18,000 - stated that they will assist the Area Food Bank in receiving food and funding - requested that \$2,000 be put back into the San Marcos Economic Development Council - spoke of various projects that have greatly helped the community.

Health Dept. - Mary Hughes, Director of Nursing, spoke of need for \$1,200 for contract services to dispose of medical waste - they have been using the services of Gary Job Corps, however, this is no longer acceptable.

Libraries - Irene Obermiller, Buda Public Library, spoke on behalf of all the libraries - requested total funding of \$65,600 - spoke of State averages per capita for libraries = \$1.48 and Hays County funding = 71 cents per capita.

J.P. Pct. #3 - Jim Stowe spoke of having filed a Salary Grievance with the County Judge. Judge Etheredge stated that the Salary Grievance Committee will meet on October 30, 1991 at 9:00 A.M.

Constable Pct. #3 - Don Amerson stated that he has also filed a Salary Grievance with the County Judge - spoke of new law regarding J.P. Jury selection and the additional cost that needs to be considered.

Enironmental Health Services - Allen Walther asked about his salary - one of his employees is making more than he is.

Wimberley Cultural Institute - Commissioner Payne stated that Chip Ross was suppose to appear before the Court to request funding - recommended that at least \$1,000 be funded from the money previously budgeted for the Wimberley Senior citizens. Commissioner Rodriguez stated that he would rather see the funds go to the Food Bank or some other Social Services.

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Constable Pct. 4 - Commissioner Rippy spoke of Ed Bankston's request for \$600 telephone expense and money for radio equipment.

San Marcos Food Bank - Alma Briggs spoke of food distribution and truck repairs - thanked the Court for funding - stated that they work with the Crisis Bread Bank in Wimberley servicing that area of Hays County.

San Marcos Economic Development Council - Bill Cunningham spoke in support of the SMEDC and requested full funding of \$20,000.

Public Hearing was closed.

10965 APPROVE NECESSARY CHANGES IN THE FY 92 COUNTY BUDGET

1. Elected Officials Salary Increases - A motion was made by Commissioner Rippy, seconded by Commissioner Ford to increase the elected officials salaries by \$600 and related fringe benefits for cost of living. Commissioner Rippy, Commissioner Ford and Judge Etheredge voting "Aye", Commissioner Payne and Commissioner Rodriguez votng "No".

2. Cost of Living Increases - A motion was made by Commissioner Rippy, seconded by Commissioner Payne to increase Data Processing, Sanitarian on Grant, Director of Nursing and two positions in the MCH Grant by \$600 for Cost of Living. All voting "Aye".

3. Reduce TB Nurse by \$600 COLA - nonqualifying - No action necessary

4. Extension Office - A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve insurance expense for two positions in the County Extension Office. All voting "Aye".

5. Election Office - reduced data line expense by \$3100 (grant covers this expense) - No action necessary.

6. Redistricting - A motion was made by Commissioner Payne, seconded by Judge Etheredge to add \$12,744 for redistricting expenses (survey). All voting "Aye".

7. Mapping - Court had previously approved adding \$15,000 to mapping for publication of maps.

8. Deputy Constable Pct. #1 - A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to add uniform allowance for Deputy Constable Pct. #1. All voting "Aye".

9. County Auditor advised that the Sanitarian and Director of Nursing Grant was split.

10. R & B Pct. #2 - A motion was made by Commissioner Ford, seconded by Commissioner Payne to add \$36,007 of rollover funds and reallocate line items in R&B Pct. #2. All voting "Aye".

11. Court approved reducing Public Works to amount of rollover funds of \$144,000.

12. R & B General Fund - A motion was made by Commissioner Payne, seconded by Judge Etheredge to reduce the estimated beginning fund balance of R & B General by \$7,500 and increase transfer from General Fund. All voting "Aye".

13. Inwood Forest Water System Grant - A motion was made by Commissioner Payne, seconded by Commissioner Rippy to add Inwood Forest Water System Grant of \$285,000 to the budget. All voting "Aye".

14. Transfers - A motion was made by Commissioner Ford, seconded by Commissioner Payne to change the schedule of estimate receipts, disbursements and fund balances to reflect transfers. All voting "Aye".

15. Adult Probation Fiscal Service Fee - A motion was made by Commissioner Ford, seconded by Judge Etheredge to add revenue of \$2,823 for Adult Probation Fiscal Service Fee to the budget. All voting "Aye".

16. Time Warrants - A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve statement on Time Warrants to be used in Fiscal Year 1992 budget. All voting "Aye".

The following is a listing of the equipment which the Commissioners Court has determined to be priority purchases in fiscal year 1992. They are not reflected in the expenditures of the fiscal year 1992 budget, since the Commissioners have elected to finance these purchases with time warrants issued by our depository bank. Under our current depository contract these time warrants are financed at the prime interest rate on the date of issuance.

|   |              |
|---|--------------|
| <u>General Fund</u>                           |              |
| Sheriff's vehicles equipped (5)               | \$ 80,000.00 |
| Dept. of Public Safety Computer               | \$ 50,000.00 |
| Dist. Clerk's camera (filming county records) | \$ 7,000.00  |
| NCIC Computer (Dist. Atty. & Adult Probation) | \$ 6,500.00  |
| <br>  |              |
| <u>Road and Bridge Pct. #1</u>                |              |
| Tractor Mower                                 | \$ 23,000.00 |
| Dump Truck                                    | \$ 24,000.00 |
| <br>  |              |
| <u>Road and Bridge General</u>                |              |
| Pickup Truck Pct. #3 Commissioner             | \$ 14,000.00 |
| <br>  |              |
| <u>Road and Bridge Pct. #4</u>                |              |
| Vibratory Roller                              | \$ 50,000.00 |
|   | =====        |
| TOTAL.....                                    | \$254,000.00 |

17. Health Dept. - Court has already approved \$2,000.00 for temporary personnel for the Health Department.

18. Health Dept. - A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve \$1,200 request from Health Department for Medical Waste Disposal Contract. All voting "Aye".

19. Environmental Health - A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve salary of \$28,800.00 for the Environmental Health Director. All voting "Aye".

20. Wimberley Cultural Institute/Crisis Bread Basket - A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to deny request for funding from the Wimberley Cultural Institute. Commissioner Rodriguez, Commissioner Ford and Judge Etheredge voting "Aye", Commissioner Payne and Commissioner Rippy voting "No". A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve funding of \$2,000.00 for the Crisis Bread Basket in Wimberley. All voting "Aye".

21. Constable Pct. #4 - A motion was made by Commissioner Rippy, seconded by Commissioner Ford to approve \$600 telephone expense for Constable Pct. #4. All voting "Aye". A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve \$1,500 for radio equipment for Constable Pct. #4. All voting "Aye".

Commissioner Ford spoke of funds for equipment purchases - line item needs to be put in countywide operations. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to approve \$10,000.00 line item in countywide operations for purchase of equipment. Commissioner Payne voting "No", Commissioner Ford, Commissioner Rippy and Judge Etheredge voting "Aye", Commissioner Rodriguez abstained.

22. Administrative Assistant/Grant Writer - Judge Etheredge submitted his request for an Administrative Asst/Grant Writer for the County Judge's office - will be responsible for finding Federal, State and Private Foundation Grants - will act as a liason with State and Federal Officials - will work with the Hays County Economic Development Council - will act as public information officer and be at the disposal of all elected officials and department heads in assisting with press relations.



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Judge Etheredge stated that he hopes to receive a grant that will fund this position in the future - AA/GW should also receive a percentage of each grant procured. A motion was made by Judge Etheredge, seconded by Commissioner Ford to approve position of Administrative Assistant/Grant Writer for the County Judge's office in the amount of \$30,922.00 (Salary, fringes and travel of \$100 per month). All voting "Aye".

23. Libraries - Court denied request for additional funding.

24. San Marcos Economic Development Council - A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to restore full funding of \$20,000.00 for the San Marcos Economic Development Council. All voting "Aye".

25. J.P. Pct. #3 & #4 and Constable Pct. #3 & #4 - A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve salary of \$24,000.00 for Justice of the Peace Pct. #3 and Pct. #4 and \$23,000.00 for Constable Pct. #3 and Pct. #4 (will be exempt from \$600 increase). Commissioner Rodriguez, Commissioner Ford, Commissioner Payne and Commissioner Rippy voting "Aye" and Judge Etheredge voting "No".

26. R&B Precincts - A motion was made by Commissioner Rippy, seconded by Commissioner Ford to authorize balances in R&B Precincts to rollover. All voting "Aye".

27. Uniform Allowance - Court advised that all Law Enforcement Officers are to receive a uniform allowance of \$30 per month - including the Animal Control Officer.

28. Drug Forfeiture Funds - A motion was made by Commissioner Ford, seconded by Commissioner Rippy to allow fund balances in the District Attorney's drug forfeiture fund and the Sheriff's Drug Forfeiture fund to be rolled over (helps pay for salaries). All voting "Aye".

29. Pct. #3 - A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve line item adjustment in the Transfer Station budget to allow for septic tank expense and to increase continuing education line item in R&B Pct. #3 from \$1,100 to \$2,000 and to furthermore approve 1 additional position for Pct. #3 at \$13,500 (funds are available for this position). All voting "Aye".

30. Child Welfare Board - Karen Brown appeared requesting an increase in funds for foster child care - previous funds were not utilized because receipts were not obtained - \$6,000 was requested. Commissioner Ford spoke of money that was not used in the past. Karen Brown stated that they now have a new Supervisor that is making sure that proper procedures are followed and they are now receiving proper receipts from the foster parents - the money is desperately needed. A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve funding of \$3,000.00 for the Child Welfare Board/Foster Child Care. All voting "Aye".

W. H. Moore, District Clerk, spoke of need for an additional person for his office to operate the new camera.

10966 ADOPT THE FY 92 BUDGET

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to adopt the FY 92 Budget for Hays County as amended this date. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S

STATE OF TEXAS \*
\*
COUNTY OF HAYS \*

ON THIS THE 30TH DAY OF SEPTEMBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
ORAN H. RIPPY COMMISSIONER, PRECINCT #4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DISCUSSION ON CONDEMNATION OF PROPERTY OWNED BY TOM SAPP

Tom Sapp appeared before the Court regarding his property located on Bliss Spillar - spoke of road project which will relocate Bliss Spillar Road - relocation would move Bliss Spillar Road from the front yard of the house to the back yard and will be extremely detrimental to the character and privacy of the property and reduce its value - stated that he would like to avoid going to Court on this matter - the County's Attorney Gene Majors indicated to the Special Commissioners in the Condemnation Suit that the damages have no merit - Mr. Sapp disagrees with this statement - submitted documentation and photos of his property. Commissioner Ford stated that property was appraised and that no damages occurred - there were options: exchange of R-O-W or receive appraised value. Mr. Sapp stated that he has owned the property for eight years and spoke of possibility that a future Commissioner might decide the abandon the roadway - stated that he has agreed to 8 of the 9 points in the suit - award = \$14,210 - spoke of the reduced value in his home with the road at the back - spoke of his options - go to Court and the County may win the suit and he will be out attorney fees, etc. - felt like he was not given equal representation and that the Special Commissioners are not aware of their role - stated that he has one week to file an appeal and would like to hear from the Court regarding this matter. Judge Etheredge advised Mr. Sapp to check back with him later this week.

10967 HEALTH DEPARTMENT - TRANSFER OF CHAIRS FROM CIVIC CENTER

Commissioner Ford spoke of need for chairs at the Health Department for seating clients at the clinic. Mary Hughes, Director of Nursing, stated that chairs are needed at all times - they will be holding more and more clinics throughout the year. Commissioner Payne stated that the chairs at the Civic Center need to be utilized rather than purchasing new chairs. A motion was made by Commissioner Ford, seconded by Commissioner Payne to transfer chairs from the Civic Center to the Health Department. All voting "Aye".

10968 NINO'S ESTATES (LOTS 1-3) - PCT. 3 - 1ST, 2ND, 3RD READINGS

Kelly Murphry with Ozona Bank in Wimberley spoke of land that was sold without platting - unable to get a septic tank permit - presented subdivision for approval. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to accept "Nino's Estates" subdivision on first, second and third readings. All voting "Aye".

10969 SHEPPERD SUBDIVISION REPLAT LOTS 2A & 3A (PCT. 4) - 1ST, 2ND, 3RD READINGS

Patsy Greiner, Admin. Coord., stated that amendment is to amend a lot line - public notice was given. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Shepperd Subdivision Replat Lots 2A & 3A". All voting "Aye".

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 10970 APPOINT LOSS CONTROL COMMITTEE AND NAME THE LOSS CONTROL COORDINATOR

Judge Etheredge spoke of letter received from the Texas Association of Counties confirming October 8, 1991 as the date to provide the Phase I Training for the Loss Control Committee - first session will be devoted to the organization of a specific program - training will take about seven hours. Judge Etheredge recommended the following to service on the Committee: Allen Walthers, Kenny Lae, Jacque Jordan, Sheriff's Ofc. Maintenance Representative, Chuck Fritsche, Scott Webber, Terrance Carter and a person from each Commissioners' precinct. Commissioner Ford nominated J. L. Howze for Pct. #2, Commissioner Payne nominated Charlie Ranecke for Pct. #3, Commissioner Rodriguez will serve for Pct. #1 and Commissioner Rippy will serve for Pct. #4. A motion was made by Commissioner Ford, seconded by Commissioner Payne to appoint Allen Walthers, Kenny Lae, Jacque Jordan, Sheriff's Dept. Representative, Chuck Fritsche, Scott Webber, Terrance Carter, Pete Rodriguez, Oran Rippy, Charlie Ranecke and J. L. Howze as the Hays County Loss Control Committee. All voting "Aye".

A motion was made by Judge Etheredge, seconded by Commissioner Ford to name County Auditor Bill Herzog the Loss Control Coordinator. All voting "Aye".

10971 ADOPT RESOLUTION SUPPORTING THE EXPANSION OF THE WACKENHUT PRE-RELEASE FACILITY AT KYLE

Commissioner Ford read the proposed resolution. Commissioner Rodriguez asked if the citizens of Kyle support this proposal. Commissioner Ford stated that the majority of the people in Kyle do support the expansion - they have benefited from the current facility. Warden John Bonner appeared before the Court - stated that the City Council of Kyle will pass on a resolution supporting expansion at their next meeting - 90 of the 125 staff positions were hired from the Hays County area - spoke of sales tax revenues generated and local taxes paid - local activities by the Inmate Community Awareness Program are: Adopt a School Program (Mary Lee School for Boys), High School Scholarship Program (San Marcos & Kyle), Holiday Meals for Needy Families (Nov & Dec), Christmas Toy Drive for underprivileged children (Dec), Repainting of Kyle City street signs, Sponsorship of Hays County Drug Awareness Program for Children and Funding for Summer Library Reading Program - Facility and Employee Programs are sponsorship of local Youth Stock Show and Rodeos and Hays County Drug Awareness Program for Children and Membership with the San Marcos & Kyle Chamber of Commerce and with the Hays County Law Enforcement Association. Commissioner Ford stated that the Wackenhut facility has become a part of the community and identifies with each other. Mr. Bonner stated that they will support the community by hiring and spending locally and will continue with their programs. A motion was made by Commissioner Ford, seconded by Judge Etheredge to adopt resolution supporting the expansion of the Wackenhut Pre-Release Facility at Kyle. All voting "Aye".

RESOLUTION

STATE OF TEXAS  
 COUNTY OF HAYS

WHEREAS, the citizens of Hays County believe that the first responsibility of government is to ensure the safety and security of its people; and

WHEREAS, the citizens of Hays County support the efforts of their public officials to ensure that the criminal justice system is of sufficient size and purpose to facilitate punishment and rehabilitation; and

WHEREAS, the citizens of Hays County have shown their social responsibility by providing for the locating of a 500 bed secure correctional facility in their community, operated by the Wackenhut Corrections Corporation for the Texas Department of Criminal Justice; and

WHEREAS, the 72nd Texas Legislature passed House Bill 93 amending Section 495 of the Government Code allowing for the expansion of the 500 bed facilities to 1,000 beds subject to a resolution of support for such expansion by the Commissioners' Court in the county in which the facility is located; therefore,

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NOW, THEREFORE, BE IT RESOLVED, that the Commissioners' Court of Hays County hereby expresses with the passage of this resolution, that on the subject of the limit on population imposed by Section 495.001 (f) of the Government Code, that such limitation should not apply to the correctional facility in this county operated by the Wackenhut Corrections Corporation located at 701 South IH 35 Kyle, Texas; and further,

BE IT RESOLVED, that due to the high professional standards exhibited by the Wackenhut Corrections Corporation and its employees in the operation of the correctional facility in this county, that the Commissioners Court of Hays County supports the expansion of the current correctional facility to accomodate an average daily population of one thousand (1,000) inmates, and/or the operation of a separate facility with an average daily population of one thousand (1,000) inmates to be operated by the Wackenhut Corrections Corporation.

RESOLUTION PASSED AND ADOPTED ON THIS 30TH DAY OF SEPTEMBER 1991.  
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

s/ Peter Rodriguez  
Pete Rodriguez, Pct. 1

s/ Wayne Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Hill Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

10972 ACCEPT BID FROM DALE R. STEITL IN THE AMOUNT OF \$15,000 FOR 5.84 ACRES, BEAR CREEK OAKS SECTION 1 LOT 2

Judge Etheredge spoke of letter received from Chester Young (Delinquent Tax Attorney) requesting the Court to consider accepting bids on two parcels of land - Dripping Springs ISD has already accepted the bids conditioned on approval by Hays County. Hays CAD Parcel No. 110285000002004  
A motion was made by Commissioner Rippy, seconded by Judge Etheredge to accept the bid from Dale R. Steitle in the amount of \$15,000.00 for 5.84 acres in Bear Creek Oaks Section 1 Lot 2. All voting "Aye".

10973 ACCEPT BID FROM JOHN BROD IN THE AMOUNT OF \$6,300 FOR 1 ACRE, SPRING LAKE LOT 32

Judge Etheredge spoke of this being the second parcel to the considered for approval of bid - Dripping Springs ISD had already accepted the bid conditioned on approval by Hays County. Hays CAD Parcel NO. 1180700000032004  
A motion was made by Commissioner Rippy, seconded by Judge Etheredge to accept bid from John Brod in the amount of \$6,300.00 for 1 acre in Spring Lake Lot 32. All voting "Aye".

10974 APPROVE TREASURER'S REPORT FOR AUGUST 1991

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve the County Treasurer's Report for August 1991. All voting "Aye".



AFFIDAVIT - COUNTY TREASURER'S REPORT

THE STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

On this the 30th day of SEPTEMBER, 1991, the Commissioners' Court of Hays County, Texas, have examined the County Treasurer's report for the Month of AUGUST, 1991 and have determined that the report is correct (See Summary of Receipts & Disbursements attached hereto) and the requirements of Local Government Code Section 114.026 Subsection (c) have been met according to the Law.

*John A. DeLoach*  
COUNTY JUDGE

*Bob Pollock*  
COMMISSIONER, PRECINCT 1

*Wayne Ford*  
COMMISSIONER, PRECINCT 2

*Paul Payne*  
COMMISSIONER, PRECINCT 3

*Oran Hill Rippey*  
COMMISSIONER, PRECINCT 4

ATTEST:  
*Louise D. Duvall*  
HAYS COUNTY CLERK

COUNTY OF HAYS  
SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FOR THE PERIOD AUGUST 1991

|                                       | General<br>(Money Market) | Jury      | Road and Bridge<br>General | Road and Bridge<br>Precinct #1 | Road and Bridge<br>Precinct #2 | Road and Bridge<br>Precinct #3 | Road and Bridge<br>Precinct #4 | Total<br>Funds |
|---------------------------------------|---------------------------|-----------|----------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|----------------|
| <b>CHECKING</b>                       |                           |           |                            |                                |                                |                                |                                |                |
| Balance on 8/1/91                     | 321,673.60                | 5,557.95  | 25,503.07                  | 10,382.18                      | 14,222.86                      | 18,100.76                      | 5,458.70                       | 400,899.12     |
| Money Market Interest                 | 2,174.81                  |           |                            |                                |                                |                                |                                | 2,174.81       |
| Deposits (receipts)                   | 1,183,095.82              | 48,308.06 | 16,728.52                  | 25,169.59                      | 37,611.11                      | 52,191.09                      | 41,766.96                      | 1,404,871.15   |
| Disbursements (claims)                | 994,952.76                | 33,079.79 | 13,727.53                  | 21,679.16                      | 34,156.37                      | 42,202.09                      | 28,535.69                      | 1,168,335.39   |
| <b>TOTAL</b>                          | 511,991.47                | 20,786.22 | 28,504.06                  | 13,872.61                      | 17,677.60                      | 28,089.76                      | 18,689.97                      | 639,611.69     |
| <b>CERTIFICATES OF DEPOSIT</b>        |                           |           |                            |                                |                                |                                |                                |                |
| Balance on 8/1/91                     | 1,625,000.00              | 57,000.00 | 30,000.00                  | 50,000.00                      | 95,000.00                      | 130,000.00                     | 137,000.00                     | 2,124,000.00   |
| New C.D.s                             | 100,000.00                |           |                            |                                |                                |                                |                                | 100,000.00     |
| Matured C.D.s transferred to checking | 485,000.00                | 36,000.00 | 5,000.00                   | 18,000.00                      | 27,000.00                      | 43,000.00                      | 30,000.00                      | 644,000.00     |
| <b>TOTAL</b>                          | 1,240,000.00              | 21,000.00 | 25,000.00                  | 32,000.00                      | 68,000.00                      | 87,000.00                      | 107,000.00                     | 1,580,000.00   |

|                                       | Unemployment<br>Self Insurance | Hot Check<br>Fee Fund | Law Library<br>(Money Market)<br>(Savings) | Cummings | Jail Construction<br>(Money Market)<br>(Savings) | Jail Addition<br>(Money Market)<br>(Savings) | Public Works<br>(Money Market) | Pioneer Trails<br>Road District |
|---------------------------------------|--------------------------------|-----------------------|--|----------|--|--|--------------------------------|---------------------------------|
| <b>CHECKING</b>                       |                                |                       |  |          |  |  |                                |                                 |
| Balance on 8/1/91                     | 16,905.79                      | 6,161.06              | 7,791.84                                   | 106.68   | 21,045.87  | 34,523.38                                    | 22,272.31                      | 497.52                          |
| Money Market Interest                 |                                |                       | 20.96                                      |          | 177.42   | 144.72                                       | 179.89                         |                                 |
| Deposits (receipts)                   | 5,000.00                       | 1,333.21              | 1,330.00                                   |          | 23,697.54  | 1,393.97                                     | 102,927.34                     |                                 |
| Disbursements (claims)                | 18,521.70                      | 2,939.63              | 492.25                                     |          |  |  | 58,428.44                      |                                 |
| <b>TOTAL</b>                          | 3,384.09                       | 4,554.64              | 8,650.55                                   | 106.68   | 44,920.83  | 36,062.07                                    | 66,951.10                      | 497.52                          |
| <b>CERTIFICATES OF DEPOSIT</b>        |                                |                       |  |          |  |  |                                |                                 |
| Balance on 8/1/91                     | -0-                            | -0-                   | -0-  | -0-      | 1,700,000.00                                     | 100,000.00                                   | 210,000.00                     | -0-                             |
| New C.D.s                             |                                |                       |  |          |  |  |                                |                                 |
| Matured C.D.s transferred to checking | -0-                            | -0-                   | -0-  | -0-      | 1,700,000.00                                     | 100,000.00                                   | 110,000.00                     | -0-                             |
| <b>TOTAL</b>                          | -0-                            | -0-                   | -0-  | -0-      | 1,700,000.00                                     | 100,000.00                                   | 110,000.00                     | -0-                             |

TEMPORARY TRANSFERS: #10-91 to Medical and Dental Fund from General \$50,000.00  
#11-91 to Jury from General \$5,000.00

\* GENERAL FUND PURCHASED \$100,000.00 FROM PUBLIC WORKS C. D. #76111

*Dorothy P. Sims*  
Dorothy P. Sims, Hays County Treasurer



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10975 APPROVE MINUTES OF AUGUST 1991

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve minute os August 1991 as presented by the County Clerk. All voting "Aye".

10976 ACCEPT AUDIT REPORT OF TRANSFER STATION

County Auditor Bill Herzog presented Audit Report regarding the Wimberley Transfer Station. A motion was made by Commissioner Payne, seconded by Judge Etheredge to accept the Audit Report of the Transfer Station. All voting "Aye".

10977 SET THE FY92 COUNTY TAX RATE AND LEVY THE TAXES IN ACCORDANCE WITH THE FY92 BUDGET

County Auditor Bill Herzog presented the FY92 Tax Rate and Tax Levy as proposed on September 26, 1991:

| <u>FUNDS</u>                   | <u>TAX RATE</u> | <u>TAX LEVY</u>  |
|--------------------------------|-----------------|------------------|
| General Maint. & Operation     | 24.28           | \$4,201,928      |
| Jury Maint. & Operation        | 2.54            | 439,576          |
| Long Term Debt:                |                 |                  |
| Jail I & S                     | 4.91            | 849,731          |
| Jail Add I & S                 | 1.14            | 197,290          |
| Machinery Warrants             | .89             | 154,025          |
| Road & Bridge M & O (Pct. 1-4) | 7.10            | 1,213,231        |
| Long Term Debt:                |                 |                  |
| Machinery Warrants             | .84             | 143,537          |
| Public Works                   | 2.21            | 377,639          |
|                                | <u>43.91</u>    | <u>7,576,957</u> |
| <br>SPECIAL ROAD DISTRICTS:    |                 |                  |
| Springlake Road                | 77.04           | 61,451           |
| Pioneer Trail Road             | 57.95           | 4,558            |

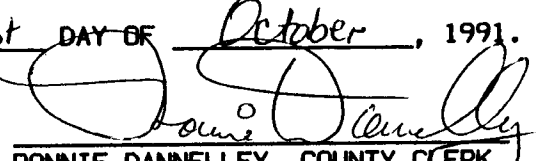
A motion was made by Commissioner Rodriguez, seconded by Commissioner Ford to set the FY 92 County Tax Rate and Levy the Taxes in accordance with the FY 92 budget as proposed. Judge Etheredge, Commissioner Rodriguez, Commissioner Ford and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

10978 AMEND FY91 BUDGET

County Auditor Bill Herzog presented Amendment No. 91-068 (Line Item Transfers in various departments) and Emergency Amendment No. 91-069 (Permanent transfer from General Fund to Jury Fund). A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve budget amendments for FY91 as presented by the County Auditor. All voting "Aye". (Copies in resolution file)

MINUTES APPROVED IN OPEN COURT ON THE 21st DAY OF October, 1991.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 7TH DAY OF OCTOBER , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

10979 RESCHEDULE MEETING OF OCTOBER 14, 1991 TO OCTOBER 11, 1991

Monday October 14, 1991 is a County Holiday - Columbus Day. A motion was made by Commissioner Payne, seconded by Commissioner Ford to reschedule the October 14th meeting to be held October 11, 1991. All voting "Aye".

10980 AUTHORIZE PURCHASE OF CHAIRS FOR THE HEALTH DEPARTMENT

Commissioner Wayne Ford spoke of the condition of the chairs from the Civic Center - they need to be repaired and repainted - cost to repair would be as much as replacement. Commissioner Rippy suggested purchasing inexpensive chairs from Walmart or Sams. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize purchase of 50 chairs for the Health Department - not to exceed \$10 each - out of the equipment line item. All voting "Aye".

10981 AUTHORIZE TRANSFER OF MIGRANT FUNDING FROM THE HEALTH DEPARTMENT TO THE INDIGENT HEALTH CARE BUDGET

Mary Hughes, Health Dept. Director of Nursing, spoke of migrant program that was closed several years ago - fund balance is approximately \$5,000 - suggested transferring this money to the Indigent Health Care budget to be used for migrant assistance. Eva Cruz, Indigent Health Care Administrator, requested creating a new line item in her budget for migrant assistance - migrant assistance will not have same requirements as indigent care. A motion was made by Judge Etheredge, seconded by Commissioner Ford to authorize transfer of migrant funding from the Health Department to the Indigent Health Care budget and to furthermore create a new line item within the Indigent Health Care for Migrant Assistance in the amount of \$5,907.00 . All voting "Aye".

10982 ACTION REGARDING HONEYWELL CONTRACT PROPOSAL

Judge Etheredge spoke of proposal from Honeywell - there is a need to upgrade equipment - proposed contract is for preventative maintenance - cost of program is \$24,808 for the courthouse, courthouse annex, adult probation bldg and health department. Scott Naab of Honeywell stated that they would maintain the equipment - will not change filter - contract covers parts and labor - 24hour emergency service with 4 hour response time - number of units per building: Courthouse (33) Annex (8) Health Dept. (5) and Adult Probation (2). A motion was made by Judge Etheredge, seconded by Commissioner Payne to enter into a One-Year Preventative Maintenance Contract with Honeywell. Commissioner Ford spoke of proposal being different from original proposal - preventative maintenance is not a high tech item and therefore it must be bid out - local vendors providing this service should be allowed to bid. Commissioner Rodriguez spoke of his concerns that the equipment could be brought up to what they were originally. Commissioner Rodriguez and Commissioner Ford voting "No", Judge Etheredge voting "Aye", Commissioner Payne and Commissioner Rippy abstained.

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10983 NOMINATIONS TO THE CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS

Judge Etheredge named the current Board of Directors for the CAD:

- |                                |                         |
|--------------------------------|-------------------------|
| Pat Benner (Wimberley)         | Judy Allen (San Marcos) |
| Paul Garnet (Dripping Springs) | Ernest Kimbro (Kyle)    |
| Billy Moore (San Marcos)       |                         |

A motion was made by Judge Etheredge, seconded by Commissioner Ford to nominate Pat Benner, Paul Garnet, Billy Moore, Judy Allen and Ernest Kimbro to the Central Appraisal District Board of Directors. All voting "Aye". (See Resolution in file)

DISCUSSION - ADOPTING A HAYS COUNTY FOOD SANITATION ORDINANCE

Allen Walther, Director of Environmental Health, spoke of the County not having an Ordinance - State regulations are used - would like to adopt a County Ordinance and contract with the various cities - would require training for food handlers and a permit fee (Food Handlers Card = \$8 f/2 yr Permit = \$50/\$75 based on number of employees). Commissioner Ford suggested that the Court not adopt at this time - would like to notify the public and received input from them - spoke of the county having authority to enforce State regulations at this time even with the absence of a City Ordinance. Allen Walther suggested that the effective date by January 1, 1992 - two inspections per year per establishment. Commissioner Ford spoke of D(5) of the Ordinance "Waiver of Registration" - would like for it to read "discretion of the Commissioners Court". Judge Etheredge stated that he is opposed to having the Court decide on waivers - leave that decision to the experts. Commissioner Payne suggested postponing adoption until the members of the Court can study the proposed ordinance. No action taken.

10984 ADOPT FEE SCHEDULE FOR HAYS COUNTY ENVIRONMENTAL HEALTH

Director of Environmental Health Allen Walther presented proposed Fee Schedule:

- |                                      |                                    |
|--------------------------------------|------------------------------------|
| 1. Permit to Construct.....          | \$ 110 Single Family               |
|                                      | \$ 160 Other than single family    |
| 2. Flood plain Development Permit..  | \$ 35 Permit "A"                   |
| (Single Family Residence)            | \$ 150 Permit "B"                  |
| (Non-residential/commercial.....     | \$ 35 Permit "A"                   |
| structures                           | \$ 150 + \$10/sq ft. of bldg space |
| 3. Channel improvements, altera-     |                                    |
| tions, excavations of fills,         |                                    |
| water improvements, or altera-       |                                    |
| tion to drainage.....                | \$ 35 Permit "A"                   |
|                                      | \$ 150 Permit "B"                  |
| 4. Subdivision construction authori- |                                    |
| zation (Replat of existing           |                                    |
| recorded subdivision.....            | \$ 100 + \$2 a lot                 |
|                                      | \$ 50 + \$2 a lot                  |
| 5. Subdivision Flood Plain Devel.... | \$ 35 Permit "A"                   |
|                                      | \$ 150 + \$5 per lot within Flood  |
|                                      | Hazard Area - Permit "B"           |
| 6. Other Flood Plain Development.... | \$ 35 Permit "A"                   |
|                                      | \$ 150 Permit "B"                  |
| 7. Percolation Tests Performance.... | \$ 25 (according to Co Standards)  |
|                                      | and approval)                      |
| 8. Fee for Inspection of Existing    |                                    |
| Septic System                        | \$ 60 *Increased f/\$50*           |
| 9. Fee for Inspection of Existing    |                                    |
| Septic System and Water Sample       | \$ 75 *Increased f/\$50*           |
| 10. Installer Registration Fee       | \$ 75                              |
| 11. Reinspection Trip Charge         | \$ 25                              |
| 12. Fee for Written Request, Excep-  |                                    |
| tions or Appeals                     | \$ 100                             |
| 13. Fee for Professional Consult.    | \$ 25 per hr                       |
| 14. Fee for Professional Design      |                                    |
| Review.....                          | \$ 50                              |

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Allen Walther stated that the only changes are that #8 & #9 were increased and #14 is a new fee - #13 could be eliminated (to his knowledge it has never been charged). Judge Etheredge asked if Water Well Drilling Permits are required. Mr. Walther stated that they are not. Commissioner Ford stated that he felt like the \$10/sq ft on item #2 is incorrect - should probably be 10 cents/sq ft - suggested that effective date for fee schedule should be January 1, 1992. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to adopt the new Fee Schedule for Hays County Environmental Health with the elimination of #13 Fee for Professional Consultation and with change in #2 to 10cents/sq ft. to be effective January 1, 1992. Commissioner Ford, Judge Etheredge, Commissioner Payne and Commissioner Rippy voting "Aye", Commissioner Rodriguez voting "No".

#### 10985 ENVIRONMENTAL HEALTH SERVICES - LINE ITEM ADJUSTMENT APPROVAL

Allen Walther, Director of EHS, requested line item adjustment so that he can purchase a TV, VCR and file cabinets for his department. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve transfer of \$1200 from office supplies line item to office equipment line item in the Environmental Health Services budget. All voting "Aye".

#### 10986 ENVIRONMENTAL HEALTH SERVICES - SALARY ADJUSTMENT APPROVAL

Allen Walther, Director of EHS, spoke of one of his Sanitarians that is leaving for employment with the City of San Marcos - this employee was making \$73 more than the lowest paid Sanitarian - requested authority to split this \$73 between two current employees (Bob - raise from \$1844 to \$1930 Lisa - raise from \$1189 to \$1276). A motion was made Judge Etheredge, seconded by Commissioner Ford to authorize salary adjustments as requested for Environmental Health Services. Commissioner Ford, Judge Etheredge and Commissioner Rippy voting "Aye", Commissioner Rodriguez and Commissioner Payne voting "No".

#### 10987 RENAME "ROSE DRIVE" TO "PURCELL PLACE"

Patsy Greiner, Admin. Coord., spoke of request by property owners to change name of private roadway from "Rose Drive" to "Purcell Place" - no one else lives on the road and its used by family members only. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve name change of "Rose Drive" and to Designate this roadway as "Purcell Place". All voting "Aye". (\*See Resolution #11247 Vol O Pg 124\*)  
Rose Drive should be Quailand Drive

#### 10988 AUTHORIZE PAYMENT TO GRANT ADMINISTRATOR AND ENGINEER FOR INWOOD FOREST GRANT

County Auditor Bill Herzog stated that payment to the Grant Administrator is \$7,000 and to the Engineer are \$27,488. Kelly Kilber, Engineer, stated that this funding was established in the Grant. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize payment to the Grant Administrator and Engineer for the Inwood Forest Grant. All voting "Aye".

#### 10989 AUTHORIZE COMMISSIONER CRAIG PAYNE AND JUDGE EDDY ETHEREDGE TO APPROVE PAYMENT ON INWOOD FOREST GRANT

County Auditor Bill Herzog spoke of invoices that come in and are approved by the Court for payment. Kelly Kilber, Engineer, spoke of his concerns about delay in paying contractors - would like to pay them by the 10th of the month - would like to eliminate need for the Court to approve payment before check is prepared - stated that the Court will award the bid and will approve final payment. A motion was made by Judge Etheredge, seconded by Commissioner Ford to designate Commissioner Craig Payne and/or Judge Etheredge as the Chief Executive Officers for the Inwood Forest Grant to approve payments. All voting "Aye".

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10990 ACCEPT AUDIT REPORT OF COUNTY TREASURER

A motion was made by Commissioner Ford, seconded by Judge Etheredge to accept the Audit Report of the County Treasurer. All voting "Aye".

10991 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to approve payment of county invoices as presented by the County Auditor in the amount of \$239,354.42. All voting "Aye".

|                  |              |                  |              |
|------------------|--------------|------------------|--------------|
| Lic & Permits    | \$ 240.00    | Fin Adm Serv     | \$ 150.00    |
| Auditor Ofc.     | \$ 398.02    | Treasurer Ofc    | \$ 71.55     |
| Extension Ofc    | \$ 278.11    | Juv Prob Ofc     | \$ 1,371.63  |
| Election Admin   | \$ 50.17     | Community Serv.  | \$ 43,125.00 |
| Indigent Care    | \$ 594.96    | Transfer Sta.    | \$ 86.97     |
| Bldg. Maint.     | \$ 6,705.99  | Health Dept.     | \$ 373.84    |
| Personal Health  | \$ 407.93    | Civic Center     | \$ 5,033.69  |
| Countywide Misc. | \$107,464.51 | Tax A/C Ofc.     | \$ 568.74    |
| District Clerk   | \$ 215.42    | County Clerk     | \$ 3,032.44  |
| Sheriffs Ofc.    | \$ 2,135.08  | County Judge     | \$ 158.28    |
| Admin. Coord.    | \$ 158.95    | Co Crt @ Law 1   | \$ 156.14    |
| Dist. Atty.      | \$ 691.99    | J.P. 1-1         | \$ 89.84     |
| J.P. 1-2         | \$ 109.49    | J.P. 2           | \$ 444.58    |
| J.P. 3           | \$ 198.30    | J.P. 4           | \$ 290.41    |
| J.P. 5           | \$ 190.07    | D.P.S.           | \$ 1,927.79  |
| Constable 1      | \$ 97.16     | Constable 2      | \$ 884.39    |
| Constable 3      | \$ 188.24    | Social Services  | \$ 27,238.75 |
| Veterans Admin.  | \$ 231.80    | Data Proc Admin  | \$ 997.72    |
| Co Crt @ Law 2   | \$ 27.35     | TDH TB Grant     | \$ 150.37    |
| TDH M&C Grant    | \$ 198.00    | Fire Marshal/EMC | \$ 55.78     |
| T.A.B.C.         | \$ 110.86    | TDH Dir Nursing  | \$ 608.00    |
| Dist. Crt Oper   | \$ 1,795.27  | Co & JP Crt Oper | \$ 639.29    |
| Dist. Crt Reprt  | \$ 71.74     | R & B General    | \$ 27.74     |
| Precinct 1       | \$ 2,284.83  | Precinct 2       | \$ 103.76    |
| Precinct 3       | \$ 304.31    | Precinct 4       | \$ 1,469.66  |
| Self Insurance   | \$ 2,861.44  | Hot Check Fee    | \$ 143.83    |
| Law Library      | \$ 244.50    | Adult Prob Oper  | \$ 13,960.33 |
| Adult Prob Fac   | \$ 872.68    | Adult Prob Prgrm | \$ 675.09    |
| Jail Operations  | \$ 6,391.64  |                  |              |

EXECUTIVE SESSION - TO DISCUSS LITIGATION (TOM SAPP)

Court went into closed meeting concerning litigation (condemnation Re: Tom Sapp) Court returned to open meeting and Judge Etheredge stated that no action will be taken concerning this matter.

A motion was made by Commissioner Ford, seconded by Commissioner Payne to adjourn until Friday October 11, 1991 at 10:00 A.M. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 12th DAY OF NOVEMBER, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS \*
COUNTY OF HAYS \*

ON THIS THE 11TH DAY OF OCTOBER , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- EDDY A ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ JR. COMMISSIONER, PRECINCT #1
WAYNE FORD COMMISSIONER, PRECINCT #2
CRAIG D. PAYNE COMMISSIONER, PRECINCT #3
LINDA C. FRITSCH DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Pete Rodriguez was not present when the meeting began.

10992 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve payment of county invoices as presented by the County Auditor in the amount of \$98,874.05. All present voting "Aye".

Table with 2 columns: Item Name and Amount. Items include Auditor (\$681.13), Indigent Care (\$936.37), Personal Health (\$75.00), Countywide Oper (\$27,012.93), District Clerk (\$356.34), Sheriff (\$984.10), Admin. Coord. (\$53.80), District Clerk (\$48.00), D.P.S. (\$18.00), Constable 5 (\$108.45), Co CRT @ Law 2 (\$10.00), TDH M&C Health (\$608.40), TDH Mihia Grant (\$46.00), Co & JP CRT Oper (\$1,221.98), Precinct 3 (\$2,556.13), Hot Check Fee (\$71.27), Adult Prob Oper (\$1,271.94), Adult Prob Prgms (\$75.00), Juv Prob (\$14.69), Bldg Maint. (\$208.89), Civic Center (\$592.16), Tax A/C (\$45.71), County Clerk (\$195.15), Jail Operations (\$17,780.44), Co CRT @ Law 1 (\$10.00), J.P. 1-2 (\$30.00), Constable 3 (\$25.00), Data Proc Admin (\$51.98), TDH TB Grant (\$164.00), TDH Nursing Grant (\$528.00), Dist CRT Oper (\$5,048.75), Precinct 2 (\$422.00), Precinct 4 (\$2,056.44), Law Library (\$185.75), Adult Prob Fac (\$892.25), Inwood Water Syst (\$34,488.00)

10993 APPROVE GENERAL TELEPHONE CO PROPOSAL FOR BURIED CABLE ON COUNTY ROAD #215

A motion was made by Commissioner Payne, seconded by Commissioner Ford to approve General Telephone Company's proposal for buried cable on County Road #215 right-of-way . All present voting "Aye". (Note: No proposal in writing was submitted to the Clerk)

10994 AUTHORIZE SUBMISSION OF GRANT APPLICATION FOR WASTE WATER STUDY FOR WIMBERLEY AND AUTHORIZE JOHN ATER TO SUBMIT

Commissioner Craig Payne stated that Court approval to submit the grant application is needed this date so that deadline can be met. John Ater stated that figures will be obtain soon. Commissioner Payne stated that it may be a matching grant - could use in-kind service for matching funds - spoke of using GBRA data - grant will target the Wimberley downtown area and creek area. A motion was made by Commissioner Payne, seconded by Commissioner Ford to authorize submission of Grant application for waste water study for Wimberley and to furthermore authorize John Ater to submit the Grant application. All present voting "Aye".

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10995 DIRECT THE DISTRICT ATTORNEY TO RESPOND TO AUDIT REPORT OF HIS OFFICE

Judge Eddy Etheredge spoke of request by County Auditor to accept Audit Report of the District Attorney's Office - Marcos Hernandez has not submitted a response to the audit - suggested that Court not accept report until a response is submitted. Commissioner Wayne Ford suggested that Administrative Coordinator be instructed to write a letter requesting the District Attorney to respond. A motion was made by Commissioner Ford, seconded by Commissioner Payne to direct Patsy Greiner, Administrative Coordinator to write a letter to Marcos Hernandez, District Attorney, requesting an immediate response to the Audit Report submitted to him by the County Auditor. All present voting "Aye".

DISCUSSION OF PRINT SPECIFICATIONS

Cindy Casparis, Purchasing Clerk, spoke of standardizing County letterheads and envelopes - examples were presented - suggested that the Court appoint a committee to develop a standard form - stated that various departments are in need of supplies as soon as possible. Court advised Mrs. Casparis to go ahead and let these departments purchase a small quantity of supplies until a decision can be reached. Action was postponed at this time.

Commissioner Pete Rodriguez came to the meeting at this time.

10996 ACCEPT PERFORMANCE BOND FROM THE SOFTWARE GROUP AND AUTHORIZE PAYMENT THROUGH TIME WARRANTS FOR COMPUTER EQUIPMENT AND SOFTWARE FOR THE COUNTY AUDITOR AND THE COUNTY TREASURER

County Auditor Bill Herzog stated that The Software Group, Inc. has finally submitted the Performance Bond for computer equipment for the County Auditor and County Treasurer as per contract agreement - payment of \$73,162.78 is now due. A motion was made by Commissioner Ford, seconded by Judge Etheredge to accept the performance bond from The Software Group and authorize payment through time warrants for computer equipment and software for the County Auditor and the County Treasurer. All present voting "Aye".

Judge Etheredge gave a report on State Prisons and the Federal Endangered Species Act (Habitat Protection Program).

MINUTES APPROVED IN OPEN COURT ON THE 12th DAY OF November, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 21st DAY OF OCTOBER, A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

- |                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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10997 AUTHORIZE PRECINCT #2 TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT

Commissioner Wayne Ford spoke of Fire Department Substation in Chaparral Subdivision - property was donated - part of the property is to be made into a park - Precinct #2 will provide equipment to prepare the ground. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to authorize Precinct #2 to enter into an Interlocal Agreement with the Northeast Hays County Rural Fire Prevention District. All voting "Aye".

10998 ADOPT RESOLUTION MAKING AN APPOINTMENT TO THE BOARD OF DIRECTORS OF THE CAPITAL AREA HOUSING FINANCE CORPORATION

Judge Eddy Etheredge spoke of need for an appointment to the Board of Directors of the Capital Area Housing Finance Corp. - current Director from Hays County is Don Rains - his term expires October 21, 1991 - Directors serve for 2-year terms. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to adopt resolution appointing Eddy A. Etheredge as a Director of the Capital Area Housing Finance Corporation. All voting "Aye".

RESOLUTION

MAKING AN APPOINTMENT TO THE BOARD OF DIRECTORS OF THE CAPITAL AREA HOUSING FINANCE CORPORATION

WHEREAS, the Articles of Incorporation of the Capital Area Housing Finance Corporation authorize the Hays County Commissioners' Court to appoint one Director of the Corporation; and

WHEREAS, the term of the current Director from Hays County, G. Don Rains, expires October 21, 1991; now, therefore be it

RESOLVED by the Commissioners' Court of Hays County, Texas, that:

Eddy A. Etheredge is appointed a Director of the Corporation for the term beginning October 22, 1991 and expiring October 21, 1993.

ADOPTED this 21st day of October, 1991.

(SEAL)

s/ Eddy A. Etheredge  
County Judge

ATTEST:

s/ Ronnie Dannelley  
County Clerk

RENAME WEST FITZHUGH ROAD (CO RD 185) TO TRAUTWEIN ROAD

Patsy Greiner, Administrative Coordinator, spoke of West Fitzhugh Road - there appears to be a need to rename this road for addressing purposes - it is considered an extension of Trautwein Road in Travis County - need to see what City of Austin does - Postpone action at this time.

10999 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A COOPERATIVE AGREEMENT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR CHILD SUPPORT SERVICES

District Attorney Marcos Hernandez spoke of H.B. 202 which permits the Office of the Attorney General to pay certain fees charged by District Clerks, Sheriffs and Constables in child support cases filed - Federal regulations require that a Cooperative Agreement be executed between the county and the Office of the Attorney General in order that the Attorney General be permitted under federal laws and regulation to pay these fees. - Counties may bill the A.G. monthly for services performed in Title IV-D child support cases.

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A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize the County Judge to execute the Cooperative Agreement for Title IV-D Program between The Office of the Attorney General State of Texas and Hays County, Texas. All voting "Aye". (Copy of Agreement in Resolution File)

11000 APPROVE FUNDING TO THE GREATER SAN MARCOS YOUTH SHELTER AND THE GREATER SAN MARCOS CHILDREN'S SHELTER

Laura Brown, New Executive Director for the Youth & Children's Shelters, appeared before the Court requesting funding - the Youth Shelter provides 24-hour 16 bed emergency shelter for runaways, homeless, abused and/or neglected children (10-17 years of age) and the Children's Shelter provides 24-hour 13 bed emergency shelter for homeless, abused or neglected children under the age of 10 years - services include family, individual and group counseling and a homebound school program - budget request is for \$10,000. County Auditor Bill Herzog spoke of payment that was made for services that were not received - a reimbursement to the County is due = \$1400. Mrs. Brown stated that they are presently experiencing a cash flow problem and reimbursement will be made as soon as possible - they do receive payments from the Juvenile Probation Dept (\$30 per day per child) for housing youth, however, this fee is not sufficient and they do not receive any funds for family services - their current shortfall is \$11,000 - the City of San Marcos has budgeted \$6,000 and they will be receiving these funds soon. Judge Etheredge spoke in support of funding \$5,000. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to support \$5,000.00 funding to the Greater San Marcos Youth Shelter and the Greater San Marcos Children's Shelter. All voting "Aye".

11001 ADOPT RESOLUTION IN SUPPORT OF THE GRANTING OF CERTIFICATION OF CONVENIENCE AND NECESSITY TO WIMBERLEY WATER SUPPLY CORPORATION TO SERVE INWOOD FOREST WITH WATER

Kelly Kilber, Engineer for the Inwood Forest Project, spoke of the Grant funding - Dan Roberts has protested the Application - a hearing will be held and Kelly will be present and stated that he would represent the County if the Court desires. Commissioner Wayne Ford stated that he would like for J. L. Howze to represent Hays County - Mr. Howze has been involved in this project since the beginning. A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt resolution in support of an application by the Wimberley Water Supply Corporation to amend their Certificate of Convenience and Necessity regarding the Inwood Forest Water System project and to furthermore appoint J. L. Howze as Hays County's representative in this matter. All voting "Aye".

R E S O L U T I O N

THE STATE OF TEXAS \*
COUNTY OF HAYS \*

RESOLUTION OF THE HAYS COUNTY COMMISSIONERS' COURT IN SUPPORT OF AN APPLICATION BY THE WIMBERLEY WATER SUPPLY CORPORATION TO AMEND THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY

WHEREAS, the Wimberley Water Supply Corporation has filed an application to amend their Certificate of Convenience and Necessity to be able to serve the Inwood Forest Subdivision; and

WHEREAS, that application is being considered under the Texas Water Commission Docket No. 9245-C; and

WHEREAS, The Hays county Commissioners' Court is in support of that application;

NOW, THEREFORE, BE IT RESOLVED,

- 1. Hays County be granted status as a party in the Wimberley Water Supply Corporation application proceedings;



\*\*\*\*\*

- 2. J. L. Howze will be appointed as the individual to correspond with the Texas Water Commission on behalf of Hays County; and
- 3. Hays County Commissioners' Court will be informed by Mr. Howze of any and all hearings and notices regarding this application.

RESOLUTION PASSED AND ADOPTED ON THIS 21ST DAY OF OCTOBER 1991 TO CERTIFY WHICH WITNESS OUR SIGNATURE BELOW:

s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

s/ Peter Rodriguez  
Pete Rodriguez, Pct. 1

s/ W. R. Ford  
Wayne Ford, Pct. 2

s/ Craig Payne  
Craig Payne, Pct. 3

s/ Oran Hill Rippy  
Oran Rippy, Pct. 4

ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

11002 APPROVE PURCHASE OF MICROFILM EQUIPMENT FOR DISTRICT CLERK

W. H. Moore, District Clerk, presented two proposals for microfilming equipment for his office:

Business Micrographics Corp. (Houston, Texas)

|                                     |                        |
|-------------------------------------|------------------------|
| 3M 6500 Planetary Camera            | \$ 5,592.02 w/one unit |
| Less 4% Federal Government Discount | - 215.08               |
| One Additional Film Unit            | \$ 1,722.00            |
| Installation & Training             | No Charge              |
|                                     | =====                  |
|                                     | \$ 7,098.94            |

Mino-Micrographics Inc. (Austin, Texas)

|                                                                                                                   |             |
|-------------------------------------------------------------------------------------------------------------------|-------------|
| Minolta DR-1600 Planetary Microfilmer<br>w/foot switch, one extra camera unit,<br>freight installation & training | \$ 7,328.52 |
|-------------------------------------------------------------------------------------------------------------------|-------------|

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve purchase of microfilming equipment for the District Clerk's office from Mino-Micrographics Corp. in the amount of \$ 7,328.52. All voting "Aye".

11003 AWARD CONTRACT FOR PHARMACEUTICALS AND OVER-THE-COUNTER DRUGS FOR THE JAIL

Cindy Casparis, Purchasing Clerk, presented bid tabulations:

|                                                        | <u>Over-The-Counter</u> | <u>Prescription</u>       | <u>Blister<br/>Package Fee</u> |
|--------------------------------------------------------|-------------------------|---------------------------|--------------------------------|
| B & J Pharmacy<br>San Marcos                           | AWP - 10%               | AWP + 2.99                | Same Fee (no extra)            |
| H&Z Pharmacy dba<br>Thorpe Lane Pharmacy<br>San Marcos | AWP - 8%                | AWP - 8%                  | \$0.50                         |
| IGA Pharmacy<br>New Braunfels                          | AWP - 10%               | AWP - 10% +<br>\$4.26 fee | \$0.50                         |
| Med Park Pharmacy<br>San Marcos                        | AWP + Zero              | AWP + Zero                | \$1.00                         |
| Wal-Mart Pharmacy<br>San Marcos                        | Wal-Mart Price<br>- 10% | AWP + \$2.95              | Zero                           |

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Cindy stated that the Jail uses more Over-The-Counter drugs, however, they pay more for the prescription drugs - Thorpe Lane Pharmacy is currently providing drug services. David Zatopek, Thorpe Lane Pharmacy, spoke of savings he provides for Over-The-Counter drugs - Federal prisoners are costing the County a lot on prescription drugs - this years bid is more competitive than before. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to award bid to H & Z Pharmacy (dba Thorpe Lane Pharmacy) for Over-The-Counter and Prescription Drugs for the County Jail. All voting "Aye".

11004 AWARD ANNUAL OFFICE SUPPLY CONTRACT

Cindy Casparis, Purchasing Agent, presented Bid tabulations for office supplies:

|                                                | <u>Percentage Discount Bid</u>                                                                                                          |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Action Office Mart<br>Austin, Texas            | 40%                                                                                                                                     |
| Advanced Business Systems<br>San Marcos, Texas | 25% with an additional 3% Discount for prompt payment (by 10th of the month for all invoices received by the end of the previous month) |
| Centex Office Center<br>New Braunfels, Texas   | 40% from list normally Next Day Delivery                                                                                                |
| Office Furniture Distributors<br>Austin, Texas | 42% off list - once a week delivery                                                                                                     |

Cindy recommended awarding bid to Centex Office Center - they have the current contract and are capable of delivering daily and they make their own stamps. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to award contract for Office Supplies to Centex Office Center (New Braunfels). All voting "Aye".

11005 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve payment of County Invoices in the amount of \$81,447.80 as presented by the County Auditor. All voting "Aye".

|                                |              |                  |              |
|--------------------------------|--------------|------------------|--------------|
| Public Safety Srv              | \$ 343.00    | Election Admin   | \$ 633.47    |
| Indigent Care                  | \$ 782.69    | Transfer Station | \$ 4,508.50  |
| Bldg. Maint.                   | \$ 1,275.00  | Personal Health  | \$ 58.00     |
| Civic Center                   | \$ 584.98    | Countywide Oper  | \$ 39,784.23 |
| Sheriff's Ofc.                 | \$ 559.61    | Jail Operations  | \$ 14,046.27 |
| District Atty.                 | \$ 41.95     | J.P. 2           | \$ 81.80     |
| J.P. 5                         | \$ 9.00      | D.P.S.           | \$ 10.20     |
| Constable 1                    | \$ 128.80    | Data Proc Admin  | \$ 14.72     |
| Foster Child Care              | \$ 10,501.80 | Dist. Court Oper | \$ 4,860.00  |
| Co & JP Crt Oper               | \$ 696.72    | Precinct 1       | \$ 478.82    |
| Precinct 3                     | \$ 795.37    | Adult Prob Oper  | \$ 820.47    |
| Adult Prob Fac                 | \$ 295.43    | Adult Prob Prgms | \$ 163.71    |
| **GEN FUND CREDIT = \$ 26.74** |              |                  |              |

11006 APPROVE MINUTES OF SEPTEMBER 1991

A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve minutes of September 1991 as presented by the County Clerk. All voting "Aye".

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11007 CRESTVIEW RANCH SUBDIVISION - 1ST,2ND,3RD READINGS (PCT. 4)

Mark McManus presented "Crestview Ranch" subdivision on first, second and third readings - subdivision is located south on Hwy 290 - a 15' easement is given along the County roadway. Allen Walther, Environmental Health Director, requested that plat be certified and signed by the Surveyor rather than the Health Officer. Commissioner Payne requested that the 15 feet dedicated for roadway purposes be taken off the lots - roadways should not be owned by property owners. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Crestview Ranch" subdivision on first, second and third readings contingent on changing note on the plat and taking road easement off lot acreage. All voting "Aye".

11008 MISTY MEADOWS - FLOODPLAIN VARIANCE

Patsy Greiner, Admin. Coord., spoke of floodplain variance request - no flood study was done - plat shows that part of the lots are in the flood hazard area. A motion was made by Commissioner Payne, seconded by Commissioner Payne to grant floodplain variance for "Misty Meadows" subdivision - flood study not required - note to be added to plat to require proper procedure to be followed if improvements are made in the flood hazard area. All voting "Aye".

LANIER RANCH ADDITION REPLATS OF TRACT 1, 3 & 4 - PUBLIC HEARING

Patsy Greiner stated that two subdivisions were left off the agenda due to computer malfunction - public hearings were published, therefore, public hearings need to be held - Court action to be taken at the next Commissioners' Court meeting.

Judge Etheredge called public hearing opened for Replat of Lots in Lanier Ranch Addition.

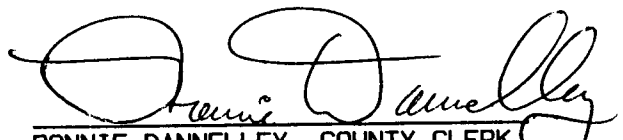
Lanier Ranch Addition Replat Tract 1 - Mark McManus presented replats - Tract 1 being divided up into 6 tracts.

Lanier Ranch Addition Replat Tract 3 & 4 - Mark McManus presented replats - Tracts 3 & 4 being divided up into 12 tracts.

Flood study variance is requested - small creek cuts through the north west corner of Tract 4E and is in the 100 year flood zone - encompasses an area less than 3 acres of the 13.93 acre tract with significant contour elevation changes on the tract. Allen Walther, Environmental Health Director, suggested allowing variance with conditions "no development in the floodplain areas" (add note to plat). Commissioner Ford spoke of not allowing private roads - need to add a culdesac/turnaround on the end of the road. Mark McManus spoke of condition of roadway (caliche base road built to county standards). Public hearing was closed. No action taken.

MINUTES APPROVED IN OPEN COURT ON THE 12th DAY OF November, 1991.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S

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STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 28TH DAY OF OCTOBER , A.D., 1991, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT TO-WIT:

|                     |                           |
|---------------------|---------------------------|
| EDDY A ETHEREDGE    | COUNTY JUDGE              |
| PETER RODRIGUEZ JR. | COMMISSIONER, PRECINCT #1 |
| WAYNE FORD          | COMMISSIONER, PRECINCT #2 |
| CRAIG D. PAYNE      | COMMISSIONER, PRECINCT #3 |
| ORAN H. RIPPY       | COMMISSIONER, PRECINCT #4 |
| RONNIE DANNELLEY    | COUNTY CLERK              |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

11009 CALL FOR A PUBLIC HEARING RE: BURNETT RANCH SUBDIVISION ROAD PROPOSAL

A motion was made by Commissioner Payne, seconded by Commissioner Ford to call for a public hearing to be held December 2, 1991 at 10:00 A.M. regarding the Burnett Ranch Subdivision Road proposal. All voting "Aye".

11010 CONSIDER PROPOSAL FOR MEDICAL STAFF AT THE LAW ENFORCEMENT CENTER/JAIL AND AUTHORIZE MARY HUGHES/HEALTH DEPT. TO HIRE CONSULTANT

Sheriff Paul Hastings appeared before the Court regarding the medical staff at the Jail - Dr. Don Connell and Anthony Stanulonis have submitted a proposal as well as Mary Hughes, Director of Nursing/Hays County Health Dept. - Sheriff Hastings stated that he is willing to place his medical budget into the Health Dept. budget if necessary. Dr. Connell spoke of paramedics being used as medical staff - spoke of a problem with a particular female inmate as an example of why he is uneasy about using only paramedics for the medical staff - nurses are needed to help avoid a major lawsuit - spoke of the staff turnover at the jail which creates a problem with training. Dr. Stanulonis spoke of his concerns with inadequate staffing and undertrained personnel - gave an example of inadequate evaluation of an inmate which could have had a serious outcome due the lack of knowledge by the medical staff - spoke of need for an LVN at the Jail. Judge Etheredge asked the Doctors if they planned on terminating their contracts on November 1st - the Doctors agreed that if the Court took action to change the situation at the Jail in a timely manner that they would continue their contracts. Sheriff Hastings stated that he has employed one LVN since he received notice from the Doctors in September - stated that is is difficult to get an LVN to work in a jail setting - he had no objection to transferring jail medical funds to the Health Dept. Dr. Connell spoke of LVN's being better trained than paramedics. Mary Hughes, Director of Nursing/Health Dept., spoke of having visited several jails to see how their operations are staffed - stated that Hays County medical setup is more like an emergency trauma center - spoke of jail standards requirements - spoke of need for immediate care and assessment type situation - suggested 24hour nursing care and RN's to come in for consultation. Chris ?, Comal County Jail Nurse, spoke - their LVN's are also certified jailers - they have 5 nurses with 24 hour coverage - spoke of need to be careful about medical charting. Mary Hughes stated that the Jail deals with high risk individuals. Commissioner Ford spoke of his concerns about increases requested - Court will make an effort to resolve the problems by January 1st. Judge Etheredge spoke of reorganization of the Health Department - suggested that workshop meetings be held for expansion of health services. Sheriff Hastings stated that he would like to see the addition of the Health Dept. along with the present Doctor staff. Mary Hughes requested authority to use Chris ? (Comal County Jail Nurse) as a consultant on setting up a plan - stated that she is only qualified to create a nursing model.

A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to authorize a consulting fee of \$500 to be used by Mary Hughes, Director of Nursing/Health Dept., in developing Medical Services for the Hays County Jail. All voting "Aye".

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11011 WAIVE WAITING-PERIOD AND PROVIDE FUNDING FOR INSURANCE TO COVER ISABEL GARCIA (CITY EMPLOYEE TRANSFERRED TO COUNTY EMPLOYEE STATUS)

Mary Hughes, Director of Nursing/County Health Dept., requested that Isabel Garcia be allowed immediate insurance coverage rather than have no coverage for 60 days - she is working 35 hours per week and was an employee that transferred from the City of San Marcos to Hays County. Commissioner Wayne Ford spoke of fact that City Employees were told that they would not lose any benefits if they transferred to the County. Jacque Jordan stated that the County would take care of benefits outside of stoploss for any pre-existing conditions. A motion was made by Commissioner Ford, seconded by Commissioner Rodriguez to waive the 60-day waiting period for insurance coverage for Isabel Garcia and to provide funding accordingly. All voting "Aye".

CONSIDER REQUEST FOR SALARY ADJUSTMENT FOR J.P. PCT. 1 PLACE 2

J.P. 1-2 Becky Sierra appeared before the Court requesting a salary adjustment from current salary of \$26,299 to \$29,699 - spoke of increase given to J.P. #3 & #4 - J.P. #4 is a part-time JP with a law practice and J.P. #3 has only been a J.P. for nine months - J.P. #3 & #4 were given approximately a \$4,000 increase and she requested that she receive an increase based on her workload and tenure. Commissioner Payne stated that tenure is addressed with longevity pay - J.P. #3 has been a County employee for a number of years before taking this office at a reduced salary and he has less staff than Pct. 1-2. Commissioner Rippy spoke of salary increase that had been proposed in budget workshops - stated that J.P. #3 was given an increase because he spends more time on the job than the prior J.P. - stated that the Court is trying to bring J.P.'s salaries up and years of service should not be a primary issue. Judge Etheredge stated that there are many county employees that should receive salary increases - if you address one persons then you should address all. Commissioner Rodriguez spoke in support of increasing J.P. Sierra's salary - this was an oversight by him at budget time. Commissioner Rodriguez made a motion to increase the salary of J.P. Pct. 1 Place 2 to \$29,699.00 - motion died for lack of a second. Commissioner Wayne Ford requested the District Attorney to research the Law concerning giving Elected Officials salary increases without a recommendation from the Salary Grievance Committee or through the budget process.

11012 APPROVE ENTERING INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF SAN MARCOS TO HELP PAVE THE "CALABOOSE" PARKING LOT

Commissioner Payne requested assistance in the Calaboose Parking lot project from the other precincts - County to supply the labor. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve entering into an Interlocal Agreement with the City of San Marcos to help pave "The Calaboose" parking lot. All voting "Aye".

11013 GRANT FLOODPLAIN ELEVATION VARIANCE REQUEST ON LOT 20 HIDDEN VALLEY SUBDIVISION

Discussion was had on Hidden Valley Subdivision property - located on the Blanco River - Allen Walther spoke of compromise worked out - Judge Etheredge spoke of operating under the current map or proposed map. Kent McMillan spoke representing the property owner - this is an old subdivision (1951) with few vacant lots remaining - building to the current elevations would cause the home to look out of place with existing structures - 2 foot elevation variance is requested. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to grant floodplain elevation variance of two (2) foot on Lot 20 of Hidden Valley Subdivision. All voting "Aye".

11014 AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR PRINTING

A motion was made by Commissioner Ford, seconded by Judge Etheredge to authorize the County Auditor to advertise for bids for printing. All voting "Aye".

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11015 COURT APPROVAL TO NOT PARTICIPATE IN MEMBERSHIP TO THE NATIONAL ASSOCIATION OF COUNTIES

Judge Etheredge spoke of letter received from the National Association of Counties advising that Hays County's membership dues will be \$1,031.00. A motion was made by Commissioner Ford, seconded by Judge Etheredge to not participate in membership to the National Association of Counties. All voting "Aye".

11016 APPROVE USE OF COURTHOUSE LAWN ON NOVEMBER 11, 1991 FOR VETERANS DAY

Commissioner Ford spoke of not allowing use of restroom facilities inside the Courthouse and organization sponsoring event must have insurance coverage. A motion was made by Commissioner Ford, seconded by Commissioner Rippey to approve use of the Courthouse lawn on November 11, 1991 for Veterans Day activities with usual stipulations. All voting "Aye".

11017 ADOPT RESOLUTION CASTING VOTES FOR CENTRAL APPRAISAL DISTRICT DIRECTORS

Commissioner Wayne Ford suggested assigning votes to rural entities to ensure representation from those areas. Discussion was had on how to assign the 906 votes allotted to Hays County. A motion was made by Commissioner Ford, seconded by Judge Etheredge to adopt resolution assigning votes for the selection of Appraisal District Directors. All voting "Aye".

RESOLUTION

STATE OF TEXAS \*
COUNTY OF HAYS \*

RESOLUTION OF THE HAYS COUNTY COMMISSIONERS' COURT ASSIGNING VOTES FOR THE SELECTION OF APPRAISAL DISTRICT DIRECTORS

WHEREAS, the Hays County Commissioners' Court has been allotted 906 votes to assign among the eight nominees for the position of Appraisal District Director; and

WHEREAS, the Hays County Commissioners' Court would like to assign their votes to the three (3) school districts holding less than 1000 votes each;

NOW, THEREFORE, BE IT RESOLVED BY THE HAYS COUNTY COMMISSIONERS' COURT THAT:

The 906 votes allotted to Hays County for Appraisal District Director be reassigned as follows:

- 413 to the Dripping Springs ISD
454 to the Wimberley ISD, and
39 to the Hays ISD

RESOLUTION PASSED AND ADOPTED ON THIS 28TH DAY OF OCTOBER, 1991 TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

s/ Eddy A. Etheredge
Eddy Etheredge, County Judge

ATTEST:

s/ Ronnie Dannelley
Ronnie Dannelley, County Clerk

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11018 ADOPT RESOLUTION REQUESTING THE TEXAS DEPT. OF TRANSPORTATION TO ASSIGN A RESIDENCY ENGINEER SOLELY TO HAYS COUNTY

A motion was made by Commissioner Ford, seconded by Commissioner Payne to adopt resolution requesting the Texas Department of Transportation to assign a residency Engineer solely to Hays County. All voting "Aye".

R E S O L U T I O N

STATE OF TEXAS \*
COUNTY OF HAYS \*

RESOLUTION OF THE HAYS COUNTY COMMISSIONERS' COURT REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION TO ASSIGN A RESIDENCY ENGINEER SOLELY TO HAYS COUNTY

WHEREAS, the Hays County area has increased steadily in population and more importantly in traffic volume over the past few years; and

WHEREAS, there exists a need for more frequent and convenient communication between the Texas Department of Transportation and the government of Hays County and the nine (9) Incorporated Municipalities that lie therein; and

WHEREAS, there currently exists a temporary vacancy in the position of Resident Engineer for the Hays County/South Travis County office of the Texas Dept. of Transportation; and

WHEREAS, the Hays County Commissioners' Court supports the separate designation of the Hays County section of the Hays County/Travis County office of the Texas Dept. of Transportation engineering staff;

NOW, THEREFORE, BE IT RESOLVED BY THE HAYS COUNTY COMMISSIONERS' COURT THAT:

- 1. Hays County be granted status as a separate entity for Engineering considerations under the Texas Department of Transportation; and
2. A permanent Hays County Residency status be assigned to an Engineer who would service Hays County alone.

RESOLUTION PASSED AND ADOPTED ON THIS 28TH DAY OF OCTOBER, 1991. TO CERTIFY WHICH WITNESS OUR SIGNATURE BELOW:

HAYS COUNTY COMMISSIONERS' COURT

s/ Eddy A. Etheredge
EDDY A. ETHEREDGE, COUNTY JUDGE

ATTEST:

s/ Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK

11019 REPLACE BILL HERZOG ON THE LOSS CONTROL COMMITTEE WITH A.D.CARROLL

A motion was made by Commissioner Ford, seconded by Commissioner Rippy to replace Bill Herzog with A.D. Carroll on the Loss Control Committee and to allow the Committee to appoint a Loss Control Coordinator at their next meeting. All voting "Aye".

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## REPORT FROM GRIEVANCE COMMITTEE REGARDING REQUEST BY CONSTABLE BANKSTON

Judge Etheredge submitted a report on the Grievance Committee meeting of October 24, 1991 - Constable Pct. #4 Ed Bankston presented his case and requested his salary be increased to \$27,000 - Committee agreed to recommend a salary of \$26,510 (equivalent to the highest paid Constable). Commissioner Ford stated that this increase is not automatic without a full committee recommendation - the Court does not have to accept the recommendation. No action was taken.

## 11020 CALL FOR PUBLIC HEARING TO ADOPT A FOOD ESTABLISHMENT ORDINANCE

Allen Walther, Environmental Health Director, spoke of proposed ordinance - the County has never had a food establishment ordinance - would address fees and licensing - a good management program - ordinance would apply to establishments outside of incorporated areas and inside of incorporated areas with an interlocal agreement - annual inspections are being done according to State Law at this time. Commissioner Ford voiced his concerns about the Environmental Health Dept. having adequate staff to enforce a Food Establishment Ordinance. A motion was made by Commissioner Ford, seconded by Commissioner Rippy to call for a public hearing to be held November 18, 1991 at 10:00 o'clock A.M. to adopt a Hays County Food Establishment Ordinance to be effective January 1, 1992. All voting "Aye".

## 11021 ACCEPT MILLER TRACE (0.4 MILE) ROAD FOR COUNTY MAINTENANCE

Commissioner Rippy spoke of Miller Trace road located on the edge of San Marcos - the City of San Marcos will cooperate with cost of maintenance. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept Miller Trace road (0.4 mi) for county maintenance. All voting "Aye".

## 11022 ACCEPT SIX PINES ROAD (0.4 MILE) FOR COUNTY MAINTENANCE

Commissioner Rippy spoke of unrecorded subdivision located off Lime Kiln Road in the Six Pines subdivision - 450' of the road was accepted in 1989 and he would like to take the entire road into county maintenance. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept the remainder of Six Pines Road (0.4 mi) for county maintenance. All voting "Aye".

## 11023 ACCEPT RESIGNATION OF HAL TURNER AND APPOINT ED THOMASSEN TO THE NORTH HAYS COUNTY EMS BOARD

A motion was made by Commissioner Rippy, seconded by Commissioner Ford to accept resignation of Hal Turner from the North Hays County EMS Board and to appoint Ed Thomassen to the unexpired term. All voting "Aye".

## 11024 CALL FOR PUBLIC HEARING TO ESTABLISH A 20 MPH SPEED LIMIT ON COUNTY ROAD 195

Commissioner Rippy presented a petition requesting enforcement of a 20MPH speed limit on CR 195 - several petitioners requested a speed limit of 30MPH. A motion was made by Commissioner Rippy, seconded by Commissioner Ford to call for a public hearing to be held November 18, 1991 at 9:00 o'clock A.M. to establish a 20MPH speed limit on County Road 195. All voting "Aye".

## 11025 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Judge Etheredge to approve payment of County invoices in the amount of \$104,835.70 as presented by the County Auditor. All voting "Aye".



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|                                |    |          |                   |    |           |
|--------------------------------|----|----------|-------------------|----|-----------|
| FINE OVRPYMNTS                 | \$ | 332.50   | AUDITOR           | \$ | 101.83    |
| EXTENSION OFC                  | \$ | 204.40   | JUV PROB OFC      | \$ | 17.94     |
| INDIGENT CARE                  | \$ | 6,948.73 | TRANSFER STA      | \$ | 165.60    |
| BLDG MAINT.                    | \$ | 9,626.40 | HEALTH DEPT       | \$ | 84.44     |
| CIVIC CENTER                   | \$ | 5,790.85 | COUNTYWIDE OPER   | \$ | 11,099.31 |
| TAX A/C                        | \$ | 211.50   | COUNTY CLERK      | \$ | 50.96     |
| SHERIFF'S OFC                  | \$ | 2,106.80 | JAIL OPERATIONS   | \$ | 12,237.08 |
| COUNTY JUDGE                   | \$ | 128.91   | ADMIN. COORD.     | \$ | 54.00     |
| DISTRICT ATTORNEY              | \$ | 66.20    | J.P. 1-2          | \$ | 136.10    |
| J.P. PCT. 3                    | \$ | 105.89   | J.P. PCT. 4       | \$ | 55.62     |
| D.P.S.                         | \$ | 717.70   | CONSTABLE 1       | \$ | 83.22     |
| CONSTABLE 3                    | \$ | 36.90    | CONSTABLE 5       | \$ | 108.59    |
| VETERANS ADMIN                 | \$ | 141.82   | DATA PROC ADMIN   | \$ | 3,035.25  |
| TDH TB GRANT                   | \$ | 564.75   | PROTECTIVE HMMKR  | \$ | 37.51     |
| TDH M&C HEALTH                 | \$ | 298.64   | TDH DIR NURSING   | \$ | 616.55    |
| CJD CHILD VICTIM               | \$ | 1,000.00 | DIST CRT OPER     | \$ | 7,366.30  |
| CO & JP CRT OPER               | \$ | 2,971.70 | R & B GENERAL     | \$ | 273.39    |
| PRECINCT #1                    | \$ | 5,469.68 | PRECINCT #2       | \$ | 3,331.63  |
| PRECINCT #3                    | \$ | 5,490.15 | PRECINCT #4       | \$ | 7,119.40  |
| HOT CHECK FEE                  | \$ | 41.85    | PUBLIC WORKS      | \$ | 14,210.00 |
| ADULT PROB OPER                | \$ | 1,913.45 | ADULT PROB FAC    | \$ | 95.75     |
| ANIMAL CONTROL                 | \$ | 254.65   | ADULT PROB PRGRMS | \$ | 170.00    |
| **GEN FUND CREDIT = \$ 38.24** |    |          |                   |    |           |

11026 LANIER ADDITION REPLAT OF TRACT 1 - 1ST READING APPROVAL

Allen Walther, Environmental Health Director, spoke of need for floodplain delineation on the plat. Patsy Greiner, Admin. Coord., spoke of need to name the easement and add a cul-de-sac. Commissioner Payne stated that radius was needed. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Lanier Addition Replat of Tract 1" on first reading. All voting "Aye".

11027 LANIER ADDITION REPLAT OF TRACTS 3 & 4 - 1ST READING & VARIANCE APPROVAL

Commissioner Rippy spoke of private roadway - 26 ft. roadway with 6" base necessary - note on plat needed concerning no development allowed on part of Lot 4E - turnaround needed at the end of the road. A variance for flood study was requested (the northwest corner of Tract 4E is in the 100 year flood zone). A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Lanier Addition Replat of Tracts 3 & 4" on first hearing and to grant a variance on flood study. All voting "Aye".

11028 APPROVE VACATING PLAT OF "2001 SUBDIVISION"

Chris Sylvester appeared before the Court requesting vacation of plat of "2001 Subdivision" recorded in Volume 4 Page 86 of the Plat Records - no road was built and subdivision was never developed - would like to return property to acreage. Commissioner Wayne Ford stated that he was not opposed to vacating the plat if proper notification was made. Patsy Greiner, Admin. Coord., stated that Mr. Sylvester is the sole owner and he is also the Petitioner. A motion was made by Commissioner Ford, seconded by Commissioner Payne to approve vacating plat of "2001 Subdivision" and returning the property to acreage. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 12th DAY OF November, 1991.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS