

**Tom Green County Commissioners' Court  
December 13<sup>th</sup>, 2005**

The Commissioners' Court of Tom Green County, Texas, met in Regular Session December 13<sup>th</sup>, 2005. 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 Mike Brown called the meeting to order at 8:35 AM.
2. Commissioner Karl Bookter offered the invocation. Pledge of Allegiance to the United States and the Texas Flags were recited.
4. **Commissioner Easingwood moved to accept the Consent Agenda presented. Commissioner Floyd seconded the motion. The following items were presented:**
  - A. Approved the Minutes of the Meetings from November 29<sup>th</sup>, 2005.
  - B. Approved the Minutes of Accounts Allowable (Bills) from November 30<sup>th</sup> – December 13<sup>th</sup>, 2005 in the amount of \$1,627,766.49 (Recorded with these Minutes.)  
Approved the Purchase Orders from November 28<sup>th</sup> – December 2<sup>nd</sup>, 2005 in the amount of \$61,148.48 and from December 5<sup>th</sup> – 9<sup>th</sup>, 2005 in the amount of \$44,374.75.
  - C. 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>
Butera, Linda	JP #1	Salary Increase	12-06-05	12/6	\$867.42 S/M	
Hall, Jacqueline L.	Sheriff's Office	New Hire	12-05-06	12/1	\$766.67 S/M	
Hall, Amber D.	Jail	New Hire	12-05-05	16/1	\$931.89 S/M	
Ott, Marcilee R.	Sheriff's Office	New Hire	11-30-05	12/1	\$766.67 S/M	
Tafoya-Moreno, Sylvia	JP #2	New Hire	12-01-05	10/1	\$695.39 S/M	
Branham, Garry L.	Extension Office	New Hire	12-01-05	N/A	\$641.56 S/M	\$308.33 S/M
Rodriguez, Tammy	Jail	New Hire	12-02-05	16/1	\$931.89 S/M	
Lott, Tyler K.	County Attorney	New Hire	12-06-05	N/A	\$6.45/Hour	
Martinez, Marie A.	County Attorney	New Hire	12-06-05	N/A	\$6.45/Hour	
Talamantes, Kriselda	Vehicle Registration	Promotion	12-05-05	12/1	\$766.67 S/M	
Pate, Marilyn	Auditor	Date Correction	11-01-05	N/A	\$2791/Month	
Gutierrez, Mark	Jail	New Hire	11-30-05	16/1	\$931.89 S/M	
Torres, Amelia	Elections	Promotion	12-09-05	11/1	\$730.16 S/M	
Nussbaum, Claire	Library	New Hire	12-08-05	N/A	\$6.90/Hour	

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>
Kirk, Bryan L.	Fleet Maintenance	Retirement	12-31-05	9/22	\$1112.35 S/M	
Crimm, Susanne L.	Jail	Resignation	11-15-05	16/2	\$955.19 S/M	
Rodriguez, Tammy	Jail	Resignation	12-05-05	16/1	\$931.89 S/M	
Norris, Susanne M.	County Attorney	Resignation	11-25-05	N/A	\$6.80/Hour	
Evans, Heath	Jail	Resignation	12-17-05	16/1	\$931.89 S/M	
Peeples, Rebekah	Juvenile Detention	Dropped	12-06-05	N/A	\$7.50/Hour	
Batla, Cathy	Juvenile Detention	Dropped	12-06-05	N/A	\$7.50/Hour	
Hunt, Whitney J.	Juvenile Detention	Resigned	12-06-05	N/A	\$6.00/Hour	

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

- D. Approved transfer of County Property files from Treasurer’s Office to Director of Administrative Services. (List of documents recorded with these Minutes.)
- E. Accepted the Indigent Health Care Monthly 105 Report of Expenditures for November 2005 as a matter of record. (Recorded with these Minutes.)
- F. Accepted the November 2005, Fee Collection Report by Justice of the Peace Precinct 1,3 & 4, pursuant to Section 114.044 of the Local Government Code as a matter of record. (Filed in the County Clerk’s Office for Review)

**The motion passed 5-0.**

**12 A. Commissioner Floyd moved to approve the Committees recommendation of site B for the location of the proposed Faith Based Prison Facility and the approval of the Construction and Management Contract, and then proceed with negotiation with the City of San Angelo regarding the purchase of the site B property along Highway 67 North. Commissioner Bookter seconded the motion. Judge Brown, Commissioners Bookter and Floyd voted in favor of the motion. Commissioners Hoelscher and Easingwood voted in opposition. The motion passed 3-2.**

Judge Brown postponed the Management Agreement Contract approval until January 10<sup>th</sup>, 2006, due to absence of Counsel.

**10. Commissioner Hoelscher moved to approve amending the current Investment Policy to include wording for the Capital Campaign Funds on page 9 and authorize the Judge to sign all necessary papers regarding the Capital Campaign Fund Agreement as presented for the Library Expansion funds.**

**Commissioner Bookter seconded the motion. The motion passed 5-0.** (Recorded with these minutes.)

**12. Judge Brown moved to approve Permit #62PJW to conduct geophysical operations across county owned or leased property in Precinct #2. Seismic wave generation is prohibited from County roads or right of ways. Commissioner Bookter seconded the motion. The motion passed 5-0.** (Recorded with these minutes.)

**5. Commissioner Easingwood moved to adopt an amendment to the Workers Comp Policy that will add volunteers to the coverage and language to govern that addition by amending 7.06 as follows:**

**7.06 WORKERS' COMPENSATION.** All employees of Tom Green County are covered by the workers' compensation insurance program. The county pays the premium with the exception of CSCD and CRTG, which is carried by the state. Workers' Compensation coverage provides medical and salary continuation payments to employees who receive bona fide, on-the-job, work-related injuries. (Detailed information about workers' compensation benefits is found in Section 10 - Health and Safety.) (*Legal reference: Article 8306- 8309, esp. 8308 et seq, V.T.C.S*)

In addition, eligible volunteers who are used by the county for specific jobs may also be covered. In order for coverage to be in force for a volunteer, they must:

- be listed as a regularly scheduled volunteer by a county department;
- be cleared through a pre-employment screening process; and
- log in and out and keep their time current to every shift.

This policy does not pertain to "event only" or one time volunteers who come to help the county with specific projects, but only to those volunteers who are listed by departments and serve in their volunteer capacity on a regular and ongoing basis. The department head who utilizes volunteers will be the responsible party and shall verify that the requirements are met in order for the workers comp coverage to be in force. It is the department head's responsibility to see that volunteers who are otherwise eligible for coverage have met the requirements before coverage is extended. If an attempt is made to obtain coverage under workers comp without the requirements being met, it could constitute insurance fraud and liability could extend beyond the county to the individuals responsible.

**Commissioner Floyd seconded the motion. The motion passed 5-0.**

**6. Judge Brown moved to adopt language as recommended by Counsel Dana Banks, regarding the change in Personnel Policy 5.12 to add the word voluntary before the wording demotion/downgrade/transfer. Motion died for lack of a second.**

**After further discussions, Commissioner Bookter moved to adopt the verbage used in Judge Brown's motion to amend the current Personnel Policy dealing with Demotions/Voluntary Downgrades. Commissioner Floyd seconded the motion. The motion passed 5-0.** (The Complete text and wording can be viewed on the Human Resource Website.)

**7. Commissioner Easingwood moved to set a fee for cutting the surface of a County Road at \$500.00 per incident as allowed by Local Government Code 240.907, with fees to be paid and receipted by the County Treasurer's Office. Commissioner Floyd seconded the motion. The motion passed 5-0.**

8. **Commissioner Bookter moved to accept the Auditor's Monthly Report for October 2005 as presented. Commissioner Easingwood seconded the motion. The motion passed 5-0.** (Recorded with these minutes.)
9. **Commissioner Hoelscher moved to accept the Treasurer's Monthly Report for November 2005 as presented. Commissioner Floyd seconded the motion. The motion passed 5-0.** (Recorded with these minutes.)
11. **Judge Brown moved to acknowledge the Compliance Plans for Tom Green County as presented, to comply with SB 1863. Commissioner Floyd seconded the motion. The motion passed 5-0.** (Recorded with these minutes.)
- 12 B. **Commissioner Easingwood moved to acknowledge the Proposal from Frost Bank as presented, for the financing of the Hart Anthem System being installed in the County Clerk's Office. Commissioner Bookter seconded the motion. The motion passed 5-0.** (Recorded with these minutes.)
13. **No further action was taken** regarding the Hemphill Wells Building/Library Committee Report.
14. The issues discussed relating to the Tom Green County Subdivision and Manufactured Home Rental Community Development Regulations were:
  - A. Several request have been received for acceptance of roads.
  - B. Uniform policy needs to be adopted for acceptance consideration of additional roads.
  - C. ETJ areas need to be addressed.
  - D. Verification by engineers with core testing requirements.**No action taken.**
15. There were no line item transfers.
16. **Future Agenda Items Discussed:**
  1. Consider accepting Professional Management Agreement – January 10<sup>th</sup>, 2006.
17. **Announcements:**
  1. Next Regular Commissioners' Court Meeting will be December 20<sup>th</sup>, 2005 with no Court scheduled for December 27<sup>th</sup>, 2005.
  2. Commissioners and Judges CEU credits at the Extension Services A&M Research Center, Wednesday.
  3. Legacy will not be giving the flu shots to County Employees as previously agreed upon.
18. **Commissioner Bookter, Judge Pro tem, adjourned the meeting at 10:36 A.M.**

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 December 13<sup>th</sup>, 2005.**

**I hereby set my hand and seal to this record December 20<sup>th</sup>, 2005.**

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