

Tom Green County Commissioners' Court March 8th, 2005

The Commissioners' Court of Tom Green County, Texas, met in Regular Session March 8th, 2005 in the Edd B. Keyes Building, with the following members present:

Ralph E. Hoelscher, Commissioner of Precinct #1
Karl Bookter, Commissioner of Precinct #2
Steve Floyd, 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 8:32 AM.
2. Commissioner Floyd offered the invocation. The Pledge of Allegiance to the United States and the Texas Flag was recited.

4. Commissioner Bookter moved to accept the Consent Agenda as presented. Commissioner Floyd seconded the motion. The following items were approved:

- A. Approved the Minutes of the Meeting from February 22nd, 2005
- B. Approved the Minutes of Accounts Allowable (Bills) from February 22nd, through March 8th, 2005 in the amount of \$ 1,183,055.04.
Purchase Orders from February 21st – 25th, 2005 in the amount of \$ 23,304.69 and from February 28th through March 4th, 2005 in the amount of \$ 22,020.33.
- C. **Approved 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>
Kolb, Andy	Sheriff	Promotion	3-01-05	19/4	\$1091.68 S/M	
Fiveash, William J.	Jail	Promotion	2-16-05	20/1	\$1065.18 S/M	
Moore, Sandy	Sheriff	Promotion	3-01-05	21/2	\$1147.97 S/M	
Faison, David C.	Sheriff	Promotion	2-16-05	24/1	\$1298.09 S/M	
Williamson, Tricia	Treasurer	New Hire	2-22-05	N/A	\$5.15/Hour	
Perez, Nelson	Parks	Other	3-01-05	17/1	\$919.48 S/M	
Booth, Kristin	Juvenile Probation	New Hire	3-01-05	N/A	\$958.33 S/M	
Bible, Craig	Juvenile Probation	New Hire	3-01-05	N/A	\$958.33 S/M	
Robinson, Cory G.	Library	New Hire	3-07-05	N/A	\$5.75/Hour	
Eades, Ruth	Treasurer	New Hire	2-28-05	N/A	\$6.00/Hour	
Martinez, Heather	Collections	New Hire	2-28-05	8/1	\$589.44 S/M	
Ryan, Benita	Sheriff	New Hire	3-01-05	12/1	\$717.48 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>
Stevens, Matthew J.	Sheriff	Resignation	2-28-05	12/1	\$717.48 S/M	
Beuvink, Frans	Jail	Dismissal	2-14-05	16/5	\$965.84 S/M	
Lowry, Alice G.	CSCD	Salary Increase	1-16-05	N/A	\$1656.63 S/M	
Compton, Jonathan	CSCD	Salary Increase	2-16-05	N/A	\$1415.29 S/M	
Shields, Amy J.	CSCD	Promotion	3-01-05	N/A	\$769.33 S/M	
Tucker, William	CSCD	Salary Increase	2-16-05	N/A	\$1161.29 S/M	
Baulos, Robert W.	CSCD	Promotion	3-01-05	N/A	\$840.67 S/M	
Cave, Laura	Treasurer	Resignation	2-04-05	N/A	\$5.15/Hour	
Schmiedekamp, Myron	Parks	Dismissal	2-24-05	17/3	\$965.84 S/M	
Grappe, Michele D.	JP #4	Job Abandonment	12-16-04	10/1	\$650.15 S/M	
Smith, Gregory	Juvenile Detention	Resignation	2-17-05	N/A	\$811.46 S/M	\$54.17
Montes, Michelle	Juvenile Detention	Resignation	2-21-05	N/A	\$7.50/Hour	
Faull, Kathy	Jail	Resignation	3-15-05	14/2	\$812.40 S/M	
Robertson, Donnie E.	Road & Bridge 1/3	Retirement	3-10-05	15/3	\$874.22 S/M	
Munoz, Adelina J.	CSCD	Salary Increase	1-16-05	N/A	\$1278.21 S/M	

The following personnel actions are presented for *Grants* as a matter of record: **NONE**

- D. Accepted the Indigent Health Care Monthly 105 Report for February 2005 as a matter of record. (Recorded with these minutes)

- E. Accepted the renewal of the Internet Media Liability Insurance Policy for \$10,290.35 with American International Specialty Lines Insurance Company.
- F. Accepted, for the record, payment of damages resulting from a vehicle accident involving a CSCD vehicle, which took place on January 28, 2005.
- G. Accepted the Fee Collection Report by Justice of the Peace from Precincts 1,2,3 & 4 for February 2005, pursuant to Section 114.044 of the Local Government Code, as a matter of record. (Filed in the County Clerk's Office for review.)
- H. Acknowledged an application by all four Justice of the Peace Offices for a Federal Motor Carrier Safety Administration Grant from the Texas Department of Public Safety.

All voted in favor of the motion.

- 8. **Commissioner Hoelscher moved to contribute \$1,000.00 to enter into an Interlocal agreement with UCRA (Upper Colorado River Association) as an oversight of the permitting process of the YFZ community's wastewater treatment plant in Schleicher County to avoid contamination of the South Concho River, which is a tributary to Twin Buttes. Commissioner Hoelscher amended his motion to contribute \$7,500.00, matching the City of San Angelo and the UCRA, with each contributing \$7,500.00 to be paid out of contingency, to enter into an Interlocal agreement with UCRA (Upper Colorado River Association) as an oversight of the permitting process of the YFZ community's waste water treatment plant in Schleicher County to avoid contamination of the South Concho River which is a tributary to Twin Buttes. Judge Brown seconded the motion and all voted in favor. (myeldorado.net is the web site for more information)**
- 5. **Judge Brown moved to adopt the Proclamation proclaiming March 2005 as Mental Retardation Month in Tom Green County. Commissioner Floyd seconded the motion and all voted in favor. (Recorded with these minutes.)**
- 6. **Commissioner Floyd moved to grant a variance for the Developmental Permit Only, but not to an on site sewage permit. Commissioner Bookter seconded the motion. Judge Brown, Commissioners Hoelscher, Bookter and Floyd voted in favor of the motion. Commissioner Easingwood opposed the motion. The motion passed 4 to 1.**
- 7. Dennis McKerley, Republican Chairman, read a letter to the Court that was composed by Ron Michulka, Democratic Chairman (recently deceased) and Mr. McKerley. The letter was in opposition of abandonment of the optical scanning system that is currently being used, in order to use the DRE machines. They feel that many of the voters will be intimidated by the new system and would decrease the turnout for elections. Ms. Taylor, Election Administrator, explained to the Court that the optical scan was not the problem in the last election, but the software, which is being replaced. She further explained that the scanner system is not being re-certified, so it will have to be replaced after 2006. **No action taken.**
- 12. Sheriff Hunt requested an additional mechanic to be added to the County Shop staff in order to get the patrol cars back into service in a timelier manner. Mark Horner, Shop foreman, explained that in the past there have been 2 to 3 jail inmates to assist with flats, oil changes and other repairs that they were trained for. Due to the jail certification requirements for inmates, they can no longer use the inmates for shop duties. The HR department will review and evaluate the present situation and report back to the Court with a recommendation. **No action taken.**
- 9. **Commissioner Bookter moved to allocate funds, not to exceed \$10,000.00, as financial support for Tom Green County's bid for the 2007 West Texas County Judges and Commissioners' Association Convention and adopt the Resolution in support of it. Commissioner Hoelscher seconded the motion and all voted in favor. (Recorded with these minutes.)**
- 10. **Judge Brown moved to award RFB-05-011 Asphalt and Oil Products to Alon and Koch as presented. Commissioner Floyd seconded the motion and all voted in favor. (Recorded with these minutes.)**

10-B. Commissioner Easingwood moved to exercise optional 1-year continuation with NTS as stated in original contract. Commissioner Bookter seconded the motion and all voted in favor. (Recorded with these minutes.)

11. Commissioner Easingwood moved to allow the Parks Department to post six signs around the recently completed Hike and Bike Trail in Pugh Park pursuant to Transportation Code 545.422 prohibiting the operating of motorized vehicles on the Hike and Bike Trail and the enforcement thereof. Judge Brown seconded the motion and all voted in favor.

13. Judge Brown moved to adopt the modification, adding must be at least 18 years of age for rental and add a security/ clean up deposit, to the Park Rental Policy as presented. Commissioner Floyd seconded the motion and all voted in favor. (Recorded with these minutes.)

14. Dr. Dan Stultz, Shannon Hospital, addressed the impact of cuts in Medicaid and CHIPS to our area. He explained that they are requesting the state legislature to reinstate funding for these programs and wanted the Court to be aware of the impact to Tom Green County. Urging better usage of the State School and those employees that are trained with dual diagnosis. He complimented the Mental Health Deputies for their services. No action taken. (Study recorded with these minutes.)

15. The issues discussed relating to the Tom Green County Subdivision and Manufactured Home Rental Community Development Regulations were:

- 1. Commissioner Easingwood wants to review past minutes regarding drainage issues in River Ranch Subdivision.**
- 2. Regulations need to be included regarding storm water in contracts. No Action taken.**

16. There were no line item transfers.

17. Future Agenda Items Discussed:

1. Consider necessary action regarding a deed for Abbott Lane in Precinct #2.
2. Consider alternatives for relocating the Justice of the Peace office for Precinct #2.

18. Announcements:

1. The next regular Commissioners' Court meeting will be Tuesday, March 22nd, 2005.
2. Commissioners & Judges Conference in Odessa begins March 22nd.
3. Commissioner Bookter will be going to Austin regarding Roy K. Robb Facility.

19. Judge Brown adjourned the meeting at 10:40 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 March 8th, 2005.

I hereby set my hand and seal to this record March 22nd, 2005.

Marie Robertson, Deputy County Clerk for
Elizabeth McGill, County Clerk and
Ex-officio Clerk of the Commissioners' Court

CIHCP MONTHLY FINANCIAL/ACTIVITY REPORT

County Name Tom Green Report for (Month/Year) 02/05
 Amendment of the Report for (Month/Year) _____

I. Caseload Data

Number of eligible individuals at the end of the report month	113
Number of SSI appellants within caseload at the end of report month	31

II. Creditable Expenditures During Report Month

Physicians Services	1. \$10,066.40	
Prescription Drugs	2. \$17,172.97	
Hospital, Inpatient Services	3. \$64,756.40	
Hospital, Outpatient Services	4. \$9,419.89	
Laboratory/X-Ray Services	5. \$3,663.36	
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. \$4,116.45	
Total Expenditures (Add #1 through #10.)		11. \$109,195.47
Reimbursements Received (Do not include State Assistance.)	12. (\$4,956.55)	
6% Case Review Findings (\$ in error)	13. ()	
Total to be deducted (Add #12 + #13.)		14. (\$4,956.55)
Credit to State Assistance Eligibility/Reimbursement (#11 minus #14)		15. \$104,238.92

STATE FISCAL YEAR (September 1 – August 31) TOTAL \$ 434,458.66

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

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

Anita I. Dunlap  03/01/05
 Signature of Person Submitting Report Date

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

2005 Mental Retardation Month

WHEREAS, approximately 565,000 Texans have mental retardation, and mental retardation does not distinguish among those it affects: the rich, and poor, old and young; male and female; White, Hispanic, Black, and Asian; friends and relatives; and

WHEREAS, the mission of the Texas Department of Mental Health and Mental Retardation is to afford Texas citizens with mental retardation the opportunity to live as useful and productive lives as possible and to develop their respective capacities to the fullest extent possible; and

WHEREAS, there are situations where stigma, rooted in fear and lack of understanding, has prevented persons with mental retardation from receiving the services that could help them live independently; has prevented families from receiving the support and understanding they need to keep their family member with them in the community; has prevented children from reaching their full potential; has provided limited placement options for those in need and long-term residential services; and

WHEREAS, most persons with mental retardation with support can live productive and fulfilling lives; and

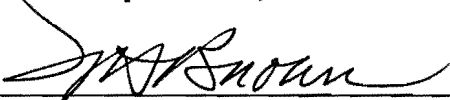
WHEREAS, today's research is opening new insights into the causes, treatment, and possible prevention of mental retardation and bringing new hope to the lives of persons with mental retardation; now, therefore be it

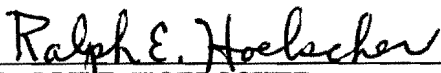
RESOLVED, that the Tom Green County Commissioners' Court is pleased to recognize the month of March, 2005, as


"Mental Retardation Month"

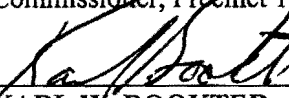
as a mean of promoting an understanding of mental retardation that will lessen stigma, reduce fear, and result in more persons with mental retardation having the opportunity to live in the most appropriate setting possible and function to their fullest possible capacity.

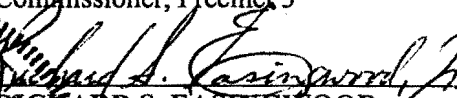
In official recognition whereof, the Commissioners' Court of Tom Green County, Texas hereby affix our signatures this 8th day of March, 2005.


MICHAEL D. BROWN, County Judge
Tom Green County, Texas

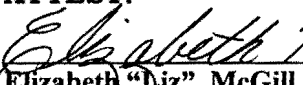

RALPH E. HOELSCHER
Commissioner, Precinct 1

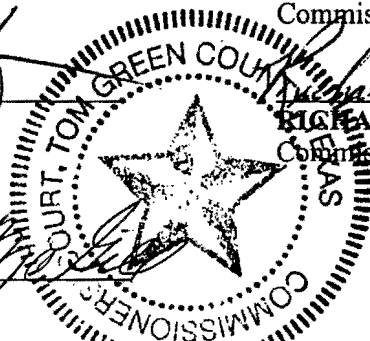

STEVEN C. FLOYD
Commissioner, Precinct 3


KARL W. BOOKTER
Commissioner, Precinct 2


RICHARD S. EASINGWOOD
Commissioner, Precinct 4

ATTEST:


Elizabeth "Liz" McGill
Tom Green County Clerk



RESOLUTION

BE IT REMEMBERED, that on the 8th day of March, 2005, at a regular meeting of the Tom Green County Commissioners' Court, the following Resolution was OFFERED and ADOPTED, to-wit:

WHEREAS, the West Texas County Judges and Commissioners Association holds an annual conference, which is considered one of the most prestigious and productive County-related conferences held in the State of Texas; and

WHEREAS, Tom Green County, as an active and long-standing member of the West Texas County Judges and Commissioners Association, would be honored to host the Association's annual meeting; and

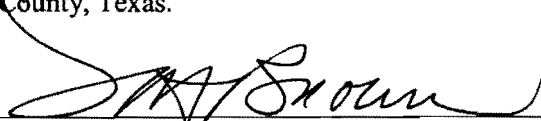
WHEREAS, this conference was last hosted in San Angelo in 1996; and

WHEREAS, the Annual Conference will bring an estimated 700 County Judges and Commissioners and their families, as well as vendors and exhibitors to San Angelo from all over with substantial economic impact on our community's economy; and

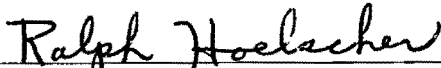
WHEREAS, as Host County, Tom Green County can offer first class lodging and meeting sites and will provide related conference activities that will make 2007 Annual Conference of the West Texas County Judges and Commissioners Association one of the organization's best ever.

NOW, THEREFORE, BE IT RESOLVED, that we the Commissioners Court of Tom Green County, do hereby welcome and invite the West Texas County Judges and Commissioners Association to hold its 2007 Annual Conference in Tom Green County.

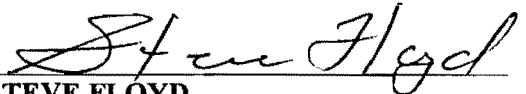
IN WITNESS, WHEREOF, we have hereunto set our hands on this the 8 day of March, 2005, in San Angelo, Tom Green County, Texas.



MICHAEL D. BROWN,
Tom Green County Judge



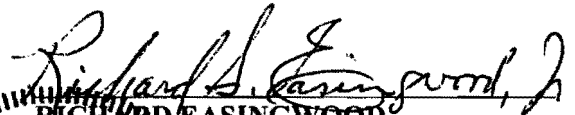
RALPH HOELSCHER
Commissioner, Precinct 1



STEVE FLOYD
Commissioner, Precinct 3

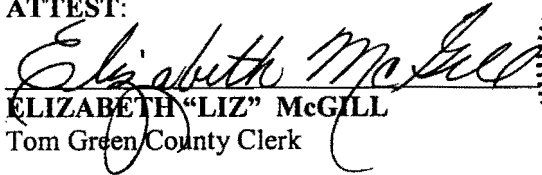


KARL BOOKTER
Commissioner, Precinct 2

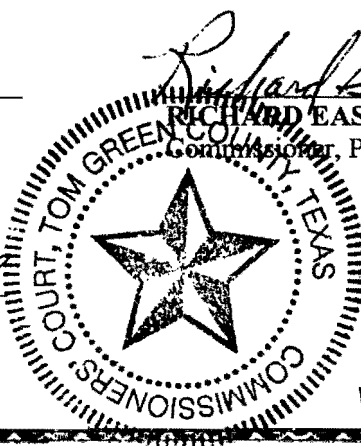


RICHARD EASINGWOOD, JR.
Commissioner, Precinct 4

ATTEST:



ELIZABETH "LIZ" MCGILL
Tom Green County Clerk



SP RFB 05-011 "ASPHALT AND OIL PRODUCTS" SpreadSheet

Company	Alon	Koch
MC - 30	\$ 1.27	no bid
MS - 1 & 2	no bid	no bid
SS-1	no bid	\$ 1.0106
AC - 5	\$ 0.92	no bid
RC - 250	\$ 1.27	no bid
AC - 10	\$ 0.88	no bid
CRS - 2	no bid	no bid
AC3	\$ 0.97	no bid
HFRS2	no bid	\$1.0106
MC 2400Latex	\$ 1.27	no bid
Asphalt Rubber Crack Seal	no bid	no bid
		*charges see attached sheet



KOCH MATERIALS COMPANY

ASSESSORIAL CHARGES & ASSIGNMENT

March 3,2005

*** Miscellaneous charges associated with delivery of product.**

Freight Charge – The delivery charge per gallon is based on a minimum of 45,000 pounds.

Return Freight – Return Freight on product returned to vendor via common carrier is one half of original freight.

Pump & Hose Charge – This charge is \$75.00 per load when pump and hose is used.

Drop and Diversion Charge – There is a \$100.00 charge for any Drop and Diversion of delivered loads.

Demurrage Charge – Demurrage Charges will be billed to Tom Green County directly from Koch Materials Company at a rate of \$70.00 per hour. The first two hours after scheduled delivery time are free.

ASSIGNMENT: Notwithstanding any other provision herein, the rights and duties hereunder may be assigned or transferred by [Buyer], in whole or in part, at Bidders sole discretion.

A handwritten signature in black ink, appearing to read 'Cary P. Brownlee'.

Cary P. Brownlee
Technical Marketing Representative
Koch Materials Company

Tom Green County



Johnny Grimaldo
Purchasing Agent

313 W. Beauregard
San Angelo, Texas 76903
326-459-4300/Fax 326-459-3441

Mary Adams
Purchasing Assistant

Thursday, February 10, 2005

NTS
Attn: Glenn Roberts
232 W. Beauregard
Suite 200
San Angelo, Texas 76903

NTS,

Tom Green County is interested in renewing the bid for RFB 02-003 "Long Distance Services." The current contract expired March 25, 2005. If your firm is in agreement to renew this contract please sign below and return to the Purchasing Dept. by March 7, 2005. This action will be presented to the Commissioners' Court for the County Judge's signature. If renewal is implemented, the new term for this agreement will be March 26, 2005 through March 25, 2006.

Sincerely,

Johnny Grimaldo
Purchasing Agent

I agree to the renewal of this contract.

I do not wish to renew this contract.

Glenn Roberts
NTS Rep. Signature

3-7-05
Date

Tom Green County agrees to renew this contract.

Michael D. Brown
Michael D. Brown, County Judge

3-8-05
Date

TOM GREEN COUNTY PARK POLICY

Tom Green County Parks are open to the general public at no charge; however, some park buildings or pavilions may be rented to groups or individuals on a first come first served basis.

The payment of rent or electricity fee only allows payee the use of the building or pavilion. It does NOT grant him/her control of the entire park.

The charging an admission or access fee by anyone other than Tom Green County for entry into any area of any county owned park is *strictly prohibited*.

Unless prior approval for such activities has been granted by Tom Green County Commissioners Court, commercial vendors are prohibited from conducting business for personal profit on public property at all times.

Park User Agreement Form must be signed by payee and available for presentation to Tom Green County Parks personnel upon request

Violators of this policy will be subject to removal from park.

Additions:

Must be 18 years or older to rent county buildings or pavilions.

Security deposit of \$125.00

**TOM GREEN COUNTY
PARK USER AGREEMENT**

_____ has reserved the _____
Print Name small, large, pavilion
Building/Pavilion located at Tom Green County's _____
Park Name
by paying the required rent or electricity usage fee of \$ _____ for the date(s)
of _____, 200____.
Month Day(s)

The person named above agrees that the payment of rent or electricity usage fee only allows him/her the use of the building or pavilion stated above and does NOT grant him/her control of any other area within the park.

Person named above further understands that Tom Green County parks are open to the general public at no charge and that the charging an admission or access fee by anyone other than Tom Green County for entry into any area of any Tom Green County owned park is *strictly prohibited*.

Unless prior approval for such activities has been granted by Tom Green County Commissioners' Court, commercial vendors are prohibited from conducting business for personal profit on public property.

Violators of this agreement are subject to removal from the park.

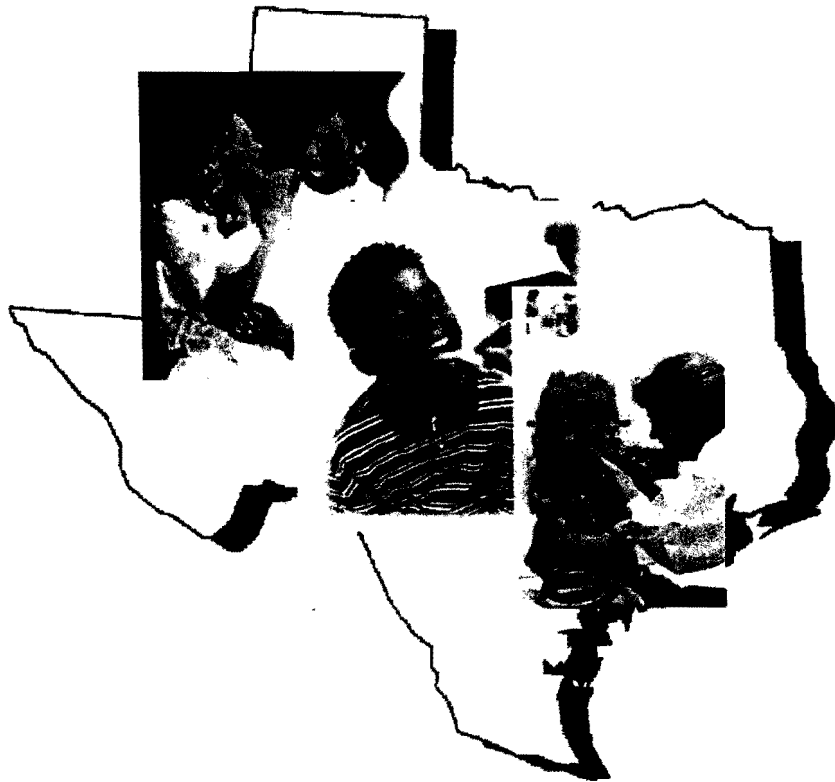
Signature of Payee

[Note: Form must be signed by payee and available for presentation to Tom Green County Parks Personnel upon request.)

“Critical Condition!”

*An Assessment of the Impact of the Health Care Sector on the
Texas Economy, with Emphasis on the Situation Confronting
Hospitals and the Effects of Medicaid and
Children’s Health Insurance Program (CHIP) Funding Reductions*

Executive Summary



The Perryman Group
510 N. Valley Mills Dr., Suite 300
Waco, TX 76710
ph. 254.751.9595, fax 254.751.7855
info@perrymangroup.com
www.perrymangroup.com

February 2005

perrymangroup.com
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Measured on a dynamic basis, every dollar in net cuts in State funding for Medicaid and CHIP results in

✓ \$2.32 in lost Federal health care funding
✓ \$3.66 in total health care funding losses
✓ \$13.18 in total expenditure losses
✓ \$6.92 in gross state product losses
✓ \$4.80 in personal income losses
✓ \$2.88 in consumer spending losses
✓ \$1.81 in retail sales losses
✓ \$1.59 in increased insurance premiums
✓ \$0.58 in local government cost increases and revenue losses
✓ \$1.52 in out-of-pocket and other private health care costs

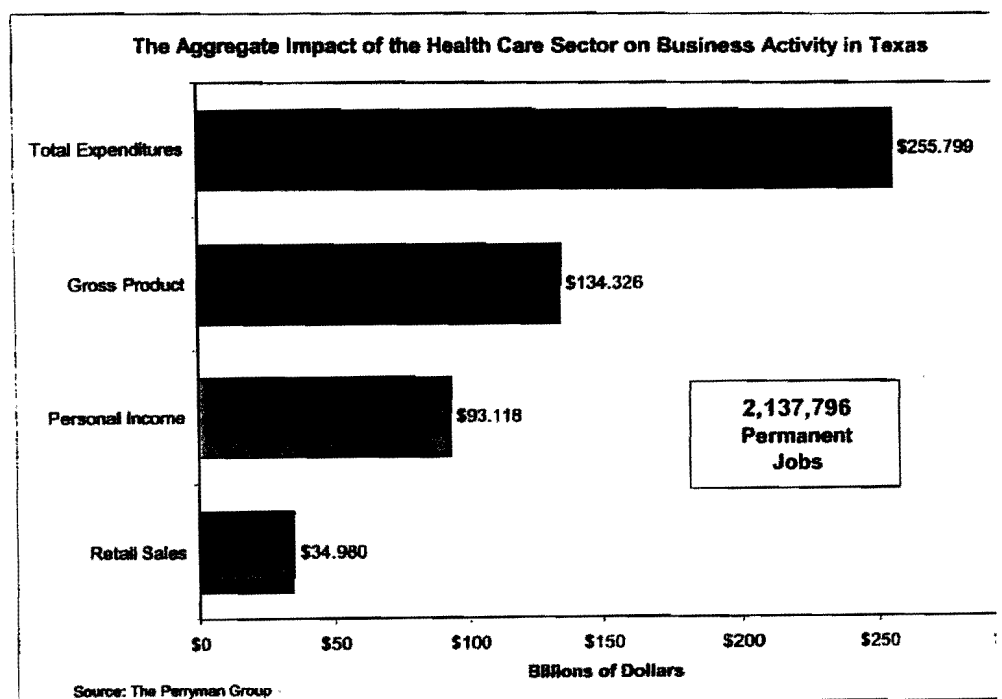
In addition, the reduction in State funding does nothing to reduce the underlying need for care. Instead, the burden is merely shifted from the State to local governments, hospitals, and the people of Texas. In fact, in several areas, taxes have been raised to cover indigent health care; even so, many local hospital districts are struggling to remain viable. Moreover, without an adequate program for preventive care, the ultimate costs of treatment can escalate as minor medical issues become larger problems.

Another mechanism through which State funding reductions impact the economy is through reduced business activity. As expenditures

The following sections describe the results of this impact assessment for Texas; the full report and Appendices incorporate findings for the regions, metro areas, and counties of Texas.

Impact of the Health Care Sector

Although the value of the provision of health care goes far beyond dollars and cents, there is no doubt that health-related firms play an important role in the Texas economy, as well as serving as generators of economic activity in local areas across the state.



The industry is responsible for 15.0% of overall state output, 16.5% of earned personal income, and 17.2% of all

Moreover, Texas hospitals suffer a dynamic revenue loss of \$830.7 million over the biennium. This withdrawal from the acute care complex represents a serious blow to the viability of these facilities and their capacity to serve as a primary safety net in the health care complex. **The State also suffers a dynamic fiscal reduction of \$218.8 million over the biennium.**

Conclusion

The U.S. is currently facing a looming crisis in the area of health care. With cost increases reducing affordability of treatment and expanding the numbers of persons unable to afford insurance, the role of programs such as Medicaid and CHIP is becoming ever more important.

Moreover, reductions in Medicaid and CHIP are not a good solution for State budgetary problems. They lead to losses in federal funding and costs to the private sector that far outweigh the benefits. With the lost business activity, State tax receipts are affected. A dynamic analysis clearly shows that reducing spending for Medicaid and CHIP is ultimately a losing proposition.

Access to health care for all, regardless of wealth or income, is a worthy societal goal. While fiscal constraints are a harsh reality, it makes absolutely no sense to sacrifice health care in an attempt to balance budgets when funding cuts do more harm than good on an economic basis. Add to that the emotional and physical toll of inadequate treatment and it is more than clear that Medicaid and CHIP funding cuts represent

short-sighted and counterproductive public policy given the current national framework for indigent care.

This study reveals that the Texas health care complex is fragile and that hospitals are severely challenged by the current situation. If Texas is to continue its leadership in economic development and maintain a viable quality of life, it is imperative that it respond to a daunting challenge and make the investment essential to maintaining a strong system of medical care delivery on a continuing basis.