

The State of Texas ()  
County of Burnet () On this 28th day of December, 1998, the Burnet County Commissioners Court met in session. The following members of the court were present: Judge Martin McLean; Comm. Prec. #1, James Holbrook; Comm. Prec. #2, Carroll McCoy; Comm. Prec. #3, George DeSpain; and Comm. Prec. #4, Craig Seward.

Agenda  
For  
Regular Meeting To Be Held December 28, 1998, 9:00 A.M.  
Room 100, Burnet County Courthouse, 220 South Pierce,  
Burnet, Texas

1. Approval of minutes from previous meeting.
2. Consideration and payment of claims previously approved by the County Auditor.
3. Examination and approval of reports of County Officials as required by Article 1617 R.C.S.
4. Budget line item transfer, if any.
5. Consideration of any pending personnel matters.
6. Call for bids, bid openings and discussion of bids, if any.
7. Payroll approval.
8. Departmental equipment requests and/or property transfers, if any.
9. Report on correspondence and/or any other reports.
10. Discussion and/or action concerning Stormwater Regulations proposed by the Environmental Protection Agency.
11. Discussion and/or action relating to use of CR 112 for detour during improvements on SH963.
12. Discussion and/or action concerning proposed agreement between Lower Colorado River Authority (LCRA) and Burnet County for routing traffic through the LCRA Canyon of the Eagles Park entrance gate to County Road 107S at no charge.
13. Discussion and/or action concerning reappointment of two precinct representatives to the Burnet County Library Board for another 3 year term; one representative from Commissioners Precinct 2 & one representative from Commissioners Precinct 4; each term to begin on February 1, 1999.
14. Discussion and/or action concerning Contract and/or Agreements, if any.
15. Discussion and/or action concerning corrected Personnel Action on Karen Stoner.
16. Discussion and/or action relating to rental car expenses for J.P. Clerks.
17. Public Hearing concerning replat of lots 1 & 2, Cassie Subdivision, according to the Plat recorded in volume 3, Page 70, Burnet County Plat Records, or Cabinet 1, Slide 100-D and 0.747 acre out of the WM. Poindexter Survey #94, Abst. 673, to be known as Lot 1-A Block 11, Cassie Subdivision.
18. Discussion and/or action concerning replat of lots 1 & 2, Cassie Subdivision, according to the Plat recorded in volume 3, page 70, Burnet County Plat Records, or Cabinet 1, Slide 100-D and 0.747 Acre out of the WM. Poindexter Survey #94, Abst. 673, to be known as Lot 1-A Block 11, Cassie Subdivision.
19. Public Hearing relating to approving Barton Creek Lakeside Phase Five, Section II.
20. Discussion and/or action relating to approving Barton Creek Lakeside Phase Five, Section II.
21. Discussion and/or action concerning Child Welfare Board Contract and Title IV-E (legal) contract between Burnet County and Texas Dept. of Protective and Regulatory Services.
22. Public Hearing concerning replat of Lot Nos. 144 thru 153 Whitewater Springs, Section Two, E. Schnell Survey No. 98, Abstract No. 1799 and T.C. Railroad Co. Survey No. 109, Abst. No. 1401, Burnet County, Texas.
23. Discussion and/or action concerning replat of Lot Nos. 144 thru 153, Whitewater Springs, Section Two E. Schnell Survey No. 98, Abstract No. 1799 and T.C. Railroad Co. Survey No. 109, Abstract No. 1401, Burnet County, Texas.
24. Public Hearing concerning replat of Lot Nos. 206 thru 209 and a portion of the common reserve, Whitewater Springs, E. Schnell Survey No. 98, Abstract No. 1799 and the T.C. Railroad Survey No. 109, Abstract No. 1401, Burnet County,

- Texas.
- 25. Discussion and/or action concerning replat of Lots Nos. 206 thru 209 and a portion of the common reserve, Whitewater Springs, E. Schnell Survey No. 98, Abstract No. 1799 and the T.C. Railroad Survey No. 109, Abstract No. 1401, Burnet County, Texas.
- 26. Discussion and/or action regarding Pct #2 paving project of 12/8/98 and follow up inspection and evaluation of RS-1P Emulsion product used.
- 27. Bid Openings - Dump Trucks for Precincts 1,3,4.

Item #16:

Rental Car

Expense The court discussed the rental car expense for the J.P. clerks. Judge Dewey Hollingsworth came before the court in reference to the rental car expense for two J.P. clerks to attend school in Dallas, Texas. Judge Hollingsworth requested the court to approve this claim.

Motion was made by Judge McLean that the Court allow an exception to the personnel policy in this case and pay the claim for the rental car. The motion was seconded by Comm. Holbrook. Voting for - Judge McLean, Comm. Holbrook, Comm. McCoy and Comm. DeSpain. Voting no - Comm. Seward. The motion passed.

Item #12:

LCRA

The court discussed the proposed agreement between Lower Colorado River Authority (LCRA) and Burnet County for routing traffic through the LCRA Canyon of the Balges Park entrance gate to County Road 107S at no charge. Burnet County authorized LCRA to reroute traffic on a portion of CR107S at no expense to the county to pass through the gated entrance station of the park. LCRA agrees that it will not charge an entry fee to those persons only wishing to use CR107S and not utilize the park facilities.

Motion was made by Comm. Seward, seconded by Comm. DeSpain and the vote was unanimous to approve the agreement entered into by and between Burnet County and the Lower Colorado River Authority.

Item #13:

Library

Board

Representatives The court discussed reappointment of two precinct representatives to the Burnet County Library Board for another three year term; one representative from Commissioner Precinct #2 and one from Commissioner Precinct #4. Each term to begin on February 1, 1999. Paula Harris, Librarian, requested the reappointment of Susan Clark from Precinct #2 and Mary Brady from Precinct #4.

Motion was made by Comm. Seward, seconded by Comm. McCoy and the vote was unanimous to reappoint Mary Brady and Susan Clark to the Library Board.

Item #10:

Stormwater

Regulations

The court tabled this item until the next regular meeting.

Item #14:

Contracts/

Agreements

The court took no action on this item.

Item #19:

Public Hearing

Comm. Seward stated the court has already held the public hearing on this replat. The court took no further action on this item.

Item #20:

Plat -

Barton Creek

Lakeside, Phase

Five, Section II

The court discussed approval of the plat of Barton Creek Lakeside, Phase Five, Section II. Motion was made by Comm. Seward, seconded by Comm. DeSpain to approve the final plat of Barton Creek Lakeside, Phase Five, Section II.

Item #19:

**Correspondence** The court received correspondence from the County Attorney concerning the "Emergency" Local Services is denied; a letter requesting a special prosecutor to investigate Robert Earl Coffey; a letter from Bob Sims, District Supervisor, concerning predator scalps and the computer report audit verifying the number of kills; a letter from the U.S. Dept. of Commerce - Census Bureau Address List Review 1999; a request from Comm. Seward to appoint Janet Parker to Insurance Committee; and Bluebonnet Trails Community MMR Center Legislative Alert meeting January 11, 1999. Motion was made by Judge McLean, seconded by Comm. Seward and the vote was unanimous to approve correspondence.

Item #21:

**Contract** The court discussed the Child Welfare Board contract and Title IV-E contract between Burnet County and Texas Department of Protective and Regulatory Services. Bill Simmons with the Department of Protective and Regulatory Services came to inform the county of how the county can recoup child support fees back to the county. Mr. Simmons discussed several contracts with the court. Mr. Simmons stated that 50% of the children in conservatorship qualified for assistance. Mr. Simmons stated there are specific stipulations to participate in these programs. Mr. Simmons stated the contract must be between the State of Texas and Burnet County.

Comm. Seward stated he feels this is a great tool to recoup a portion of the budget for the county. Mr. Simmons stated he would be happy to meet with the Auditor and County Attorney to further discuss the different contracts. Judge McLean requested a report made back to the court after the meeting.

Item #15:

**Personnel** The court discussed the corrected personnel action form on Karen Stoner. The Compensation Committee recommended a promotion for Karen Stone due to an increase in personnel in the 1998-99 budget year. Virginia Mezger with the Compensation Committee stated when you are promoted due to growth the employee is due a 5% pay increase. Mrs. Stoner was only moved from one grade to another grade. The committee requests that Mrs. Stoner be granted the 5% increase.

Motion was made by Comm. Holbrook to approve the request. The motion was seconded by Judge McLean. Voting for - Judge McLean, Comm. Holbrook, Comm. DeSpain and Comm. Seward. Voting no - Comm. McCoy. The motion passed.

Item #5:

**Personnel** The court discussed the county's policy on testing positive on a drug test. Comm. Seward and Comm. McCoy feels the county should follow a "Zero Tolerance" policy. The County Attorney stated the county needs to be consistent in its policy.

Item #26:

**Paving** The court discussed the Precinct #2 paving project of December 2, 1998 and the follow up inspection and evaluation of the RS-1P Emulsion product used. A representative from Koch Materials was present to discuss the product. Comm. McCoy stated he was pleased with the product. RS-1P Emulsion is a paving product that can be used in colder weather.

Item #11:

**State Highway**

963 The court discussed using CR 112 for detour during improvement on State Highway 963. Jeff Mezger with TXDOT came before the court in reference to the widening of RM 963 from U. S. 281 to Shady Grove Road. Mr. Mezger stated it will be necessary to close RM 963 from U. S. 281 to Vanderveer Street for a period of 30 days to facilitate safer, quicker and more efficient construction.

Motion was made by Comm. Holbrook, seconded by Comm. Seward and the vote was unanimous to approve the detour of CR 112

as a temporary detour during the closing of RM 963.

Item #8:  
Property  
Transfers  
transfers.

Motion was made by Comm. McCoy, seconded by Comm. Seward and the vote was unanimous to approve property

<u>Item</u>	<u>From</u>	<u>To</u>
Typewriter	J.P. #1	Non-Dept.
Printer Stand	J.P. Prec. #1	Non-Dept.
Chair	Treasurer	Non-Dept.
Chair	Non-Dept.	Treasurer
Base	Treasurer	Non-Dept.
Storage Shelf	Treasurer	Non-Dept.
Shelving Unit	Treasurer	Non-Dept.
Radio	Pct. #4	Non-Dept.
Radio	Pct. #4	Disposed
Radio	Pct. #4	Disposed
Radio	Pct. #4	Disposed
Radio	Pct. #4	Disposed
Radio	Pct. #4	Disposed
Radio	Pct. #4	Disposed
Radio	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Fire Extinguisher	Pct. #4	Disposed
Surveying Inst.	Pct. #4	Disposed
Refrigerator	Pct. #4	Disposed
Hydraulic Jack	Pct. #4	Disposed
Monitor	Pct. #4	Disposed
Computer Monitor	Pct. #4	Auditor
1/2 Ton PU	Pct. #4	Storage Auction
Fuel Tank	Pct. #4	Flood Plain
Steam Cleaner	Pct. #4	Disposed
Typing Table	Pct. #4	Disposed
Printer	Treasurer	Auditor
T.V. VCR	Auditor	Data Processing
Terminal/Keybd	County Attorney	Sanitation/Flood Plain/Loss
Tool Box	Data Proc.	District Judge
Chair	Pct. #2	Pct. #3
Phone	J.P. #1	Disposed
Ans. Machine	J.P. #1	Disposed
Pencil Sharp.	J.P. #1	Disposed
Chair	J.P. #1	Disposed
File	J.P. #1	Victims Assistance
Loader	J.P. #1	Maint. Dept.
Saw	Pct. #2	Traded In
	Pct. #2	Disposed

Radio	Pct. #2	Disposed
Refrigerator	Pct. #2	Disposed
Tool Chest	Pct. #2	Disposed
Tanks/Pumps	Pct. #2	Disposed

**Item #7:**

Payroll Motion was made by Comm. McCoy, seconded by Comm. DeSpain and the vote was unanimous to approve payroll in the amount of \$223,375.74.

**Item #6:**

Bids The court discussed calling for bids for Law Enforcement Liability. Motion was made by Comm. Seward, seconded by Comm. Holbrook to renew the Law Enforcement Liability Insurance through the Texas Association of Counties. The vote passed unanimously.

**Item #5:**

Personnel Motion was made by Comm. McCoy, seconded by Comm. Seward and the vote was unanimous to approve personnel action forms.

From: Comm. Prec. #3  
 Employee: Roy D. Henderson  
 Class No. R&B 2  
 Grade, Step: 4 \$770.08/sm  
 Fund: R&B, Pct. #3  
 Dept: R&B, Pct. #3  
 Separation Retirement  
 Effective 12.31.98

**Item #4:**

Line  
 Item Transfers Motion was made by Comm. Seward, seconded by Judge McLean and the vote was unanimous to approve budget line item transfers.

	<u>Fund</u>	<u>Line Item</u>	<u>Amount</u>
From:	R&B, Pct. #4	Travel	\$1,000.00
		Operating Supp.	\$1,000.00
		Professional Svcs.	\$271.00
To:	R&B, Pct. #4	Misc. Svcs.	\$2,271.00

Kevin Smith, County Auditor, stated J.P. Prec. #4 had budgeted \$500.00 for a printer but purchased a monitor. Judge Hollingsworth is requesting the court to reimburse him for the cost of the monitor - \$160.00.  
 Motion was made by Comm. Seward, seconded by Comm. DeSpain and the vote was unanimous to disapprove this request.

**Item #3:**

Reports The court received a report from Constable Prec. #1.

**Item #2:**

Claims Kevin Smith, Auditor, stated his office received a request from Tommy Anz for a hand check in the amount of \$635.00. Comm. Seward stated he was not in favor of cutting a check to Mr. Anz until the county receives the 911 equipment

back from Mr. Anz. Mr. Smith stated that Burnet County is not fully 911 addressed and that CAPCO might possibly use funds to hire additional help to address Burnet County. CAPCO feels all counties should be in the maintenance phase. Judge McLean stated he would like a report from Alice Tippie and Maggie Evans on the status of 911.

Motion was made by Comm. Seward, seconded by Judge McLean and the vote was unanimous to approve claims previously approved by the County Auditor.

**Item #17 & #18:**

**Public Hearing & Replat -**

**Cassie Subd.** The court held a public hearing on the replat of Lots 1 and 2, Cassie Subdivision according to plat recorded in Volume 3, Page 70 Burnet County Plat Records or Cabinet 1, Slide 100-D and 0.747 acre out of the Wm. Poindexter Survey #94, Abst. 673 to be known as Lot 1-A, Block 11, Cassie Subdivision. This replat was approved by the Property Owners Association.

Motion was made by Comm. Holbrook, seconded by Comm. DeSpain and the vote was unanimous to approve the replat of Lots 1 and 2, Cassie Subdivision and a 0.747 acre out of the Wm. Poindexter Survey #94, Abstract #673 be known as Lot 1-A, Block 11, Cassie Subdivision.

**Item #1:**

**Minutes** The court took no action on this item.

**Item #22 & #23:**

**Public Hearing & Replat -**

**Whitewater Springs** The court held a public hearing on the replat of Lot numbers 144 thru 153 Whitewater Springs, Section Two, E. Schnell Survey No. 98, Abstract No. 1799 and the T.C. Railroad Co. Survey No. 109, Abstract No. 1401 Burnet County Texas.

Motion was made by Comm. DeSpain, seconded by Comm. Seward and the vote was unanimous to approve the replat of Lots 144 thru 153 Whitewater Springs, Section Two.

**Item #24 & #25:**

**Public Hearing & Replat -**

**Whitewater Springs** The court held a public hearing on the replat of Lot numbers 206 thru 209 and a portion of the common reserve, Whitewater Springs, E. Schnell Survey No. 98, Abstract No. 1799 and the T.C. Railroad Survey No. 109, Abstract No. 1401, Burnet County, Texas.

Motion was made by Comm. DeSpain, seconded by Comm. Seward and the vote was unanimous to approve the replat of Lot numbers 206 thru 209 and a portion of the common reserve, Whitewater Springs, E. Schnell Survey No. 98, Abstract No. 1799 and the T.C. Railroad Survey No. 109, Abstract No. 1401, Burnet County, Texas.

**Recess:** Motion was made by Judge McLean, seconded by Comm. Seward and the vote was unanimous to recess for lunch.

**Item #27:**

**Bid Opening** The court held a bid opening for dump trucks for Precinct #1, #3, and #4.

The following bids were received for R&B, Pct. #1:

Truck Shop	\$23,500.00	
Navistar International	\$16,700.00	
	\$8,069.00	(Bed)
Universal Truck	\$26,500.00	
Universal Truck	\$16,500.00	

The following bids were received for R&B, Pct. #3:

Truck Shop	\$23,500.00
Universal Truck	\$16,500.00
Universal Truck	\$26,500.00
Truck Shop	\$25,000.00
Truck Shop	\$26,500.00
Truck Shop	\$29,300.00
Universal Truck	\$25,000.00
Navistar International	\$24,769.00
Billy Wimberly Trucking	\$24,800.00

The following bids were received for R&B, Pct. #4:

Navistar International	\$24,769.00
Universal Truck	\$26,500.00
Universal Truck	\$16,500.00
Steven Bird	\$27,500.00
Truck Shop	\$29,300.00
Truck Shop	\$25,000.00
Truck Shop	\$26,500.00
Truck Shop	\$25,000.00
Truck Shop	\$23,500.00

Motion was made by Comm. DeSpain, seconded by Comm. Seward and the vote was unanimous to award the bid to Billy Wimberly Trucking in the amount of \$24,800.00 for a 1990 Freightliner dump truck for R&B, Pct. #3.

Motion was made by Comm. Holbrook, seconded by Comm. DeSpain and the vote was unanimous to award the bid to Truck Shop in the amount of \$23,500.00 for a 1989 FLD dump truck for R&B, Pct. #1.

Motion was made by Comm. Seward, seconded by Comm. DeSpain and the vote was unanimous to award the bid to Truck Shop in the amount of \$29,300.00 for a 1992 International dump truck with the stipulation that the truck has a new dump bed.

Judge McLean thanked Comm. McCoy and Comm. Seward for their dedicated service to Burnet County.

Adjourn: Motion was made by Judge McLean, seconded by Comm. McCoy and the vote was unanimous to adjourn.

Attest: Janet Parker  
Janet Parker, County Clerk

Martin McLean  
Martin McLean, County Judge