

## Tom Green County Commissioners' Court November 9<sup>th</sup>, 2004

The Commissioners' Court of Tom Green County, Texas, met in Regular Session November 9<sup>th</sup>, 2004 in the Edd B. Keyes Building, with the following members present:

Clayton Friend, Commissioner of Precinct #1  
Karl Bookter, Commissioner of Precinct #2 **Absent**  
Jodie R. Weeks, Commissioner of Precinct #3  
Richard Easingwood, Commissioner of Precinct #4  
Michael D. Brown, County Judge

1. County Judge, Michael Brown, called the meeting to order at 8:35 AM.
6. The Pledge of Allegiance to the United States and the Texas Flags was recited. Judge Brown offered the invocation.

**8. Commissioner Weeks moved to accept the Consent Agenda as presented.**

**Commissioner Friend seconded the motion. The following items were presented:**

- A. Approved the Minutes of the Regular Meeting of October 26<sup>th</sup>, 2004 and the Minutes from the Special Meetings from October 20<sup>th</sup>, 2004, from October 27<sup>th</sup>, 2004 and from November 4<sup>th</sup>, 2004.
- B. Approved the Minutes of Accounts Allowable (Bills) from October 26<sup>th</sup>- November 9<sup>th</sup>, 2004 in the amount of \$2,013,107.64.  
Purchase Orders from October 25<sup>th</sup>- 29<sup>th</sup>, 2004 in the amount of \$81,119.73 and from November 1<sup>st</sup>-5<sup>th</sup>, 2004 in the amount of \$ 14,730.66.
- C. Accepted Personnel Actions as presented:

The following salary expenditures are being presented for your *Approval*:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>ACTION</u>	<u>EFF. DATE</u>	<u>GRADE /STEP</u>	<u>SALARY</u>	<u>SUPP/CAR ALLOW</u>
OLIVAREZ, Sandra	Jail	New Hire	11-03-04	16/1	\$874.22	
MENDOZA, Jennifer	Indigent Health Care	New Hire	10-25-04	N/A	\$6.50/Hour	
WEST, Laura	District Attorney	New Hire	11-04-04	14/1	\$792.54 S/M	
BELTRAN, Jaime V.	JJC	New Hire	11-01-04	N/A	\$958.33 S/M	
SCOTT, Susan E.	JJC	New Hire	11-01-04	N/A	\$958.33 S/M	
THOMPSON, Kristen	JJC	Salary Correction	10-01-04	N/A	\$1090.62 S/M	
CLAYTON, Jeffrey	County Attorney	Salary Increase	9-01-04	N/A	\$1751.04 S/M	\$50.00 S/M
LONGEST, Kay	County Attorney	Salary Increase	9-01-04	N/A	\$1129.86 S/M	\$300.00 S/M
HUGHES, Julie	County Attorney	Salary Increase	9-01-04	N/A	\$726.79 S/M	

The following personnel actions are presented for *Acknowledgement* and as a matter of record:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>ACTION</u>	<u>EFF. DATE</u>	<u>GRADE STEP</u>	<u>SALARY</u>	<u>SUPP/CAR ALLOW</u>
MASTERS, Melissa G.	CRTC	New Hire	10-25-04	N/A	\$770.17 S/M	
SMITH, Jana K.	District Attorney	Resignation	11-03-04	14/1	\$792.54 S/M	
FOHN, Gerald A.	CSCD	Other	09-01-04	N/A		\$208.33 S/M
NOLEN, Ben	CSCD	Other	09-01-04	N/A		\$375.00 S/M
ROBERTS, Penny	CSCD	Other	09-01-04	N/A		\$375.00 S/M
JACOBS, Bill	CSCD	Other	09-01-04	N/A		\$110.79 S/M
LOSOYA, Jose	CSCD	Other	09-01-04	N/A		\$110.79 S/M
PEREZ, Ilma	CSCD	Other	09-01-04	N/A		\$41.66 S/M
BROWN, Michael	CSCD	Other	09-01-04	N/A		\$375.00 S/M
TUCKER, William	CSCD	Salary Increase	11-01-04	N/A	\$1116.63 S/M	
SULLIVAN, Maureen	CSCD	Salary Increase	11-01-04	N/A	\$1116.63 S/M	
ARMPFIELD, Denise	CSCD	New Hire	11-02-04	N/A	\$1416.67 S/M	

- D. Acknowledged the receipt of the results of Modified Compliance Evaluation Investigation conducted by the Texas Commission on Environmental Quality as it pertained to petroleum storage tanks at the County Shop.
- E. Affirmed Judge Brown's authority to sign all documents relating to the Indigent Defense Discretionary Grant Program. (Recorded with these minutes.)
- F. Acknowledged the designation of Court Clerk as a part-time employee for Justice of the Peace, Precinct #2, as a matter of record.
- G. Accepted the Fee Collection Reports by Justices of the Peace for Precincts 1,2,3&4 for October 2004, pursuant to Section 114.044 of the Local Government Code as a matter of Record. (Filed in the County Clerk's Office)

- H. Accepted the Indigent Health Care Monthly 105 Report of Expenditures for October 2004 as a matter of record. (Recorded with these minutes.)

**All voted in favor of the motion.**

9. There was no Executive Session; therefore there was **no action**.
11. J. Nicholson Meindl, Attorney representing Blood System, Inc., a non-profit corporation that has blood collected from Blood Centers all over the United States and one is located in San Angelo. There was a Public Hearing held in the Wells Fargo Bank Board Room this morning for the purpose of hearing public input regarding the Tax-Exempt Bond Financing to be issued by the Arizona Health Facilities Authority for the benefit of Blood Systems, Inc. for the improvement of their infrastructure. There was no participation in the Public Hearing. Requesting approval by the Court for the Resolution.

**Judge Brown moved to approve a Resolution approving the Tax-Exempt Bond Financing to be issued by the Arizona Health Facilities Authority for the benefit of Blood Systems, Inc. Commissioner Friend seconded the motion and all present voted in favor. (Commissioner Bookter was absent.)** (Recorded with these minutes.)

12. The issues discussed relating to the Tom Green County Subdivision and Manufactured Home Rental Community Development Regulations were:
1. Angelo River Ranch Subdivisions 1 & 2.  
Angela Schultz and Donniese Stewart addressed the Court again, stating that they did not understand the suggestion to hire an attorney or the intent of a joint meeting between the developers, previous land owner, engineers and their attorneys, as well as the current subdivision residents (and their attorney), Commissioner Easingwood, the County Attorney and the County's Counsel.  
Commissioner Easingwood explained to the homeowners that he has been pursuing answers to the problems, even though he has not directly contacted the homeowners with his pursuits and research.  
Keith Davis, Counsel for the County, explained that mediation and discussion should be done prior to filing any lawsuits to help ease the financial burden on all concerned. He also explained that the rules and regulations that applied to this subdivision were adopted October 3, 1983.

**Judge Brown moved to suspend approval of any other subdivision until a workshop can be held to establish bond rules and regulations. Commissioner Friend seconded the motion.**

**Judge Brown rescinded his motion and Commissioner Friend rescinded his second.**

**Judge Brown moved to adopt bonding requirements or financial guarantee in lieu of bond pursuant to Local Government Code 232.004 or 232.005 of the State of Texas to be used as financial guarantees for roads, streets, and drainage requirements for any subdivision in Tom Green County. Commissioner Friend seconded the motion and all voted in favor.**

There will be a future workshop to discuss Engineering firms that can contract to verify that the requirements are met and to work out other details involving enforcement issues.

Commissioner Weeks has received a request to create another one-way street around the Grape Creek Elementary to help with the traffic flow. Public Hearing will need to be held to address this request.

10. **Judge Brown moved to approve the Replat of Tract 2, Jacobs Addition as presented. Commissioner Easingwood seconded the motion and all voted in favor.**
13. There were **no line item transfers**.
14. **Future Agenda Items Discussed:**
1. Workshop to discuss Subdivision Regulations and enforcement issues will be December 2<sup>nd</sup>, 2004.
15. **Announcements:**
1. November 10<sup>th</sup>, 2004 (tomorrow) at 9:00 AM will be a Special Meeting to Canvass the votes from the November 2<sup>nd</sup>, 2004 General Election.
  2. November 23<sup>rd</sup>, 2004 the next regular Commissioners Court meeting.
28. **Judge Brown adjourned the meeting at 11:58 AM.**

As per HB 2931, Section 4:

**I, Elizabeth McGill, County Clerk of Tom Green County, Texas do hereby attest that this is an accurate accounting of the proceedings of the Commissioners' Court Meeting that met in Regular Session on November 9<sup>th</sup>, 2004.**

**I hereby set my hand and seal to this record November 23<sup>rd</sup>, 2004.**

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Elizabeth McGill, County Clerk and  
Ex-officio Clerk of the Commissioners' Court

# Treasurers' Report on Bills during the Period of

October 26, 2004 TO November 09, 2004 AMENDED

Hand delivered Date: 11/09/04 Time: \_\_\_ p.m. \_\_\_\_\_

The attached report includes all funds that are subject to the County Treasurers' review. As a matter of procedure this report is submitted to the Commissioners' Court for approval, however, the following Funds or Bank accounts are not under the Commissioners' Court Jurisdiction nor do they require Court approval.

GENO Bank Account Fund 45 County Attorney Hot Check Funds; Fund 47 -Jury Donations; Funds 50 & 55 Dist Attorney Hot Check Funds; the TRAG (CSCD & CRTC State Funds) Bank Account and the TRAGJUV (Juvenile State Funds) Bank Account.

CSCD, CRTC, and Juvenile submit invoices related to TRAG or TRAGJUV accounts to the Auditor for processing. All other invoices are submitted directly to the Treasurers' Office for processing and audited by the Auditors' Office before issuance of checks.

### Bank Account Code - Budget

GENO - County Budget General Operating Account	TRAG - State Budget CSCD General Operating Account
TRAGJUV- State Budget Juvenile Operating Account	PAYL - Clearing account- Paychecks - Benefits-Deductions
CAFÉ - Operating Account-Cafeteria Plan Trust-Employee Deductions	95Constr - Operating Account for Detention Construction Funds
DEBT- Property Tax Budget Bond Issues Operating Account	DA- Operating Account for Sheriff and District Attorney Forfeiture Funds

### Totals

\$1,452,053.21	All Bank Accounts- Refer to Last Page	
\$571,333.43	Payroll-Employee Paychecks	31-Oct-04 & 11/5/20
	Payroll-Employee or Election Paychecks	
	Payroll-Escrow	
\$3,794.00	Jury Checks	11/11/2004
-\$14,073.00	Voids-Month of	09/01-31/04
	Miscellaneous	
<u>\$2,013,107.64</u>	Grand Total	

Submitted by Dianna Spieker, Dianna Spieker, County Treasurer

Prepared by Williams, Deputy Treasurer

Approved in Commissioner's Court on \_\_\_\_\_

Clayton Friend

Clayton Friend, Commissioner Pct #1

Absent

Karl Bookter, Commissioner Pct #2

Jodie Weeks

Jodie Weeks, Commissioner Pct #3

Richard Easingwood

Richard Easingwood, Commissioner Pct #4

Mike Brown

Mike Brown, County Judge

**2005 Tom Green County Resolution  
Indigent Defense Discretionary Grant Program**

WHEREAS, under the provisions of the Texas Government Code Section 71.062 and Texas Administrative Code Chapter 173, counties are eligible to receive grants from the Task Force on Indigent Defense to provide improvements in indigent defense services in the county; and

WHEREAS, this grant program will assist the county in the implementation and the improvement of the indigent criminal defense services in this county; and

WHEREAS, Tom Green County Commissioners Court has agreed that in the event of loss or misuse of the funds, Tom Green County Commissioners assures that the funds will be returned in full to the Task Force on Indigent Defense.

NOW THEREFORE, BE IT RESOLVED and ordered that Garland Benton Woodward is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Indigent Defense Discretionary Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that the County Judge is designated as the Program Director and contact person for this grant and the County Auditor is designated as the Financial Officer for this grant.

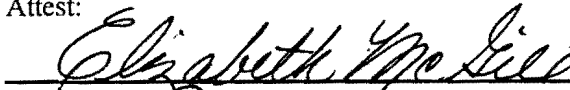
Adopted this            day of            **OCT 25 2004**, 2004.



Michael D. Brown  
County Judge



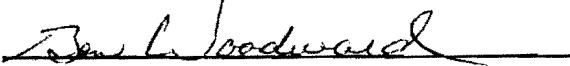
Attest:

  
County Clerk

Note: This Required Resolution is to obtain grant funds. It is not to be altered in any way other than to fill in the optional spaces. Please direct request to alter to the Task Force's Special Counsel.

**Internet Submission Form**

After submitting the discretionary grant application on-line, the following Internet submission confirmation number was received #D200522620041020. This grant application submission was in accordance with the Commissioners Court Resolution above.

  
Garland Benton Woodward  
Authorized Official

VOL. 80 PG. 417

**CIHCP MONTHLY FINANCIAL/ACTIVITY REPORT**

County Name Tom Green Report for (Month/Year) 10/04  
 Amendment of the Report for (Month/Year) \_\_\_\_\_

**I. Caseload Data**

Number of eligible individuals at the end of the report month	126
Number of SSI appellants within caseload at the end of report month	31

**II. Creditable Expenditures During Report Month**

Physicians Services	1. \$35,209.79	
Prescription Drugs	2. \$21,591.84	
Hospital, Inpatient Services	3. \$80,427.43	
Hospital, Outpatient Services	4. \$36,998.42	
Laboratory/X-Ray Services	5. \$5,800.10	
Skilled Nursing Facility Services	6. \$0.00	
Family Planning Services	7. \$0.00	
Rural Health Clinic Services	8. \$0.00	
State Hospital Contracts	9. \$0.00	
Optional Services	10. \$10,560.12	
<b>Total Expenditures</b> (Add #1 through #10.)		<b>11. \$190,587.70</b>
<b>Reimbursements Received</b> (Do not include State Assistance.)	12. ( \$14,821.25 )	
<b>6% Case Review Findings</b> (\$ in error)	13. ( \$0.00 )	
<b>Total to be deducted</b> (Add #12 + #13.)		<b>14. ( \$14,821.25 )</b>
<b>Credit to State Assistance Eligibility/Reimbursement</b> (#11 minus #14)		<b>15. \$175,766.45</b>

STATE FISCAL YEAR (September 1 – August 31) TOTAL \$ 168,593.14

General Revenue Tax Levy (GRTL) \$ 19,559,893.00

8% of GRTL \$ 1,564,791.44 6% of GRTL \$ 1,173,593.58

 11/04/04  
 Signature of Person Submitting Report Date

Print Name and Title Anita Dunlap, Director, Tom Green County Indigent Health Care

**CERTIFICATE FOR RESOLUTION APPROVING A TAX-EXEMPT  
BOND FINANCING TO BE ISSUED BY THE ARIZONA HEALTH FACILITIES  
AUTHORITY TO BENEFIT BLOOD SYSTEMS, INC.**

THE STATE OF TEXAS :  
COUNTY OF TOM GREEN :

The undersigned officer of the Commissioners' Court of Tom Green County, Texas,  
hereby certifies as follows:

1. The Commissioners' Court of Tom Green County, Texas convened in  
REGULAR/SPECIAL MEETING ON THE 9 DAY OF November, 2004, at the designated  
meeting place, and the roll was called of the duly constituted officers and members of said  
Commissioners' Court of Tom Green County, Texas, to wit:

The Hon. Mike Brown, County Judge  
Clayton Friend, Commissioner, Precinct No. 1  
Karl Bookter, Commissioner, Precinct No. 2 (Absent)  
Jodie Weeks, Commissioner, Precinct No. 3  
Richard Easingwood, Commissioner, Precinct No. 4

and all of said persons were present, except the following absentees: K. Bookter thus  
constituting a quorum. Whereupon, among other business, the following was transacted at said  
Meeting: a written

**RESOLUTION APPROVING A TAX-EXEMPT BOND FINANCING  
TO BE ISSUED BY THE ARIZONA HEALTH FACILITIES AUTHORITY  
TO BENEFIT BLOOD SYSTEMS, INC.**

was introduced for the consideration of said Commissioners' Court and read in full. It was then  
duly moved and seconded that said Resolution be adopted; and, after due discussion, said  
motion, carrying with it the adoption of said Resolution, prevailed and carried by the following  
vote:

AYES: 4

NOES: 0

ABSTENTIONS: 0

2. That a true, full, and correct copy of the aforesaid Resolution adopted at the  
Meeting described in the above and foregoing paragraph is attached to and follows this

**CERTIFICATE FOR RESOLUTION – Page 1**

DALLAS2 1057844v1 99999-00001

VOL. 80 PG. 419

Certificate; that said Resolution has been duly recorded in said Commissioners' Court's minutes of said Meeting; that the above and foregoing paragraph is a true, full, and correct excerpt from said Commissioners' Court's minutes of said meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said Commissioners' Court as indicated therein; and that each of the officers and members of said Commissioners' Court was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose; and that said Meeting was open to the public, and public notice of the time, place, and purpose of said Meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 9 day of November, 2004.

  
County Clerk of Tom Green County  
Elizabeth McGill

(SEAL)



**CERTIFICATE FOR RESOLUTION** – Page 2

DALLAS2 1057844v1 99999-00001

VOL. 80 PG. 420



**RESOLUTION APPROVING A TAX-EXEMPT BOND FINANCING  
TO BE ISSUED BY THE ARIZONA HEALTH FACILITIES AUTHORITY  
TO BENEFIT BLOOD SYSTEMS, INC.**

WHEREAS, Blood Systems, Inc. (known primarily through its community blood centers as United Blood Services), a nonprofit corporation incorporated under the laws of the State of Arizona (the "Borrower"), has requested that the Arizona Health Facilities Authority (the "Authority") issue bonds in one or more series in an aggregate principal amount not to exceed \$55,000,000 (the "Bonds") for the purpose of, among other things, financing or refinancing the acquisition of land for and the acquisition, construction, improvement, equipping, renovation, rehabilitation, and/or remodeling of capital projects (the "Financing") at certain blood centers, research, health care and related administrative facilities owned and operated by the Borrower, including a new approximately 17,800 square foot blood center (the "Facilities") to be located in the County of Tom Green, Texas (the "County");

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), the issuance of the Bonds by the Authority must be approved by the County because the Facilities are located within the territorial limits of the County;

WHEREAS, the Commissioner's Court of the County (the "Commissioner's Court") is the elected legislative body of the County and is one of the applicable elected representatives required to approve the issuance of the Bonds under Section 147(f) of the Code;

WHEREAS, the Authority has requested that the Commissioner's Court approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, following notice duly given, a public hearing (the "Public Hearing") was held by a representative of the Authority (the "Hearing Officer"), for the benefit of the County of Tom Green, Texas, regarding the issuance of the Bonds; and

WHEREAS, attached hereto as **Exhibit A** is a copy of the minutes of the Public Hearing as provided to the Commissioner's Court by the Hearing Officer; and

WHEREAS, the Commissioner's Court now desires to approve the issuance of the Bonds by the Authority;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioner's Court of the County of Tom Green, Texas, as follows:

Section 1. The Commissioner's Court hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the Commissioner's Court that this Resolution constitute approval of the issuance of the Bonds by the Authority, solely for the purposes of Section 147(f) of the Code by the applicable elected representative of the governmental unit

**RESOLUTION – Page 1**

DALLAS2 1057844v1 99999-00001

VOL. 80 PG. 421

having jurisdiction over the area in which the Facilities are to be located, in accordance with said Section 147(f).

Section 2. The officers of the County are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution.

Section 3. The adoption of this Resolution by the Commissioner's Court is not intended to, nor shall it create, any liability on the part of Tom Green County, Texas, with respect to the Bonds or the Facilities or the Financing.

Section 4. This Resolution shall take effect immediately upon its adoption.

**EXHIBIT "A" TO RESOLUTION**

**MINUTES OF PUBLIC HEARING**

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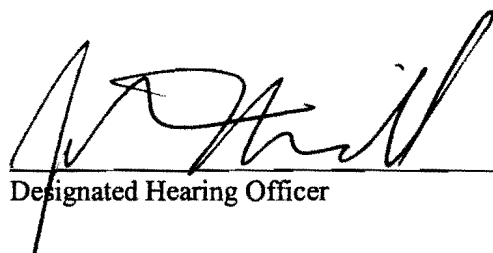
**EXHIBIT "A" TO RESOLUTION**

**VOL. 80 PG. 423**

**MINUTES OF PUBLIC HEARING**

In accordance with a Notice of Public Hearing, a copy of which is attached hereto, a public hearing was held by the Arizona Health Facilities Authority (the "Authority") on November 9, 2004, beginning at 8:00 a.m. at Wells Fargo Bank, Second Floor Boardroom, 36 West Beauregard, San Angelo, Texas 76903. Present at the meeting were the Designated Hearing Officer appointed by the Authority, J. Nicholson Meindl, and Leanna Hartgrove, Associate Executive Director of Blood Systems, Inc. in San Angelo, Texas. No comments were received by the Designated Hearing Officer either prior to, or at the public hearing regarding the plan of finance as described in the Resolution. The public hearing was closed at 8:20 a.m. on November 9, 2004.

Dated: November 9, 2004

  
Designated Hearing Officer

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that on November 9, 2004, a public hearing as required by Section 147(f) of the Internal Revenue Code (the "Code") will be held with respect to the proposed issuance by the Arizona Health Facilities Authority (the "Authority") of its revenue bonds in one or more series in an amount not to exceed \$55,000,000 (the "Bonds"). The proceeds of the Bonds will be used by Blood Systems, Inc. (known primarily through its community blood centers as United Blood Services) (the "Borrower") to finance or refinance the acquisition of land for and the acquisition, construction, improvement, equipping, renovation, rehabilitation and/or remodeling of capital projects of certain blood centers, research, health care and related administrative facilities, including (i) a new approximately 17,800 square foot blood center located at or near 2020 West Beaugard Avenue, San Angelo, Texas (in an amount not expected to exceed \$2,000,000 with respect to such local project) and (ii) the facilities of the Borrower located in other states. The facilities listed above are owned and operated by the Borrower, an Arizona nonprofit corporation and an organization as described in Section 501(c)(3) of the Code.

The hearing will commence at 8:00 a.m. on November 9, 2004, or as soon thereafter as the matter can be heard, and will be held by a representative of the Authority, for the benefit of the Commissioner's Court of the County of Tom Green, Texas. The hearing shall be held at Wells Fargo Bank Board Room, Second Floor, 36 West Beaugard, San Angelo, Texas 76903. Interested persons wishing to express their views on the issuance of the Bonds or on the nature and location of the facilities proposed to be financed or refinanced may attend the public hearing or, prior to the time of the hearing, submit written comments and/or obtain additional information concerning the above matter by addressing such comments or requests for additional information in writing to J. Nicholson Meindl, Jenkens & Gilchrist, a Professional Corporation, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202.

**AFFIDAVIT OF PUBLICATION**

**STATE OF TEXAS:  
COUNTY OF TOM GREEN:**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on \_\_\_\_\_ day personally appeared: Duane Pruitt, who, after being duly sworn, says that he/she is the Controller of the San Angelo Standard Times, a daily newspaper of general circulation in Tom Green County, Texas, and that the publication, a copy of which is attached is a true copy, and was published on the following date, to-wit: October 22, 2004.

By: *Duane Pruitt*  
Name: Duane Pruitt  
Title: Controller

Sworn and subscribed to before me this 22nd day of October, 2004,

*Gilbert A. Velez*  
Notary Public in and for the State of Texas

Commission Expires: 6-30-2007

