

PERSONNEL POLICY
MANUAL

FOR

PRESIDIO COUNTY
TEXAS

IMPORTANT NOTICE TO ALL EMPLOYEES

All employees of Presidio County are considered to be "at-will" employees and employee status shall not be considered a contract of employment or for any specified length of time. This means the employment relationship may be ended at the will of the employer, Presidio County or the employee. Also, employment may be terminated with or without cause and with or without notice at any time by the employer or the employee. Nothing in this manual or in any document or statement shall limit the right to terminate employment at-will. No Elected Official or Department head has the authority to enter into an agreement for employment other than at-will employment.

PRESIDIO COUNTY
PERSONNEL POLICY DRAFT

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**COUNTY OF PRESIDIO
COMMISSIONERS COURT ORDER**

WHEREAS the Commissioners Court of Presidio County and the County Judge wish to comply with various laws applicable to public employers in the employment relationship; and

WHEREAS the Presidio County Commissioners Court and the County Judge desire to provide the employees of Presidio County with a uniform format for dealing with various employment related issues; and

WHEREAS the Presidio County Commissioners Court and the County Judge wish to adequately communicate to employees the policies and procedures of the County:

THEREFORE, BE IT RESOLVED that the Presidio County Commissioners Court and the County Judge hereby approve and adopt the PRESIDIO COUNTY PERSONNEL POLICY MANUAL OF 2010 and rescind all previous personnel policy manuals.

ADOPTED THIS _____ DAY OF _____, 2009

County Judge

Commissioner Pct 1

Commissioner Pct 2

Commissioner Pct 3

Commissioner Pct 4

Witnessed and Attested By:

County Clerk

RESOLUTION FOR PRESIDIO COUNTY

We the undersigned have read the Presidio County Personnel Policy Manual that the Presidio County Commissioner's Court has adopted. As ELECTED OFFICIALS of Presidio County, we endorse and approve the Personnel Manual. We approve the document as it reflects our commitment to Presidio County employees and it reflects our commitment to conform to appropriate state and federal laws.

We agree to be bound by the terms and conditions of the Presidio County Personnel Manual, as witnessed by our signatures below.

County and District Clerk

County Treasurer

County Sheriff

County Attorney

County Tax Assessor/Collector

County Judge

Justice of the Peace

Justice of the Peace

Constable

Constable

**PRESIDIO COUNTY
POLICY ON EMPLOYMENT AT WILL**

**EMPLOYMENT AT
WILL**

- 1 All employment with Presidio County shall be considered "at will" employment.
2. No contract of employment shall exist between any individual and Presidio County for any duration, either specified or unspecified.
3. Presidio County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time either with or without notice.
4. Presidio County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice.
5. Employees of Presidio County shall have the right to leave their employment with the County at any time, with or without notice.

**PRESIDIO COUNTY
POLICY ON EMPLOYEE STATUS**

FULL TIME

1. A full time employee shall be any employee in a position which has a normal work schedule of at least 40 hours per week; however, the Commissioners' Court may temporarily reduce the number of hours required for full-time employment to not less than 30 hours per week if financial or operational considerations require it.

PART TIME

2. A part time employee shall be any employee in a position which has a normal work schedule of fewer than 31 hours per week.

TEMPORARY

3. A temporary employee shall be any employee who is hired into a position which is expected to last for some specific duration or until a specific project is completed.
4. Temporary employees may be either full time or part time.

**EMPLOYMENT AT
WILL**

5. All employees are considered to be "at will" employees as defined in the POLICY ON EMPLOYMENT AT WILL and employee status shall not be considered a contract of employment.

**PRESIDIO COUNTY
POLICY ON EQUAL EMPLOYMENT OPPORTUNITY**

**EQUAL
OPPORTUNITY**

1. It shall be the policy of Presidio County to be an equal opportunity employer.
2. Race, color, religion, national origin, sex, age, and disability shall not be factors in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by law or where a bona fide occupational qualification (BFOQ) exists.

**REASONABLE
ACCOMMODATION**

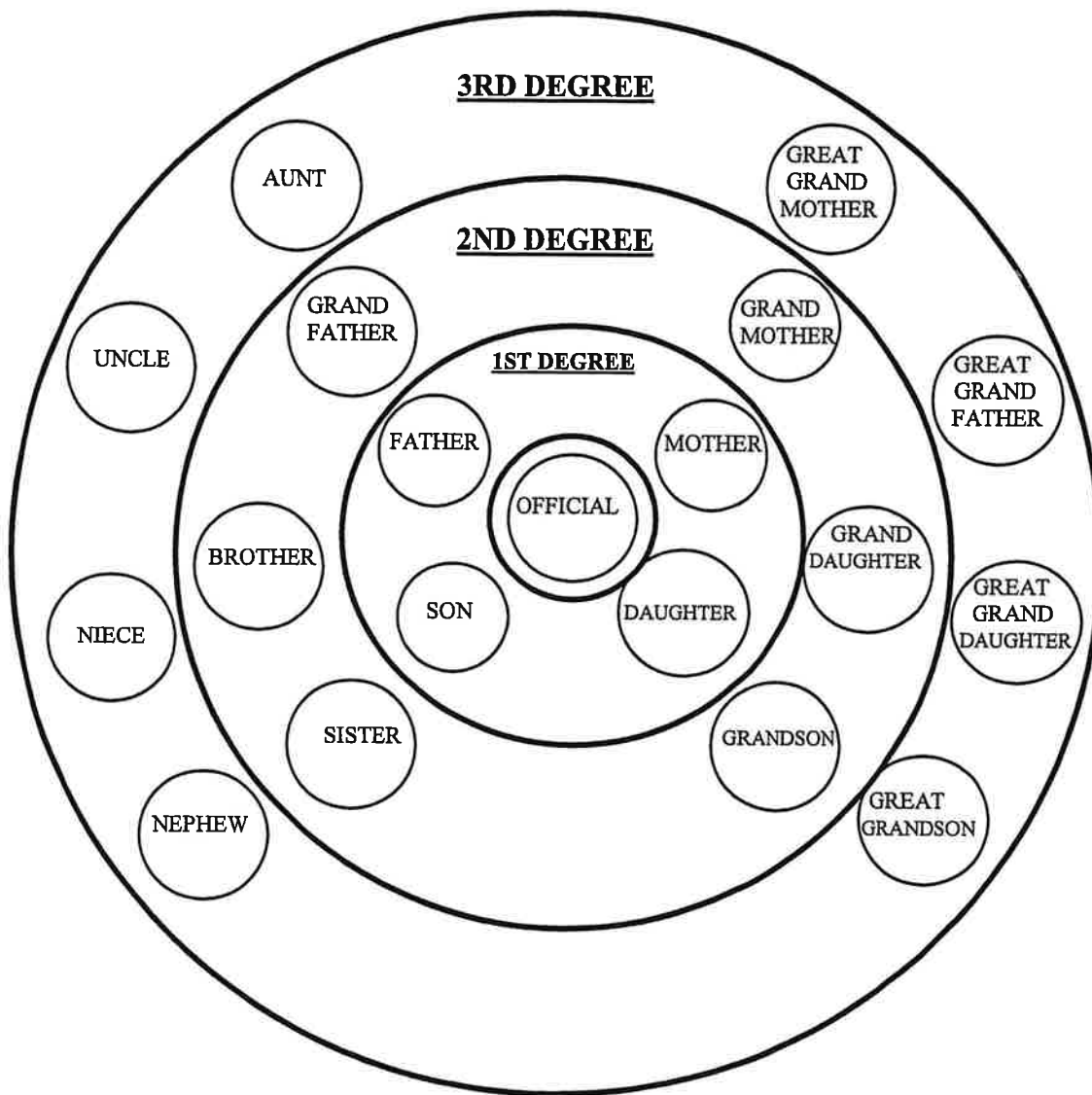
3. The County shall make reasonable accommodation for otherwise qualified disabled individuals to afford them the same opportunities for employment and all other benefits and privileges of employment afforded to non-disabled individuals.
4. Reasonable accommodation shall be determined through consultation with the disabled individual and, where deemed necessary, through consultation with outside resources.

**PRESIDIO COUNTY
POLICY ON NEPOTISM**

**HIRING OF
RELATIVES**

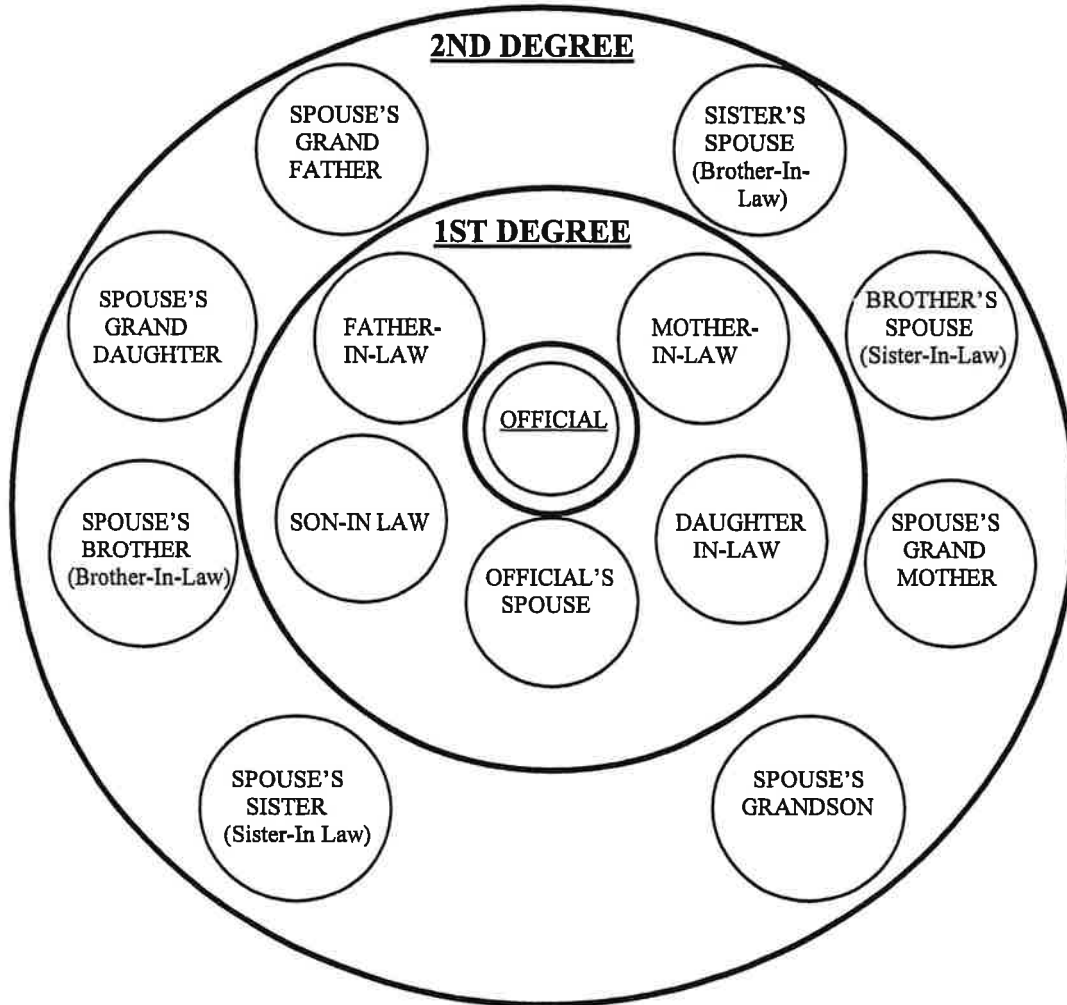
1. In accordance with the Texas Nepotism Statutes, an elected or appointed official of Presidio County shall not hire a relative related in the third degree of consanguinity (blood) or the second degree of affinity (marriage) to work in a department which he or she supervises.
2. The civil law method, as approved by the Texas Legislature in 1991 to be effective in August of that year, shall be used for determining degree of relationship. (See the charts that follow.)

**PRESIDIO COUNTY
POLICY ON NEPOTISM**



**Consanguinity Kinship Chart
(Blood)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**



**Affinity Kinship Chart
(Marriage)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**

1.05
Page 1 of 1

**PRESIDIO COUNTY
POLICY ON YEARS OF SERVICE**

Years of service do not transfer between other governmental agencies and Presidio County.

2.0
EMPLOYEE BENEFITS

2.01
Page 1 of 2
**PRESIDIO COUNTY
POLICY ON VACATION**

ELIGIBILITY

1. All full-time employees shall be eligible for vacation benefits.
2. Part-time employees shall not be eligible for vacation benefits.
3. Vacation time eligibility shall be determined by anniversary of date of employment, not calendar year.

ACCRUAL RATE

4. Employees who have worked for fewer than ten (10) years in a position eligible to receive vacation shall earn vacation at the rate of .833 working days per month, which is equivalent to 10 working days per year.
5. Employees who have worked for ten (10) or more years in a position eligible to receive vacation shall accrue vacation at the rate of 1.25 working days per month, which is equivalent to 15 working days per year.
6. For purposes of this policy, a working day shall be defined as seven (7) hours.
7. Vacation shall not be accrued while an employee is on leave without pay.

**INITIAL ACCRUAL
AND WAITING
PERIOD**

8. Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of one year in such a position before being eligible to take any vacation.

**MAXIMUM
ACCRUAL**

9. The maximum amount of unused vacation an employee shall be allowed to have at one time is the amount the employee would normally earn in one year at his or her current accrual rate plus five additional workdays. (This would be 15 working days for employees with less than ten years work in a position eligible to accrue vacation and 20

working days for employees with 10 or more years in such a position.)

- | | |
|--------------------------------|--|
| SCHEDULING | 10. Scheduling of vacations shall be at the discretion of the individual department heads. |
| MINIMUM USAGE | 11. The minimum amount of vacation that may be taken at one time shall be ½ day. |
| BORROWING | 12. Employees shall only be able to use vacation which has already been accrued and shall not be allowed to borrow vacation against possible future accruals. |
| PAY IN LIEU OF VACATION | 13. Employees shall not be allowed to receive pay for vacation in lieu of taking time off. |
| HOLIDAY DURING VACATION | 14. If a holiday falls during an employee's vacation, the holiday shall be charged in accordance with the POLICY ON HOLIDAYS and shall not be charged against the employee's vacation balance. |
| PAY AT TERMINATION | 15. If an employee has worked for at least one year in a position which accrues vacation at the time the employee resigns, is discharged, or is terminated for any other reason, the employee shall receive pay for all unused vacation up to the maximum allowed under this policy.

16. An employee who has not worked for a minimum of one year in a position which accrues vacation shall not be eligible for any vacation pay upon termination of employment. |
| RECORD KEEPING | 17. Each employee shall be responsible for accurately recording all vacation time used on his or her time sheet. |
| MAXIMUM USAGE | 18. No employee may take during one calendar year, more vacation than the employee has accumulated at their anniversary date for that year. |

**PRESIDIO COUNTY
POLICY ON SICK LEAVE**

ELIGIBILITY

1. All full time regular employees shall be eligible for the paid sick leave benefit.

ACCRUAL RATE

2. Eligible employees shall accrue sick leave at a rate of one day per month. Part time employees do not accrue sick leave.
3. For purposes of this policy, a workday is defined as the seven (7) hours.
4. Accrual of sick leave shall start at the time an individual begins work for the County in a position eligible for the sick leave benefit.

**MAXIMUM
ACCRUAL**

5. The maximum amount of unused sick leave an employee shall be allowed to have at any time is 60 days.

USE OF SICK LEAVE

6. Sick leave may be used for the following purposes:
 - a. Illness or injury of the employee;
 - b. Appointments with physicians, optometrists, dentists, and other qualified medical professionals; and
 - c. To attend to the illness or injury of a member of the employee's immediate family.
7. For purposes of this policy, immediate family shall be defined as spouse, child, parent, or other relative living in the employee's home who is dependent on the employee for care.
8. Sick leave may not be used as vacation or any other reason not addressed in this policy.

NOTIFICATION

9. Where sick leave is to be used for medical appointments, an employee shall be required to notify his/her supervisor of the intent to use sick leave as soon as the employee knows of the appointment.

POLICY ON SICK LEAVE

NOTIFICATION (cont.) 10. Where use of sick leave is not known in advance, an employee shall notify his/her supervisor of the intent to use sick leave within 15 minutes of the employee's normal time to begin work, when practicable.

11. Where it is not practicable to notify the supervisor within 15 minutes of the normal starting time, the employee should notify his/her supervisor as soon as is reasonably practicable.

DOCUMENTATION 12. If an employee uses three (3) or more consecutive days of sick leave, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness.

13. Documentation requirements under Section 12 of this policy shall also apply in situations where the absence is for the care of a member of the immediate family.

MINIMUM USE 14. The minimum amount of sick leave that an employee may use at any time shall be ½ day.

BORROWING 15. Employees shall not be allowed to borrow sick leave against future accruals.

**PAY AT
TERMINATION** 16. Employees shall not be paid for unused sick leave at the termination of employment.

*Federal COVID leave provisions for 4/1/20 to 12/31/20 implemented.
Per Commissioners Court action on 1/13/20, County extended
leave provisions through 3/31/21. Granted same amount
as federal.*

**PRESIDIO COUNTY
POLICY ON HOLIDAYS**

ELIGIBILITY

1. All full time regular employees shall be eligible for the paid holiday benefit.
2. Part time employees are not eligible for the holiday benefit.

HOLIDAYS

3. The County holidays for the following calendar year shall be determined by the Presidio County Commissioners' Court at its first meeting of each year.
4. Additional days may be granted at the discretion of the Commissioners Court prior to each holiday.

**HOLIDAY DURING
VACATION**

5. If a paid holiday occurs during the vacation of an eligible employee, that day shall be paid as a holiday and not be charged against the employee's vacation balance.

**HOLIDAY ON DAY
OFF**

6. If a designated holiday falls on an eligible employee's day off, the employee shall be allowed to take another day off with pay.

EMERGENCIES

7. An eligible employee called in to work on a holiday because of an emergency, or other special need of the County, shall be given compensatory time off.

**SPECIAL
OBSERVANCES**

8. Special consideration shall be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for the County.

**SPECIAL
OBSERVANCES**

9. Determination of granted leave under Section 8 of this policy shall be made by the supervisor of the department in which the employee works, based on the needs of the department.
10. Vacation, compensatory time, or leave without pay may be used for leave granted under Section 7 of this policy.

**PRESIDIO COUNTY
POLICY ON PERSONAL LEAVE**

PERSONAL LEAVE

1. All personal leave must be approved by the Department head. The employee must notify his supervisor personally, with as much advance time as possible to allow for rescheduling of the work load. The Department Head must also be informed as to the possible length of absence and the expected date of return.
2. Personal leave other than for vacation or sick leave will not exceed 4 days per year.

**PRESIDIO COUNTY
POLICY ON JURY DUTY LEAVE**

JURY DUTY

1. Employees of Presidio County who are called for jury duty shall receive their regular pay for the period they are called for jury duty which includes both the jury selection process and, if selected, the time they actually serve on the jury.
2. Pay for serving on a jury shall only include the time the employee would have normally been scheduled to work and will not include extra pay if jury service involves time outside the employee's normal work schedule.
3. Any fees paid for jury service may be kept by the employee.

**OFFICIAL COURT
ATTENDANCE**

4. Employees who are subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the County shall be entitled to leave with pay for such period as his/her court attendance may require.

**PRIVATE
LITIGATION**

5. If an employee is absent from work to appear in private litigation in which he/she is a principal party, the time shall be charged to vacation, other eligible paid leave, or leave without pay.

POLICY ON MILITARY LEAVE

GUARD AND RESERVE

1. County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) days off per year with pay to attend authorized training sessions and exercises.
2. The fifteen (15) day paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next calendar year.
3. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule.
4. An employee may use annual leave, earned compensatory time, or leave without pay if he/she must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen day maximum.

ORDERS

5. An employee going on military leave shall provide his or her supervisor with a set of orders within two (2) business days after receiving them.

ACTIVE MILITARY

6. County employees who leave their positions as a result of being called to active military service or who voluntarily enter the Armed Forces of the United States shall be eligible for re-employment in accordance with the state and federal regulations in effect at the time of their release from duty.

**PRESIDIO COUNTY
POLICY ON MEDICAL INSURANCE**

ELIGIBILITY

1. All full time employees of Presidio County shall be eligible for the group medical insurance benefit.
2. Premium for the coverage for eligible employees shall be paid by the County.

**DEPENDENT
COVERAGE**

3. Eligible employees may cover their qualified dependents by paying the full premium for the dependents.
4. Deductions for dependent coverage shall be made through payroll deduction from the employee's paycheck each pay period.

**EXTENSION OF
COVERAGE**

5. Employees who leave the employment of Presidio County may be eligible for an extension of the medical coverage for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA).
6. Information on extension of benefits under COBRA is available in the County Treasurer's Office and may be obtained during the normal working hours for that office.

LIFE INSURANCE

7. Employees shall have a limited amount of life insurance on themselves as part of their group medical insurance coverage.

INFORMATION

8. Details of coverage under the group medical insurance plan are available in the County Treasurer's Office and may be obtained during the normal working hours for that office.
9. COBRA notifications will be provided to all employees within 30 days of their hire date. All eligible employees and qualified dependents will be provided with COBRA information within 14 days of their termination.

**PRESIDIO COUNTY
POLICY ON WORKERS' COMPENSATION**

ELIGIBILITY

1. All Presidio County employees are covered by workers' compensation insurance while on duty for the County.

BENEFITS

2. Workers' compensation insurance pays for medical bills resulting from injury or illness an employee incurs while carrying out the duties of his/her job.
3. Workers' compensation also pays a Temporary Income Benefit (TIBS) for time lost from work in excess of seven calendar days as the result of eligible work related injuries or illnesses.
4. Employees may use paid leave for all time off less than 7 days.

**ACCIDENT
REPORTING**

5. Any employee who suffers a job related illness or injury shall be required to notify his/her supervisor as soon as possible.
6. Failure to promptly report job related injuries or illnesses may affect an employee's eligibility for benefits or delay benefit payments which are due.

**CONTRIBUTORY
FACTORS**

7. An employee's workers' compensation benefits may be adversely affected if the employee is injured while under the influence of alcohol or drugs or while the employee is engaging in horseplay.

**PRESIDIO COUNTY
POLICY ON RETIREMENT**

ELIGIBILITY:

1. All regular employees shall be eligible for the retirement benefit through the Texas County and District Retirement System.

CONTRIBUTIONS:

2. Eligible employees shall make contribution to the retirement program through a system of payroll deduction.
3. Presidio County shall make a contribution to each eligible employee's retirement account equal to or greater than the contribution of the employee.

INFORMATION:

4. Information on the retirement program may be obtained at the County Treasurer's Office during the normal working hours for that office.

**REHIRING
RETIREES:**

5. Retired employees shall be eligible to apply for open positions with Presidio County as long as the following conditions are met:
 - a. The retiree has been retired for at least 6 consecutive months.
 - b. No prior arrangements or agreements were made between Presidio County and the retiree for re-employment, and
 - c. Strict adherence to normal leaving employment procedures were followed at the time of the employee's retirement.
6. Any retiree who is rehired consistent with the policy will establish a new membership with TCDRS and will be considered a new member for the purposes of beneficiary determination and benefit selections.

The retiree must have a bona fide separation of employment and have been retired for a minimum of six (6) consecutive months. A bona fide separation means there is no prior agreement or understanding between Presidio County and the retiree that the retiree would be rehired after retirement. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Newly elected officials who have recently retired from the county cannot draw their retirement because they have an arrangement to return to work for the county. Employees also cannot retire with an agreement to go work in a different department or different position. Changing employee status does not matter when determining if someone is still working for the county. Also, an employee cannot retire from the county with an arrangement to begin work as an independent contractor either.

Rehired retirees who did not have a bona fide separation of employment may owe a 10 percent excise tax and be required to repay all of their monthly retirement payments. Abusing the retirement provisions in such a manner would violate a qualification requirement for retirement plans under Section 401(a) of the Internal Revenue Code, potentially resulting in significant tax consequences for the employer, its participating members and those retired employees.

**HEALTH AND
DENTAL FOR
RETIREES**

7. Any employee/elected County official with eight (8) years of service and has retired, been terminated without cause, or voluntarily terminated employment shall be offered the option of continuing their Health & Dental plan through COBRA and paying their own premiums directly to Blue Cross/Blue Shield of Texas by the specified time each month.
8. Any employee/elected County official who has completed 20 years of service or has met the rule of 75 (age plus years of service equal 75) and has retired will have their health and dental insurance paid by the County.
Any new hire or newly elected official appointed or elected after the 1st December, 2024 will not be eligible for this benefit.

Retiree benefits /
amended & approved
09/04/2024

PRESIDIO COUNTY COMMISSIONERS COURT NOTICE OF SPECIAL MEETING AND BUDGET WORKSHOP

The Presidio County Commissioners Court will meet on

WEDNESDAY SEPTEMBER 4, 2024, at 10:00 a.m.

At the PRESIDIO COUNTY JUDGES OFFICE 301 N Highland Ave,
Marfa, Texas 79843

While Presidio County Commissioners Court offers hybrid meetings for the convenience of the public, it is not a requirement. This is a privilege that we make available for the convenience of those who wish to attend and cannot do so in person. There may be times when technology fails, but the meetings will continue as planned, due to the need to conduct the business of the County. If you are unable to log in for any reason or if we are unable to start the meeting virtually, you will need to make alternate plans and attend the meeting at the physical location.

Participants can join the meeting using this link via computer or mobile device:

Join Zoom Meeting

<https://us02web.zoom.us/j/88618451327>

Meeting ID: 886 1845 1327

Passcode: 610610

Join by Phone: 346-248-7799

Questions regarding the agenda should be directed to the Presidio County Commissioner's Court Support at (432)729-4452. The agenda is available on the County's website (<http://www.presidio county.org>) Click on the Public Notices Calendar."

- Presidio County Sheriff's Off. Inmate Trust (****708)
- Presidio County Sheriff's Trust Fund (****411)

Item brought by Rod Ponton, Presidio County Attorney

10. Discussion and action to approve application of SB/22 (2025) grant for County Attorney's Office.

Item brought by Jose Portillo, Presidio County Judge

11. Discussion on Presidio County Salary Grievance Committee decision on salary grievance letter submitted by Elected Official Justice of the Peace PCT 1 Honorable Judge Dina Jo Marquez.

Item brought by Frances Garcia, Presidio County Treasurer

12. Discussion with action to approve an amendment to the Presidio County Personnel Policy regarding the retiree benefits.

Items brought by Alicia Sanchez, Presidio County Treasurer

13. Discussion with action to approve a Design Build Contracting RFQ for high performance projects in Presidio County, in accordance with Local Government Code 262.023 which provides for the usage of Texas Government Code 2269 sub-chapter G Design Build Contracts for facilities.
14. Discussion with action to approve grant award for Operation Stonegarden, grant #3823106 OPSG 2023 in the amount of \$176,830.
15. Discussion with action to approve submission and payment of invoices for EDAP project #10457-L1001639, L100165. In accordance with EDAP-TWDB guidelines. Payments would be made when funds are received by County.

Item brought by Chase Snodgrass, Presidio County Airports Director

16. Discussion with action to accept and execute FY2025 RAMP grants for Marfa Municipal and Presidio Lely International Airports.
17. Administrative Update and Announcements from County Judge and Commissioners.
18. Adjournment.

I certify that the above notice of the regular meeting of the commissioner's court was posted on the front entrance of the Presidio County Courthouse on August 30th, 2024, located at 300 North Highland Avenue, Marfa, Texas.

Jose Portillo Jr.
Presidio County Judge

Notice to the Public:

The Presidio County Commissioners Court reserves the Right to Adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters) and 551.0725 (Deliberations by Certain Commissioners Courts about Contracts Being Negotiated).

**PRESIDIO COUNTY
POLICY ON SOCIAL SECURITY/MEDICARE**

**SOCIAL SECURITY/
MEDICARE**

1. All County employees shall participate in the Federal Social Security/Medicare program which provides certain retirement, disability, and other benefits.

CONTRIBUTIONS

2. Contributions to this program shall be made by deductions from each employee's pay check in accordance with the requirements of this program.
3. The County shall contribute an amount equal to the employee's contribution in accordance with the requirements of this program.

3.0
WORK RULES AND EMPLOYEE RESPONSIBILITIES

3.01
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PRESIDIO COUNTY
POLICY ON COUNTY PROPERTY

RESPONSIBILITY

1. Each County employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other County equipment assigned to him/her.
2. County employees shall only use equipment, vehicles, tools, and other County property that they are authorized to use.

PERSONAL USE

3. Personal use of County vehicles, equipment, supplies, tools, cell phones, copiers, and any other County property shall not be permitted.

LICENSES

4. A County employee who operates any County equipment or vehicle which requires a license shall be required to have a current active license for that vehicle or equipment any time he/she operates it.
5. Any employee who operates a vehicle or equipment which requires a license for legal operation shall notify his or her supervisor of any change in the status of that license.
6. An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation shall be subject to possible job change or termination if that license is suspended or revoked.
7. An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle insurance carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination.

ACCIDENTS

8. Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to his/her supervisor, the County Treasurer and to the proper law enforcement or other authority immediately.

3.01
Page 2 of 2

- ACCIDENTS (cont.)**
9. A copy of all accident and incident reports prepared by the employee and the County Treasurer shall be sent to the supervisor and the County Judge.

**PRESIDIO COUNTY
POLICY ON CONFLICT OF INTEREST**

**CONFLICT OF
INTEREST**

1 Employees of Presidio County shall not engage in any employment, relationship, or activity which could be viewed as a conflict of interest because of the potential or appearance of affecting the employee's job efficiency, or which would reduce his/her ability to make objective decisions in regard to his/her work and responsibility as a County Employee.

2. Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination.

PROHIBITED

3. Activities which constitute a conflict of interest shall include but not be limited to:

- a. Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
- b. Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
- c. Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County;
- d. Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and his or her duties for the County;
- e. Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

**PRESIDIO COUNTY
POLICY ON POLITICAL ACTIVITY**

- POLITICAL ACTIVITY**
1. Employees of Presidio County shall have the right to support candidates of their choice and to engage in political activity during their personal time.
 2. County employees shall not:
 - a. Use their official authority or influence to interfere with or affect the result of any election or nomination for office;
 - b. Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political reason; or
 - c. Use any equipment, property or material owned by the County for political activity or engage in political activity while on duty for the County.

**PRESIDIO COUNTY
POLICY ON SEXUAL HARASSMENT**

POLICY

1. Sexual harassment is strictly prohibited by Presidio County, whether committed by an elected official, department head, or co-worker. Presidio County does not tolerate harassment in the workplace of its employees by non-employees. It shall be the policy of Presidio County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.
2. Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment.

DEFINITION

3. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where:
 - a. Submission to such conduct is either an expressed or implied condition of employment;
 - b. Submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
 - c. The conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

CLAIMS

4. All claims of sexual harassment shall be taken seriously and investigated promptly, thoroughly and as is consistent with the investigation; confidentially.
5. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.
6. No retaliation or other adverse action shall be taken against an employee who, in good faith, files a claim of sexual harassment or those employees who cooperate in the investigation of a complaint.

REPORTING

7. Employees who feel they have been sexually harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work.
8. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge, another member of the Commissioners' Court, or to the County Treasurer.
9. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.
10. Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Use the following procedures so that your complaint maybe resolved quickly and fairly.

- 1) When practical, confront the harasser and ask them to stop the unwanted behavior.
- 2) Record the time, place and specifics of each incident, including any witnesses.
- 3) Report continuing harassment to the Elected Official or Appointed Official who is responsible for your department or to the County Judge, another member of Commissioner's Court, or County Auditor.
- 4) If a thorough investigation reveals that unlawful harassment has occurred, Presidio County will take effective remedial action in accordance with the circumstances up to and including termination.

OTHER RIGHTS

11. Reporting or failing to report claims in accordance with the procedure given in this policy shall not limit other legal recourse an employee may have in regard to sexual harassment charges.

**4.0
PAYROLL**

4.01

Page 1 of 1

**PRESIDIO COUNTY
POLICY ON PAY PERIODS AND TIME SHEETS**

PAY PERIOD

1. The pay period for Presidio County shall be a bi-weekly pay period.
2. The pay period for salaried employees and elected officials shall be monthly. *changed to bi-weekly at 9/12/17 Commissioners Court Meeting.*
3. If a payday falls on a holiday or a weekend, paychecks shall be issued on the last workday immediately preceding the holiday or weekend. Payday for salaried employees shall be the 25th of each month, or, in the event that date falls on a weekend or holiday, checks shall be issued on the last workday immediately preceding that holiday or weekend.

TIME SHEETS

4. Each employee shall be required to fill out a time sheet to be turned in to his/her supervisor on the last day of each pay period.
5. The time sheet prepared by the employee shall show an accurate record of all time worked and leave taken, whether paid or unpaid, for the pay period.
6. Time sheets are governmental documents and as such require accurate and truthful information and are subject to Texas Penal Code 37.10. Falsifying a time sheet, a governmental record is a Class "A" Misdemeanor.

PAY ADVANCES

7. Advances in pay shall not be made to any employee for any reason.

**PRESIDIO COUNTY
POLICY ON COMPENSATION**

APPLICATION

1. This policy shall apply to all County employees except for law enforcement employees.
2. Compensation for law enforcement employees shall be handled in accordance with the policies established in the Sheriff's Department. The FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement or fire protection, including security personnel in correctional institutions, if that agency employs fewer than 5 employees during the workweek (29 U.S.C. §213(b)(20); 29 C.F.R. §553.200).

**SALARY/HOURLY
EMPLOYEES**

3. All non-exempt County employees shall be paid an hourly salary. Some employees may have the classification of hourly employees paid on a salary basis. Exempt employees shall receive a monthly salary for all hours worked.
4. For full time non-exempt employees, the monthly salary compensates the employee for all hours worked up to 40 in any workweek.
5. For part time regular employees, the monthly salary compensates the employee for all hours worked in a workweek up to the amount designated by the County for the position.

TEMPORARY

6. Temporary employees shall be paid hourly at least the Minimum wage established by the Fair Labor Standards Act, as amended.

**PRESIDIO COUNTY
POLICY ON PAYROLL DEDUCTIONS**

**REQUIRED
DEDUCTIONS**

1. Deductions shall be made from each employee's paycheck for federal withholding, social security, Medicare, and any other deductions required by law.

RETIREMENT

2. Employees eligible for membership in the Texas County and District Retirement System shall have their contributions to that system deducted from each paycheck.

**OPTIONAL
DEDUCTIONS**

3. Any optional deduction authorized by the Commissioners' Court and approved by the employee shall also be made from the employee's paycheck.
4. No optional deduction shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the County Treasurer's Office.
5. Optional payroll deductions include AFLAC, deferred compensation, and accounts receivable to the County. Information may be obtained on the programs from the Treasurer's office.

**PRESIDIO COUNTY
POLICY ON WORK SCHEDULE AND WORKWEEK**

WORK SCHEDULE 1. The normal hours of work for most positions in the County shall be from 8:00 a.m. until 5:00 p.m. In the event that the Commissioners' Court temporarily establishes the workweek as 30 hours to meet financial or operational objectives, the workweek shall be 8:30 a.m. until 5:00 p.m., Monday through Thursday. At the discretion of department heads, normal work hours for a 30 hour workweek may be established as being from 8:00 a.m. until 4:30 p.m. Lunch breaks shall be one hour of unpaid time.

EXCEPTIONS 2. In order to meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule, or they may be subject to call back in case of emergency or special need.

3. The need for schedules that vary from the normal schedule shall be determined by each department head.

WORKDAY 4. The workday for the County shall begin at 12:01 a.m. each day and end 24 consecutive hours later.

WORKWEEK 5. For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Presidio County shall begin at 12:01 a.m. on each Sunday and end seven (7) consecutive work days later (168 hours).

Commissioners Court Action

9/12/17 → changed to Monday at 12:01 am and end 7 consecutive days later.

9/19/17 → except Law Enforcement Deputies and Jailers work period which ends 14 days later.

**PRESIDIO COUNTY
POLICY ON HOURS WORKED AND OVERTIME**

HOURS WORKED

1. Hours worked shall include all time actually spent in the service of the County as defined in the Fair Labor Standards Act (FLSA) and its regulations.

**OVERTIME
APPLICATION**

2. Overtime, as defined by this policy, shall apply to all employees eligible for overtime compensation under the FLSA, except for law enforcement employees.
3. Overtime for law enforcement employees shall be handled in accordance with the policies established in the Sheriff's Department. The FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement or fire protection, including security personnel in correctional institutions, if that agency employs fewer than 5 employees during the workweek (29 U.S.C. §213(b)(20); 29 C.F.R. §553.200).

**OVERTIME
DEFINITION**

4. Overtime shall include all time actually worked for the County in excess of 40 hours in any workweek.
5. Paid leave, holidays, and vacation shall not be counted in determining if overtime has been worked in any workweek.
6. Except in emergency situations, an employee shall be required to have authorization from his/her supervisor before working overtime.

Note: Effective 10/1/18, Presidio County pays for overtime instead of using comp time. This was incorporated into the FY19 budget at the 9/19/18 budget workshop.

County Auditor

4.06

Page 1 of 2

**PRESIDIO COUNTY
POLICY ON OVERTIME COMPENSATION**

**POLICY
APPLICATION**

1. This policy shall apply to all County employees eligible for overtime compensation under the Fair Labor Standards Act (FLSA) except for law enforcement employees.
2. Overtime for law enforcement employees shall be handled in accordance with the policy for overtime compensation established by the Sheriff's Department. The FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement or fire protection, including security personnel in correctional institutions, if that agency employs fewer than 5 employees during the workweek (29 U.S.C. §213(b)(20); 29 C.F.R. §553.200).

**OVERTIME
COMPENSATION**

3. Overtime compensation shall be paid in the form of compensatory time off in accordance with the provisions of the FLSA.
4. Covered employees shall receive compensatory time off, with pay, at a rate of one and one-half (1 1/2) times the amount of overtime worked.

**MAXIMUM
COMPENSATORY
TIME**

5. The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 70 hours. *changed to 240 hours (480 hours for Law Enforcement)*
6. When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at a rate of one and one-half (1 1/2) the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum. *by Commission Court on 6/28/16.*

**USE OF
COMPENSATORY
TIME**

7. Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works.

**USE OF
COMPENSATORY
TIME**
(continued)

8. Compensatory time may be used for any purpose desired by the employee.
9. The County shall have the right to require employees to use earned compensatory time at the convenience of the County.

TERMINATION

10. If an employee terminates employment, for any reason, prior to using all earned FLSA compensatory time, he/she shall be paid for all unused compensatory time in accordance with the requirements of the FLSA.

RECORDKEEPING

11. Each employee shall be responsible for recording any compensatory time used within a pay period on the time sheet for that pay period.
12. The County Treasurer shall be responsible for keeping records of all compensatory time earned and used by each eligible County employee in his/her department and shall update the balance due to each employee at the end of each pay period.

OTHER ISSUES

13. Any issues on overtime compensation not addressed in this policy shall at least meet the minimum requirements of the Fair Labor Standards Act and the regulations issued by the Department of Labor to administer that Act.

Note: Effective 10/1/18 Presidio County pays for overtime instead of using comp time. This was incorporated into the FY19 budget at the 9/14/18 budget workshop.

Presidio County Personnel Policy Manual

Supplement June 3, 2014

This proposed Amendment (the "Supplement") will become official as of the payroll period ending most proximate to the next regularly scheduled Commissioners Court meeting to be held in Marfa, TX on June 10th, 2014.

Whereas, the existing policy regarding Overtime (any and all of which, regardless of the department, including law enforcement, must receive *prior* written approval of the employee's supervisor or department head to be considered authorized) and the related County obligation for remuneration is captured in the existing Policy dated 10/1/2009 and this Overtime policy and the practices documented herein are intended and believed to fully comply with existing Federal Labor Standards Act ("FLSA") laws and regulations, including but not limited to 29 USC §207(k) systems pertinent to "government police officers, fire fighters and some EMS employees", which includes a definition of law enforcement personnel captured by the Sheriff's Dept. and Jail Personnel; and

Whereas, the existing policy in Section 4.02, 4.04, 4.05, and 4.06 in the Policy calls for the documentation of a separate "Sheriff's Department" policy (which is intended to, and hereby does include the Sheriff's Dept., and the Jail Personnel as defined herein); and

Whereas, the Sheriff's Department and Jail Personnel policy has been in practice for a meaningful period of time consistent with this documentation and Supplement; and

Whereas, the Commissioners Court has determined this documented Supplement is advisable so as to: i) clearly communicate these policies for the employees (including Sheriff's Dept., jail, and non law enforcement employees), both and existing and future, and; ii) to facilitate accurate and timely administration of this Policy by the Treasurer's Office and others involved in payroll administration;

Therefore, the following is hereby adopted by a majority of the Court as recorded in the Commissioners Court Minutes as of June 10th, 2014, and will be added as a Personnel Policy Supplement and referenced as Section 4.07

Overtime compensation:

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It should be noted that for regular County employees, Overtime (consistent with FLSA), as described in Sections 4.05 and 4.06 of the Policy, occurs for actual hours worked in excess of 40 hours per week or 80 per period. Time actually worked in excess of the relevant thresholds (for weeks or pay periods, as determined) give rise to the right to receive Overtime compensation, which is paid in non cash compensatory time ("Compensatory Time"). Non cash Compensatory

Time essentially allows the employee, to schedule paid time off, provided proper advance notice to the employee's supervisor has occurred and is agreed to.

For the Sheriff's Department, and separately, the Jail employees (including Jailers, Dispatch and Food Service personnel, collectively "Jail Personnel"), the FLSA Overtime thresholds, which apply to work periods vs. work weeks, are published in FLSA regulations 29 CFR §553.230 and are utilized for purposes of the County's Policy regarding Overtime compensation for these two categories of employees. Specifically, Presidio County adopted a "14 day 7(k) work period" for Jail Personnel, which triggers FLSA overtime pay, only if, when and to the extent actual hours worked exceed 86 in the 14 day work period.

Presidio County employees have the following standard work weeks or periods for purposes of Overtime and credit for Compensatory Time regarding actual hours worked during the weekly and bi-weekly periods (for all non law enforcement & Sheriff's Dept.) or the relevant work period (for Jail Personnel):

<u>(each regarding non exempt)</u>	<u>Weekly</u>	<u>Per Period</u>
County Employees	40	80
Sheriff Dept. Employees	N/A	80
Jail Personnel (Jailers, Dispatch and Food Service Personnel)	N/A	84

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County and Sheriff Dept. employees accrue and are credited with non-paid (except under certain circumstances, described herein) Compensatory Time at the hourly "rate" (for hours, vs. being denominated in dollar amounts using pay rates Xs the credited hours) of 1 ½ times (Xs) the hours of FLSA Overtime. For example, to earn 4 hours of Overtime compensation, County and Sheriff Dept. employees would need to actually work 84 hours, during any 80 hour bi-weekly work period. Applying the 1 ½ multiplier for that period would result in the County crediting that employee's Compensatory Time "bank" with 4 hrs. overtime Xs the applicable 1 ½ multiplier, or 6 hrs. of Compensatory Time.

For Jail Personnel (Jailers, Dispatch, and Food Service Personnel) to earn 4 hours of non paid Compensatory Time, these employees would be required to have worked 88 hours in a 14 day period. In this instance and consistent with the Policy as confirmed by this Supplement, Overtime hours properly earned are credited to the employee's Compensatory Time "bank" at a rate (multiplier) of 1 ½ Xs the actual hours worked. In this example, 88 authorized hours worked

- per Commissioners Court action on 6/28/14:*
- 1. Dispatch & Cooks workperiod is 7 days/40hr for calculating comp time.*
 - 2. Deputies are included in holiday bonus.*
 - 3. Comp time limit is 480 hours for Deputies & Jailers. All others are 240 hrs.*

exceeds the relevant FLSA Overtime threshold by 4 hours, and the employee would be credited for 6 hours of Compensatory Time.

Cash Paid Overtime/Compensatory Time:

Presidio County's Policy addresses only two instances where accrued Compensatory Time is to be paid in cash, using the then existing FLSA defined regular rate of hourly compensation for that specific employee for the relevant Compensatory hours, calculated as: i) relevant Compensatory Time to be paid, Xs, ii) the employee's then existing hourly rate of compensation. Those two instances giving rise to cash remuneration occur when: i) an employee's Compensatory Time on "deposit" in his/her bank exceeds 70 hours in spite of efforts by the employee and the County to have arranged the employee's work schedule to enable them to withdrawn those hours via paid days off (payable at the FLSA defined regular hourly pay), or ii) an employee's employment is terminated for any reason.

Jail Personnel Holiday Bonus:

In recognition that Jail Personnel are occasionally required to, throughout the course of a regular year and following their regular work schedule, work on certain paid County Holidays due to the jail being open and populated 24 hours/day of every day of the year, Presidio County offers the following bonus. For each such hour worked by these Jail Personnel that falls on a recognized County Holiday, the County will credit the employee's Compensatory Time bank with that same number of hours. This is a special bonus and not FLSA Overtime compensation.

For example, an employee who is a Jail Personnel (Jailer/Dispatch/Food Service), who works 84 hours in a 14 day payroll period has earned no FLSA Overtime, and therefore, no Compensatory Time credits to his/her "bank". *However*, should one of the days worked in that regularly scheduled pay period fall on a County Holiday, that or those Jail Personnel are entitled to the Holiday bonus. Therefore, the same number of hours as the hours worked by that employee that Holiday will be credited to his/her Compensatory Time bank. Assuming the standard 14 day period includes either: i) 6 days @ 14 hrs./day which is standard for Food Service, or ii) 7 days @ 12 hrs./day for Jailers/Dispatch personnel, both equaling 84 hrs. for the period, and one of those days is a County Holiday, this Holiday bonus would earn that employee 14 or 12 hours of Compensatory Time (as appropriate, determined as a number of hours equal to the hours worked on the Holiday) credited to his/her bank.

Non Jail Personnel work less frequently on Holidays, especially non Sheriff Dept. employees. Should non Jail Personnel work on a Holiday, AND during the relevant FLSA work week or pay period in which the Holiday occurs, Overtime in excess of the relevant FLSA threshold (which is less than the threshold for Jail Personnel) is earned, Compensatory Time accrues. Therefore, those Holiday Overtime hours are accrued and credited only as Overtime at the multiplier of 1 ½

Xs the hours of Overtime and credited to their Compensatory Time bank, while no Holiday bonus Compensatory Time is recognized or credited to their "bank".

This Supplement, which will be added to the Personnel Policy, is intended only to document the existing policy, as practiced by Presidio County for many years and which is believed to be compliant with FLSA rules and regulations.

Summary:

In brief, but not in conflict with the policy Supplement above with such Supplement controlling:

- No Overtime, unless approved in advance, may be worked
- If authorized Overtime occurs for any Employee, above their relevant FLSA threshold, they earn non cash Compensatory Time in their "bank"
- A Holiday bonus (equal to 1xs the hours worked on a Holiday) applies only to Jail Personnel, but not to any other County employees.

5.0
**PRESIDIO COUNTY
POLICY ON GRIEVANCES**

5.1
Page 1 of 1

PROCEDURE

1. Any employee having a grievance related to his/her job should discuss the grievance with the elected official.
2. **The decision of the elected or appointed official is final in all grievances.**

6.0
PRESIDIO COUNTY
POLICY ON DRUGS AND ALCOHOL

6.01
Page 1 of 3

PURPOSE

1. The purpose of this policy shall be to establish a drug and alcohol-free workplace to help ensure a safe and productive work setting for all employees.

APPLICABILITY

2. This policy shall apply to all employees of Presidio County regardless of rank or position and shall include temporary and part-time employees.
3. The only exception to this policy shall be the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

POLICY

4. The following shall be a violation of this policy:
 - A. The manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance or drug paraphernalia on County property.
 - B. Being under the influence of alcohol or illegal drugs while on County property or while on duty for the County.
 - C. The unauthorized possession or use of prescription or over-the-counter drugs while on County property or while on duty for the County.
 - D. The use of prescription or over-the-counter drugs, while on County property or while on duty for the County, in a manner other than that intended by the manufacturer or prescribed by a physician.

DEFINITIONS

5. A controlled substance shall include any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act (21 U.S.C. S 812), as amended.

DEFINITIONS (cont.)

6. **County property** shall include all County owned, rented, or leased real property such as buildings, land, parking lots etc. and property used by employees such as vehicles, lockers, desks, closets, storage areas, etc.
7. **Drugs** shall include any chemical substance that produces physical, mental, emotional, or behavioral change in the user.
8. **Drug paraphernalia** shall include equipment, a product, or material that is used or intended for use in concealing an illegal drug or for use in injecting, ingesting, inhaling, or otherwise inducing into the human body an illegal drug or controlled substance.
9. **Illegal drug** shall include any drug or derivative thereof which the use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, used for any other than a legitimate medical reason, and inhalants used illegally. Included is marijuana or cannabis in all forms.
10. **Under the influence** shall be defined as a state of having a blood alcohol concentration of 0.08 or more where "alcohol concentration" has the meaning assigned to it in Article 67011-1, Revised Statutes; or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage or a controlled substance.

**POLICY
VIOLATIONS**

11. Any employee who violates this policy shall be subject to disciplinary measures up to and including termination.

**PRESCRIPTION
DRUGS**

12. Employees taking prescription medications shall be required to notify their supervisor of any possible effects the medication might have regarding their job performance and physical/mental capacity.

**PRESCRIPTION
DRUGS (Continued)**

13. Any information concerning prescription medications being used by an employee, and any other medical information of which the supervisor becomes aware, shall be treated as confidential information.
14. Prescription medications used at work are to be kept in their original container.

TREATMENT

15. Employees having problems with drugs or alcohol are encouraged to seek treatment from qualified professionals.
16. Information on benefits provided for treatment of alcohol and drug problems through the County's medical insurance program is available in the employee's insurance coverage booklet or from the County Treasurer's Office.

**RESERVATION
OF RIGHTS**

17. Although adherence to this policy is considered a condition of continued employment, nothing in this policy shall alter an employee's status and shall not be deemed a contract or promise of employment.

minutes

PRESIDIO COUNTY COMMISSIONERS COURT

NOTICE OF SPECIAL MEETING

The Presidio County Commissioners Court will meet on

Thursday, September 16, 2021 at 10 a.m.

at the PRESIDIO COUNTY COURTHOUSE, COUNTY JUDGES OFFICE,
300 North Highland Avenue, Marfa, Texas 79843

Please Note: Individuals may attend in person or individuals wishing to listen to and/or participate in this meeting may access via Zoom:

Participants can join the meeting using this link via computer or mobile device:

<https://us02web.zoom.us/j/83593721024>

To join by phone, participants can dial this number **346-248-7799** and use meeting ID: **835 9372 1024**

Passcode: **755630**

Questions regarding the agenda should be directed to the Presidio County Commissioner's Court Support at (432)7294452. The agenda is available on the County's website (<http://www.presidiocounty.org>) Click on the Public Notices Calendar."

Agenda

To Discuss and take action as Appropriate

Public Hearing on Proposed 2021 Presidio County Budget

Quorum Present:

Cinderela Guevara, County Judge
Brenda Bentley, Commissioner Pct. 1
Eloy Aranda, Commissioner Pct. 2
Jose Cabezuela, Commissioner Pct. 3
Frank (Buddy) Knight, Commissioner Pct. 4

1. Review of FY 2021 Proposed Budget

Review of Proposed Budget

2. Public Comment regarding FY 2021 Proposed Budget

No Public Comments

3. Discussion among members of Commissioner Court and Public

4. Adjourn

Commissioner Aranda makes motion to adjourn, Commissioner Cabezuela seconds. Motion carries.

Agenda

Public Hearing on Proposed Tax Rate

Quorum Present:

Cinderela Guevara, County Judge
Brenda Bentley, Commissioner Pct. 1
Eloy Aranda, Commissioner Pct. 2
Jose Cabezuela, Commissioner Pct. 3
Frank (Buddy) Knight, Commissioner Pct. 4

1. Public Hearing on the Proposed 2021 Tax Rate

NOTE: Proposed tax year 2021 Tax Rate

Maintenance and Operation	\$0.533665
<u>Interest and Sinking</u>	<u>\$0.000000</u>
Total Rate	\$0.533655

a. Opportunity for Public Comment
No Public Comments

b. Discussion among members of the Commissioners Court and Public.

2. Adjourn 11:04 am

Commissioner Knight makes a motion to adjourn, Commissioner Aranda seconds. Motion carries.

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Establish a quorum
Cinderela Guevara, County Judge
Brenda Bentley, Commissioner Pct. 1
Eloy Aranda, Commissioner Pct. 2
Jose Cabezuela, Commissioner Pct. 3
Frank (Buddy) Knight, Commissioner Pct. 4

2. Opening Prayer Judge Guevara
3. Pledge of Allegiance Judge Guervara

COMMISSIONERS COURT REGULAR AGENDA

TIME CERTAIN ITEMS:

4. Communications from citizens who signed the register to speak.
No comments
5. Status report on salaries and overtime, to include copies of timesheets for payroll.

Finance Department Items

Patty Roach, Auditor

6. Approval of Line item transfers and Budget Amendments.
Line item transfers – Commissioner Knight makes a motion to approve line item transfers, Commissioner Cabezuela seconds. Motion carries.

Budget Amendments – No Budget Amendments

Hon. Frances Garcia, Treasurer

7. Consider and approve payment of all claims.
Judge Guevara makes a motion to approve payment of all claims, Commissioner Knight seconds. Motion carries.

INDIVIDUAL AGENDA ITEMS:

Items brought by Presidio County Commissioners Court

8. Discussion with action to adopt Proposed Budget for Fiscal Year 2021-2022 in accordance with Local Government Code 111.008.
Judge Guevara makes a motion to postpone Item #8 for a regular scheduled meeting to adopt the Proposed Budget for 2021-2022 at the meeting being held September 22, 2021 at 10:00am in the Presidio County Courthouse, County Judge's Office, where there will be a full quorum at that time. Commissioner Knight seconds. Motion carries.

9. Discussion with action to ratify increase/decrease in the property tax revenues reflected in the fiscal year 2021-2022 budget.

Judge Guevara makes a motion to postpone Item #9 for a regular scheduled meeting being held September 22, 2021 at 10:00am in the Presidio County Courthouse, County Judge's Office, where there will be a full quorum at that time. Commissioner Aranda seconds. Motion carries.

10. Discussion with action to adopt the proposed tax year 2021 Tax Rate in accordance with Texas Tax Code 26, as set below

NOTE: Proposed tax year 2021 Tax Rate

Maintenance and Operation	\$0.533665
<u>Interest and Sinking</u>	<u>\$0.000000</u>
Total Rate	\$0.533655

Judge Guevara makes a motion to postpone Item #10 for a regular scheduled meeting being held September 22, 2021 at 10:00am in the Presidio County Courthouse, County Judge's Office, where there will be a full quorum at that time. Commissioner Aranda seconds. Motion carries.

11. Discussion with action to adopt the 2021 Tax Rate Order.

Judge Guevara makes a motion to postpone Item #11 for a regular scheduled meeting being held September 22, 2021 at 10:00am in the Presidio County Courthouse, County Judge's Office, where there will be a full quorum at that time. Commissioner Aranda seconds. Motion carries.

Items brought by Hon. Frances Garcia

Presidio County Treasurer

12. Discussion with action to approve paid quarantine leave for fire fighters, peace officers, detention officers and emergency medical technicians' policy.

Judge Guevara make a motion to approve the paid quarantine leave for Presidio County Fire Fighters, Peace Officers, Detention Officers, and Emergency Medical Technicians ; to Include employees assigned to Jail/Sheriffs Office facilities and employees of Presidio County who may have been exposed due to interaction with Detention Officers from the Presidio County Jail policy, Commissioner Knight seconds motion. Motion carries.

Items brought by Chase Snodgrass

Presidio County Airports Manager

13. Discussion with action to renew Presidio Lely International Airport AWOS service plan and NADIN service contract DBT Transportation Services.

Commissioner Bentley makes motion to renew the Presidio County Lely International Airport AWOS service plan and NADIN service contract DBT Transportation Services, Commissioner Knight seconds. Motion carries.

14. Announcements from County Judge and Commissioners.

15. Adjournment

**Commissioner Aranda makes motion to adjourn, Commissioner Cabezuela seconds.
Motion carries.**

ATTEST:

FLORCITA ZUBIA, PRESIDIO COUNTY
COUNTY & DISTRICT CLERK

2B – 12 First Responders Paid Quarantine Leave

Paid quarantine leave for Presidio County Fire Fighters, Peace Officers, Detention Officers and Emergency Medical Technicians; to include employees assigned to the Jail/Sheriff's Office facilities and employees of Presidio County who may have been exposed due to interaction with detention officers from the Presidio County Jail Policy.

Presidio County shall provide paid quarantine leave for fire fighters, peace officers, detention officers, and emergency medical technicians employed by Presidio County and ordered by a supervisor or the health authority to quarantine or isolate due to a possible or know exposure to a communicable disease while on duty. This includes fire fighters, peace officer, detention officers and emergency medical technicians, as defined by this policy, who are employed by, and appointed to or elected to their position.

"Detention officer" means an individual appointed or employed by a county as a county jailer or other individual responsible for the care and custody of individuals incarcerated in a county jail.

"Emergency medical technician" means an individual who is certified as an emergency medical technician under Chapter 773, Health and Safety Code; and employed by the county.

"Fire fighter" means a paid employee of a municipal fire department or emergency services district who holds a position that requires substantial knowledge of firefighting; has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and performs a function listed in Section 143.003(4)(A).

"Health authority" has the meaning assigned by Section 121.021, Health and Safety Code. A health authority is a physician appointed under the provisions of Chapter 121 to administer state and local laws relating to public health within the appointing body's jurisdiction. A health authority must be: a competent physician with a reputable professional standing who is legally qualified to practice medicine in the state and a resident of the state. They must take an official oath and file with the department. For counties that do not establish a local health department or public health district, they may appoint a physician as health authority to administer state and local laws relating to public health in the county's jurisdiction.

"Peace officer" means an individual described by Article 2.12, Cod of Criminal Procedure, who is elected for, employed by, or appointed by the county.

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

► PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at $\frac{2}{3}$ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

► ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

- | | |
|---|---|
| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
|---|---|

► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:

1-866-487-9243

TTY: 1-877-889-5627

dol.gov/agencies/whd



WH1422 REV 03/20

PRESIDIO COUNTY COMMISSIONERS COURT

MINUTES OF SPECIAL MEETING

The Presidio County Commissioners Court will meet on
WEDNESDAY October 31, 2018 @ 9:30 a.m.
at the PRESIDIO COUNTY ANNEX, Bldg. B, 300 East O'Reilly Street,
Presidio, Texas

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Establish a quorum (Cinderela Guevara)

Present:

Cinderela Guevara, County Judge
Brenda Bentley, Commissioner Pct. 1
Eloy Aranda, Commissioner Pct. 2
Jose Cabezuela, Commissioner Pct. 3

2. Opening Prayer

Judge Guevara

3. Pledge of Allegiance

COMMISSIONERS COURT SPECIAL AGENDA

TIME CERTAIN ITEMS:

4. Communications from citizens who signed the register to speak. (3 minutes per person)
Brad Newton, Barbara Baskin

5. Announcements to Commissioner's Court from County Judge and Commissioners. (15 minutes or more).
6. **Approval of Payroll from October 15, 2018 to October 28, 2018 and all other claims.**
Commissioner Bentley makes motion to approve payroll from October 15, 2018 to October 28, 2018. Commissioner Aranda seconds. Motion carries.
Judge Guevara makes motion to approve bills as presented. Commissioner Bentley seconds. Motion carries.

INDIVIDUAL AGENDA ITEMS:

Item (s) brought by Jerry Carvajal, Director **Grant Works**

7. Discussion and action to award construction contract for TXCDBG Contract no. 7216045 Pueblo Nuevo First-Time Sewer Service Connections Project.
Commissioner Cabezuela makes motion to award contract TXCDBG No. 7216045 Pueblo Nuevo First Time Sewer Service Connections Project to Eduardo Madrid. Judge Guevara seconds. Motion carries.

Item (s) brought by Patrica Roach **Presidio County Auditor**

8. Consideration of a Financial Advisor Agreement with Government Capital Securities Corporation and other matters related thereto.
Judge Guevara makes motion to approve the Financial Advisor Agreement with Government Capital Securities Corporation and other matters related thereto. Commissioner Cabezuela seconds. Motion carries.
9. Discussion with action to authorize a resolution regarding declaration of official intent pursuant to section 1.150-2 of the Treasury Regulations.
Commissioner Bentley makes motion to authorize a Resolution Declaration of Official Intent pursuant to section 1, 150-2 of the Treasury Regulations. Commissioner Aranda seconds. Motion carries.

10. Order authorizing and ordering the issuance of Presidio County, Texas Limited Tax Notes, Series 2018; Specifying the terms and features of such notes; levying a continuing direct annual ad valorem tax for the payment of said notes; and resolving other matters incident and related to the issuance, sale, payment and delivery of a paying agent/registrar agreement; and providing an effective date.

**Judge Guevara makes motion to postpone. Commissioner Bentley seconds.
Motion carries.**

11. Discussion with action to state overtime practices for law enforcement.

Commissioner Bentley makes motion to adopt the current practice of Presidio County with regards to Law Enforcement Officers is to pay overtime at time and a half when an officer works more than 86 hours in a 2-week pay period. Commissioner Aranda seconds. Motion carries.

Item brought by Chase Snodgrass

Presidio County Airport Director

12. Discussion with action to accept a grant from TXDOT Aviation Division for Marfa Airport paving construction project.

**Commissioner Bentley makes motion to accept a grant from TXDOT Aviation Division for Marfa Airport paving construction grant. Commissioner Cabezuella seconds.
Motion carries.**

13. Discussion Only: Airport Management, Court to consider contracting management of Marfa Municipal Airport and Presidio Lely Airport.

No Action

Finance Department Items

Patty Roach, Auditor

14. Approval of Line item transfers and Budget Amendments.

**Judge Guevara moves that Presidio County Commissioners Court confirm the County Auditor's certification of unanticipated revenue in the amount of \$39, 858.72 and increase the FY 2019 revenue and expenditure budgets in the same amounts in accordance with the attached budget amendment form
Commissioner Aranda seconds. Motion carries.**

**Commissioner Aranda makes motion to approve line-item transfers as presented.
Judge Guevara seconds. Motion carries.**

15. Adjournment.

**Commissioner Bentley makes motion to adjourn. Commissioner Cabezuella seconds.
Motion carries.**



Patricia Roach, CPA
County Auditor

Office of the Presidio
County Auditor

P.O. Box 423
Marfa, Texas 79843
(432) 729-1990

October 31, 2018

Background

The County is in the process of submitting final documentation to the Homeland Security Grants Division of the Office of the Governor for the Operation Stonegarden Grant. One of the requirements is to submit the County's overtime policy. Our written policy still states that employees earn compensatory time. As of October 1, 2018, the Commissioners Court eliminated compensatory time and the County now follows a practice of paid overtime.

The Grants Coordinator at the Office of the Governor said that, instead of a written policy, the Commissioners Court could take action to formally state the overtime practice for law enforcement officers and we could then submit the minutes.

- The current practice of Presidio County with regards to law enforcement officers is to pay overtime at time-and-a-half when an officer works more than 86 hours in a 2-week pay period.

Patricia Roach, CPA
Presidio County Auditor

CHANGES FROM 9/19/18 MEETING

Increase Overtime for Co/District Clerk	2,292.00
Decrease Water District requests	(10,383.00)
Decrease Non-Dept Insurance	(20,000.00)
Increase Non-Dept Audit	20,000.00
Decrease DPS Office Expense	(3,000.00)
Decrease DPS Operating Supplies	(3,000.00)
Increase Wages/FICA/Med/Retirement for:	
Raises	53,286.00
Overtime	73,344.00
Comp Time Payout	52,953.00

From Budget Notes. At 9/19/18 budget meeting, Commissioners Court indicated they wished to discontinue comp time and pay for overtime worked. Numbers reflect budget changes to payout accumulated comp time and budget future overtime pay.

CHANGES FROM 9/19/18 MEETING**Increase Jail Wages/FICA/Med/Retirement for:**

Raises	53,558.00
Overtime	34,380.00
Comp Time Payout	12,463.00

Increase Airport Wages/FICA/Med/Retirement for:

Raises	2,145.31
Comp Time Payout	1,122.43

Increase PTD Wages/FICA/Med/Retirement for:

Raises	1,072.66
--------	----------

file - agenda intro
file - policy revision
file - personnel policy

REQUEST FOR SCHEDULING AGENDA ITEM

I/WE request that the following item be placed on the Agenda for the meeting of the Presidio County Commissioners Court to be held SEPTEMBER 19, 2017

This request with **SEVEN (7) COPIES OF THIS FORM IN TYPEWRITTEN FORMAT AND WITH EXHIBIT(S)** are to be submitted to the County Judge's Assistant no later than **3:00 p.m.** on the Thursday before the Commissioners Court meeting. If the exhibits are not submitted timely, this request may not be posted as an agenda item.

DISCUSSION WITH ACTION TO APPROVE changing the beginning of the work period for Law

Enforcement Deputies and Jailers to coincide with other employees.

1. Has this been the subject of previous Commissioners Court action?

YES _____ NO X

If yes, give the approximate date/location of the meeting at which this matter was discussed or what action was taken thereon:

REQUESTOR'S NAME: Patty Roach
REQUESTOR'S ADDRESS:
REQUESTOR'S TELEPHONE: 432-729-1990
REQUESTOR'S FAX:
REQUESTOR'S E-MAIL: countyauditor@co.presidio.tx.us

x Patty Roach
REQUESTOR'S SIGNATURE

x _____
AUTHORIZING SIGNATURE

Your request may be submitted via fax: 432-729-4453; via email: jalmancemolinar@co.presidio.tx.us
Via U.S. mail: P.O. Box 606, Marfa, TX 79843, or in person: 300 N. Highland Ave., Marfa, Texas 79843



Patricia Roach, CPA
County Auditor

Office of the Presidio
County Auditor

P.O. Box 423
Marfa, Texas 79843
(432) 729-1990

September 14, 2017

Background

At the September 12, 2017 Commissioners Court meeting, the Court approved changes to the Presidio County work period, setting it to begin at 12:01 am on Monday and ending 7 days later. However, Law Enforcement Deputies and Jailers have a 14-day work period. The Court should also take action to set their work period to begin at 12:01 am on Monday and end 14 consecutive days later. This was not included as part of the September 12 agenda item.

Suggested Motion

"I move that, beginning October 2, 2017, the work period for Law Enforcement Deputies and Jailers be changed to begin at 12:01 am Monday and end 14 consecutive days later."

Respectfully submitted,

Patricia Roach, CPA

Patricia Roach, CPA
Presidio County Auditor



Patricia Roach, CPA
County Auditor

Office of the Presidio
County Auditor

P.O. Box 423
Marfa, Texas 79843
(432) 729-1990

September 14, 2017

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Suggested Motion

"I move that, beginning October 2, 2017, the work period for Law Enforcement Deputies and Jailers be changed to begin at 12:01 am Monday and end 14 consecutive days later."

Respectfully submitted,

Patricia Roach, CPA

Patricia Roach, CPA
Presidio County Auditor

Polivis

John L. McCraw, Jr.
Senior Justice, 5th Court of Appeals
Qualified State/Federal Mediator
708 N. Waddill
McKinney, Texas 75069

OFFICE ADDRESS
1415 HARROUN ST.
McKINNEY, TEXAS 75069

DALLAS PHONE: (972) 562-6262
LOCAL PHONE: (972) 854-7900
FACSIMILE: (972) 332-2361
HOME PHONE: (972) 542-1263

September 25, 2018

Subject: Visiting Judge, & Substitute Court Reporter Status

FYI:

Attached is a copy of a United States Tax Court Decision. Visiting Judges and Substitute Court Reporters were held not to be employees, thus, the County is not responsible to withhold taxes on income.

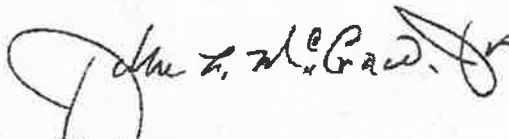
I believe, this agreed judgment will settle the issue regarding the status of Visiting Judges and Substitute Court Reporters for tax purposes are not requiring them to first become County employees to accept assignments for the County.

Williamson County did not classify Visiting Judges and Substitute Court Reporters as employees but as independent contractors. The IRS contested this classification and required them to be made employees. This agreed decision of the U.S. Tax Court upheld Williamson County's workers as independent contractors not employees. Therefore, I believe in this decision holding that Visiting Judges and Substitute Court Reporters as independent contractors for income tax purposes would be applicable to all Texas Counties.

I have a copy of all pleadings and will make them available to anyone upon request. Also, Robert E. Reetz, Jr., Attorney for Williamson County said he would be happy to talk with anyone about this case. Mr. Reetz's office number is: 512-495-6062.

Robert E. Reetz, Jr.
McGinnis Lochridge LLP
600 Congress Avenue, Suite 2100
Austin, TX 78701

Sincerely,


John L. McCraw, Jr.

10-18 San Antonio TX
Pugh
ORIGINAL

JRN

UNITED STATES TAX COURT

WILLIAMSON COUNTY, TEXAS,

Petitioner,

v.

Docket No. 20660-17

COMMISSIONER OF INTERNAL REVENUE,

Respondent.

DECISION

Pursuant to the agreement of the parties in this case, it is

ORDERED AND DECIDED: That the workers identified in the Notice of Determination of Worker Classification dated June 30, 2017, as jail doctor and visiting court reporters are not classified as employees of the petitioner for purposes of federal employment taxes under Subtitle C of the Internal Revenue Code with respect to the periods ending March 31, 2011, through December 31, 2013, and the calendar years 2011, 2012, and 2013;

That since the workers identified as jail doctor and visiting court reporters are not classified as employees the Court does not have to resolve the issue of whether the petitioner is entitled to treatment under section 530 of the Revenue Act of 1978 with respect to such individuals for the periods ending March 31, 2011, through December 31, 2013, and the calendar years 2011, 2012, and 2013;

That the workers identified in the Notice of Determination of Worker Classification dated June 30, 2017, as visiting judges are not classified as employees of the petitioner for purposes of federal employment taxes under Subtitle C of the Internal Revenue Code with respect to the periods ending March 31, 2011, through December 31, 2012, and June 30, 2013, through December 31, 2013, and the calendar years 2011, 2012, and 2013;

SERVED Sep 21 2018

That since the workers identified as visiting judges are not classified as employees the Court does not have to resolve the issue of whether the petitioner is entitled to treatment under section 530 of the Revenue Act of 1978 with respect to such individuals for the periods ending March 31, 2011, through December 31, 2012, and June 30, 2013, through December 31, 2013, and the calendar years 2011, 2012, and 2013;

That the workers identified in the Notice of Determination of Worker Classification dated June 30, 2017, as offsite animal counselors are classified as employees of the petitioner for purposes of federal employment taxes under Subtitle C of the Internal Revenue Code with respect to the periods ending June 30, 2011, through March 31, 2013, and the calendar years 2011, 2012, and 2013;

That with respect to the workers identified as offsite animal counselors the petitioner is not entitled to treatment under section 530 of the Revenue Act of 1978 for the periods ending June 30, 2011, through March 31, 2013, and the calendar years 2011, 2012, and 2013;

That the proper amount of employment tax under the above determination due and owing from the petitioner is as shown below:

Type of Tax	June 30, 2011	Sept. 30, 2011	Dec. 31, 2011
FICA	\$ 239.26	\$ 599.67	\$ 597.04
ITW	\$ 40.88	\$ 102.45	\$ 102.00

Type of Tax	Mar. 31, 2012	June 30, 2012	Sept. 30, 2012	Dec. 31, 2012
FICA	\$ 842.00	\$1,144.03	\$ 904.34	\$ 620.75
ITW	\$ 143.85	\$ 195.45	\$ 154.50	\$ 106.05

Docket No. 20660-17

- 3 -

Type of Tax	Mar. 31, 2013
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FICA	\$ 456.25
ITW	\$ 74.55

(Signed) Maurice B. Foley
Chief Judge

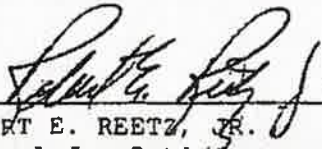
Entered: **SEP 21 2018**

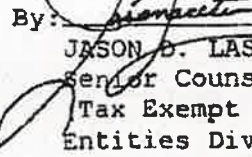
* * * * *

It is further stipulated that the Court may enter the foregoing decision in this case.

It is hereby stipulated that the term "federal employment taxes" refers to income tax withholding (ITW) under I.R.C. § 3402(a), and the tax imposed by the Federal Insurance Contributions Act (FICA) under I.R.C. §§ 3101, 3102(a).

WILLIAM M. PAUL
Acting Chief Counsel
Internal Revenue Service


ROBERT E. REETZ, JR.
Counsel for Petitioner
Tax Court Bar No. RR0538
McGinnis Lochridge LLP
600 Congress Avenue, Suite 2100
Austin, Texas 78701
Telephone: (512) 495-6062

By: 
JASON D. LASETER
Senior Counsel
(Tax Exempt & Government
Entities Division Counsel)
Tax Court Bar No. LJ1053
4050 Alpha Road
13th Floor
MC 2000 NDAL
Dallas, Texas 75244-4203
Telephone: (469) 801-1108

Date: September 14, 2018

Date: 9/17/2018

NOTICE OF THE SPECIAL MEETING OF THE
COMMISSIONERS' COURT OF PRESIDIO COUNTY, TEXAS
JUNE 28, 2016

Notice is hereby given that a special meeting of the above named Court will be held at **9:30 a.m.** on **June 28, 2016**, with the meeting to be held in the **Presidio County Annex**, at **300 East O'Reilly, Presidio, Texas**, to begin on June 28, 2016 at 9:30 a.m. and continue thereafter until such business of the Court has been completed in accordance with Article 81.005 of the Local Government Code of the State of Texas. The following items of business will be discussed, to wit:

1. Establish a quorum.

Present:

Cinderela Guevara, County Judge
Jim White III, Commissioner Pct. 1
Lorenzo Hernandez, Commissioner Pct. 3

2. Invocation.

Judge Guevara

3. Pledge of Allegiance.

4. Acknowledge guests and receive public comments regarding items not on the agenda. **(Public comments received at this time may not be discussed or acted on at this meeting. However, they may be referred for standard county policy or procedures or scheduled for a future Commissioners' Court agenda. Public comments regarding items that are on the agenda will be allowed for discussion when that agenda item is taken up by the Court.)**

5. Announcements to Commissioners' Court from Presidio County Judge and Commissioners.

6. Discussion with action in regards to the Presidio County Comp Time Audit.

Commissioner White makes motion to accept all recommendations of the Auditor on Comp time and to include the rewriting of the personnel policy. Commissioner Hernandez seconds. Motion carries.

7. Discussion with action in regards to a recommendation to make the Presidio County Veteran Service Officer's position a full -time Presidio County employee position, with applicable benefits & funding of a budget to support the office.

Commissioner White makes motion to table. Judge Guevara seconds. Motion carries.

8. Discussion with action to approve Presidio County Child Welfare Board's 3rd Quarterly Report and approve payment.

Commissioner White makes motion to approve the 3rd quarterly report to the Presidio County Child Welfare Board. Commissioner Hernandez seconds. Motion carries.

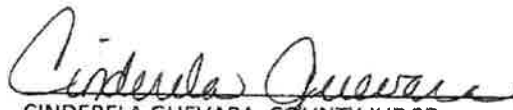
9. Discussion with action to approve the Proposal for Spill Remediation Analytical and Required Reporting for Presidio Maintenance Yard.

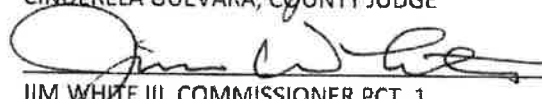
Judge Guevara makes motion to approve the proposal for Spill Remediation Analytical for the Presidio Maintenance Yard. Commissioner White seconds. Motion carries.

10. Discussion with action to approve the "Master Agreement Governing Local Transportation Project Advance Funding Agreements".

Judge Guevara makes motion to approve the Master Agreement Governing Local Transportation Project Advance Funding Agreement. Commissioner White seconds. Motion carries.

11. Discussion with action to approve a resolution authorizing the execution of the "Master Agreement Governing Local Transportation Project Advance Funding Agreements".
Commissioner White makes motion to approve the resolution authorizing the execution of the Master Agreement Governing Local Transportation Project Advance Funding Agreement.
Commissioner Hernandez seconds. Motion carries.
12. Discussion with action to approve the "Request for Qualifications" for hiring an architect to act as Presidio County's representative for the complete renovation of the Presidio County Sheriff's Office/Jail Heating Ventilation Air Conditioning System.
Judge Guevara makes motion to approve the "Request for Qualifications for hiring an architect to act as Presidio County's representative for the complete renovation of the Presidio County Sheriff's Office Jail Heating Ventilation Air Conditioning System. Commissioner Hernandez seconds. Motion carries.
13. Discussion with action to approve Presidio County budget increase for TAC Wellness funds.
Judge Guevara makes motion that the Presidio County Commissioner Court confirm The County's Auditors certification of unanticipated revenue in the amount of \$450.00 and approve the increase of the FY 2016 revenue/expenditure budget as follows. Revenue account 010-100-299-\$450; Expenditure account 010-107-645-\$450. Commissioner White seconds. Motion carries.
14. Executive Session: Convene into Executive Session regarding Treasurer's Office Personnel Matters.
Convene into executive session @ 11:12 am
15. Reconvene from Executive Session: Discussion with action in regards to Treasurer's Office Personnel Matters.
Reconvened into session @ 12:22 pm
Commissioner White makes motion to take no action. Commissioner Hernandez seconds. Motion carries.
16. Executive Session: Convene into Executive Session regarding Facilities Management Personnel Matter.
Convened into executive session @ 11:22 am
17. Reconvene from Executive Session: Discussion with action to fill Maintenance Worker vacancy.
Reconvened into session @ 12:22 pm
Commissioner White makes motion to table. Commissioner Hernandez seconds. Motion carries.
18. Discussion with action to cancel Marfa Airport land lease between Ronald & Delores Morton & Presidio County and to refund any unused prepaid amount.
Commissioner White makes motion to cancel the airport lease between Ronald & Delores Morton and refund \$325.00 to them as unused amount. Judge Guevara seconds. Motion carries.
19. Discussion with action to approve line item transfers.
Commissioner White makes motion to approve three line item transfers as presented.
Commissioner Hernandez seconds. Motion carries.
20. Discussion with action to approve Presidio County bills and expenses.
Judge Guevara makes motion to approve the payment of County bills as presented with The exception of:
Dept. 195- Mayfield Paper Company \$167.01
Commissioner White seconds. Motion carries.
21. Adjourn.
Commissioner White makes motion to adjourn. Commissioner Hernandez seconds. Motion carries.


CINDERELA GUEVARA, COUNTY JUDGE


JIM WHITE III, COMMISSIONER PCT. 1



ELOY ARANDA, COMMISSIONER PCT. 2

LORENZO HERNANDEZ, COMMISSIONER PCT. 3

LORETTO VASQUEZ, COMMISSIONER PCT. 4

ATTEST:

VIRGINIA PALLAREZ, COUNTY CLERK



Patricia Roach, CPA
County Auditor

Office of the Presidio
County Auditor

P.O. Box 423
Marfa, Texas 79843
(432) 729-1990

PRESIDIO COUNTY COMP TIME AUDIT

In January, 2016, the Presidio County Auditor's Office began an audit of employee timesheets, specifically reviewing calculation of comp time. A number of complaints/issues regarding the County's payroll process and comp time were brought to our attention and it was determined that an audit of the records should be conducted.

Presidio County is required to follow the guidelines established in the Fair Labor Standards Act (FLSA). The FLSA is a federal law that sets out, among other things, the overtime and comp time rules that Presidio County must follow when an employee works hours in excess of their established work period.

Overtime is time worked in excess of the hours specified in a particular work period. These hours, if paid, must be paid at 1 ½ times an individual's hourly rate or weighted average hourly rate for a person with different hourly rates for different jobs. Comp time is an arrangement where eligible employees are entitled to time off in lieu of overtime pay. Under the FLSA and Presidio County policy, employees are allowed to bank overtime worked rather than be paid for it when earned. Employees can use this for paid time off. Any comp time not used must be paid to the employee upon termination.

The FLSA also establishes the maximum work period that can be applied when calculating overtime/comp time. For non-law enforcement personnel, a work period is defined as a 7-day/40-hour recurring period. The work period for law enforcement personnel can range from a 7-day/43 hours work period up to a 28 day/171-hour work period.

Law enforcement personnel are defined as employees who are empowered by State or local ordinance to enforce laws designed to maintain peace and order, protect life and property and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement. It also includes security personnel in correctional institutions. The jail administrator, jail records clerk, cooks and dispatchers are not considered law enforcement personnel under the FLSA.

Presidio County's policy sets a 7-day/40-hour work period for most employees. Jail personnel (jailers, cooks, dispatchers) have a 14-day/84-hour work period while Sheriff's Office deputies have a 14-day/86-hour work period stated in policy.

The FLSA sets limits on the amount of overtime an employee can bank. The employer is required to pay for overtime hours worked in excess of these limits. The FLSA maximum for regular employees is 240 hours and 480 hours for law enforcement employees although employers can set lower limits. Presidio County's current policy sets the limit at 70 hours.

AUDIT PROCEDURES

On June 10, 2014, Presidio County adopted a personnel policy supplement (Section 4.07) that incorporated the practices of the Sheriff's Office and County Jail into the existing policy. The County Auditor's Office chose to use this as the start date for review of employee time sheets as this is the first date of written incorporation into County policy.

Our procedures included a review and recalculation of employee time sheets from the adoption of the supplement through January 8, 2016. A total of 684 time sheets that included comp time earned/used were audited utilizing criteria set out in County policy, the FLSA and/or information provided by the Texas Association of Counties (TAC). Data was collected on what the employee had entered on their time sheets, what was entered into the County's payroll system, what was paid to the employee, and the Auditor's Office recalculation.

Although the audit was originally designed to analyze comp time calculations, during the review, it was discovered that the procedures used for payment of jail transport hours were incorrect. Because this is a major factor in calculation of comp time, the Auditor's Office expanded the audit to include review of jail transport hours.

FINDINGS/ISSUES

We discovered multiple errors and issues during the audit. Four major categories have been identified. Actions have already been taken to address some of these issues and are listed below.

EMPLOYEE ISSUES/ERRORS

There were a large number of employee errors on the timesheets reviewed. Out of the 684 time sheets, 409 employee errors were found, resulting in a 60% error rate. Errors are shown below.

- Time sheets were incorrectly completed. Errors included entering hours on the wrong line or in the wrong box. (27 errors)
- Comp time was not calculated correctly. For instance, some employees used an 8-hour day rather than a 40-hour work period to determine comp time. (95 errors)
- Paid holidays or holiday bonus hours were calculated incorrectly. (46 errors)
- Comp time was transferred to another employee or an employee used transferred comp time. (3 errors)
- Jail transport hours were omitted from time sheets, and sick leave, vacation leave or comp time was used to reach 84 hours paid in a pay period. (238 errors)

Action Taken to Date – The County's time sheet has been revised to make it easier for the employee to complete and for the supervisor and Treasurer's Office to review. The transport hours issue was addressed by Commissioners Court on March 3, 2016. Employees are currently entering all jail transport hours on their time sheets.

Recommendation – The Treasurer’s Office should provide training for employees on correct time sheet completion and the ramifications of falsifying information on time sheets. This training can be held separately or in conjunction with supervisor training.

SUPERVISOR ISSUES/ERRORS

Because of the number of errors discovered on the timesheets, it is apparent that supervisors are either not properly trained on County policies or are not reviewing time sheets for accuracy. Many timesheets have a stamped signature rather than a manual signature so it is uncertain whether the supervisor has reviewed the time sheet at all.

Recommendation – The Treasurer’s Office should provide training on time sheet requirements for supervisors, their responsibilities for them and the ramifications of falsifying information on them. This training can be held separately or in conjunction with employee training.

TREASURER’S OFFICE ISSUES/ERRORS

The Treasurer’s Office has responsibility for processing the County’s payroll and tracking comp time and other leave balances. We found a number of instances where the County’s policy or FLSA was not properly applied and where time sheets were not reviewed and corrected. The following issues were discovered during the audit.

- Employee time sheets were not checked for accuracy on a consistent basis.
- The County’s policy was not always appropriately applied. (i.e., payout when comp time limit exceeded, allowing comp time to be transferred to another employee)
- Transport hours were not recorded on timesheets and were not paid in accordance with FLSA.
- Comp time was entered into the payroll system incorrectly. Comp time is earned in the same way that overtime is earned; on a one to one-and-a-half basis. One hour of overtime worked would be paid at 1 ½ times an employee’s hourly rate. One hour of comp time worked would be posted to an employee’s comp time bank at 1 ½ hours. The County is currently recording comp time on a one-for-one basis and then paying the time at 1 ½ times the hourly rate when the payout occurs. As shown in the illustration below, this causes a difference in the calculation of an employee’s comp time balance and a difference in the payout when the employee leaves employment.

Illustration of employee making \$10/hr and working 2 hours of overtime

<u>CURRENT POSTING</u>		<u>CORRECT POSTING</u>	
Comp Hours Posted	2.0	Comp Hours Posted	3.0
Comp Hours Used	<u>-1.0</u>	Comp Hours Used	<u>-1.0</u>
Balance	1.0	Balance	2.0
Reg Hourly Rate	\$10	Reg Hourly Rate	\$10
Payout Rate	\$15	Payout Rate	\$10
Payout Amount	\$15	Payout Amount	\$20

Action Taken to Date – The County’s time sheet has been revised to make it easier for the employee to complete and for the supervisor and Treasurer’s Office to review. The transport hours issue was addressed by Commissioners Court on March 3, 2016. Employees are currently entering all jail transport hours on their time sheets.

Recommendation – The Treasurer’s Office should establish a new leave category in the payroll system for comp time earned after July 1, 2016 and begin posting comp time hours on a one to one-and-a-half basis, holiday bonus hours on a one-to-one basis, and establish the payout rate at an employee’s regular hourly rate. This will allow the County to properly record comp time hours going forward. (see recommendation on prior balances under Policy section below.)

Recommendation – The Treasurer’s Office should implement a review of payroll before it is finalized. The review should be performed by someone other than the person processing payroll and include verification of employee timesheets and postings to the payroll system for hours worked, hours paid and leave earned/used.

Recommendation – The Treasurer’s Office should receive additional training on the provisions of the County’s personnel policy and the FLSA as it pertains to compensation and leave. In addition, the Treasurer’s Office should develop written procedures covering the application of the County’s personnel policy and the processing of payroll. This will help to insure correct application and processing of payroll as well as provide continuity when there are staff absences and turn-over.

POLICY ISSUES/ERRORS

Several problems were noted in the County’s personnel policy. The issues impacting the comp time audit are shown below.

- The policy supplement (Section 4.07) is poorly written making it difficult to understand and implement.
- The policy states that jail personnel, including cooks and dispatch personnel, have an 84-hour work period on which comp time is calculated. According to the FLSA (and confirmed by TAC), cooks, dispatchers, the jail administrator and jail records clerk do not meet the definition of law enforcement personnel and the County must use a 40-hour work period in calculating comp time.
- The policy states that jail personnel, including cooks and dispatchers, because of the nature of their 24-hour operations, are entitled to a holiday bonus if they work on a paid holiday. The policy does not state that this benefit is available for deputies although it appears to have been applied in the past.

Recommendation – The County should immediately begin calculating comp time for dispatch and cooks on a 7-day/40-hour work period as required by FLSA. Although County employees are at-will employees and the terms of their employment is not guaranteed, the County should, until the end of the fiscal year (9/30/16), allow these employees to continue with their 84-hour work week and use comp time earned to the extent that it is needed to bring hours paid up to 84 hours in a bi-weekly period. Hours earned in excess of this will be added to the comp time bank.

Recommendation – Supervisors of dispatchers/cooks should work out schedules for the new fiscal year that match a 7-day/40-hour work period so that excess comp time is not accumulated.

Recommendation – The County should include Sheriff's Office deputies in the holiday bonus provision. Based on the wording of the current policy, it appears that the County is trying to provide a benefit to departments that are required to have 24-hour coverage. Sheriff's Office deputies fall into this category of service and from the observation of past practices, it appears that deputies received this benefit in the past.

Recommendation – The County should revise their comp time limit policy to the limits established by FLSA (480 for law enforcement; 240 for all others). Many comp time balances have been allowed to exceed the 70-hour limit currently stated in policy. It is not economically feasible for the County to pay down all balances to the 70-hour limit.

Recommendation – The County Auditor's office should perform a recalculation of all remaining time sheets from 1/8/16 to 7/1/16, determine final correct balances for comp time and work with the Treasurer's Office to correct the balances in the County's payroll system. After calculation of correct balances, the County should pay out all accumulated comp time in excess of the 240/480 limits so that remaining balances are within the appropriate limit. The estimated cost of this is \$25,000. The County Auditor should present a final cost, recommended funding source and budget amendment request to Commissioners Court before payment is issued by the Treasurer's Office.

Recommendation – The Commissioners Court should restrict an appropriate amount of the Jail Fund Balance to cover the County's remaining comp time liability. This would ensure that the County has funds available to pay out comp time when an employee leaves. By restricting fund balance, the Commissioners Court is preventing use of the funds for other purposes. The Commissioners Court is always at liberty to remove all or part of the restriction at a later date if appropriate. The estimated remaining comp time liability after the initial payout is completed is \$80,000.

Recommendation – Supervisors should be instructed to pre-approve all overtime and not let employees work overtime unless it has been approved. Any payout of overtime for employees that have exceeded the policy limits must be paid from the appropriate department's budget. If the supervisor has not budgeted for this, funds must be found within their budget and a line item transfer submitted to the Commissioners Court.

Recommendation – The County should re-write the personnel policy supplement (Section 4.07) and include the recommendations shown above. The goal of the re-write should not only be to incorporate the changes but to simplify the policy and make it easier to understand and implement.

Respectfully Submitted,

Patricia Roach, CPA
Presidio County Auditor
June 24, 2016

NOTICE OF THE SPECIAL MEETING OF THE
COMMISSIONERS' COURT OF PRESIDIO COUNTY, TEXAS
MARCH 03, 2016

Notice is hereby given that a special meeting of the above named Court will be held at 9:00 a.m. on **March 03, 2016**, with the meeting to be held in the **Presidio County Annex**, at **300 East O'Reilly, Presidio, Texas**, to begin on March 03, 2016 at 9:00 a.m. and continue thereafter until such business of the Court has been completed in accordance with Article 81.005 of the Local Government Code of the State of Texas. The following items of business will be discussed, to wit:

1. Establish a quorum.

Present:

Cinderela Guevara, County Judge
Eloy Aranda, Commissioner Pct. 2
Lorenzo Hernandez, Commissioner Pct. 3

2. Invocation.

3. Pledge of Allegiance.

4. Acknowledge guests and receive public comments regarding items not on the agenda. (Public comments received at this time may not be discussed or acted on at this meeting. However, they may be referred for standard county policy or procedures or scheduled for a future Commissioners' Court agenda. Public comments regarding items that are on the agenda will be allowed for discussion when that item is taken up by the Court.)

5. Announcements to Commissioners' Court from Presidio County Judge and Commissioners.

6. Discussion with action regarding contract between U.S. Marshalls and Presidio County on inmate transport reimbursement.

Went into executive session 9:40 a.m.

Reconvened into regular session @ 10:44

Judge Guevara makes motion that beginning in Nov. 2015, Presidio County pay transport hours at an hourly rate of \$15 per hour and that the Treasurer's office, in conjunction with the County Auditor's office, recalculate timesheets, to include transport hours. Any timesheet changed should be reviewed with the employee and supervisor, signed by both and any shortage paid to the employee. Commissioner Aranda seconds. Motion carries.

7. Discussion with action to approve line item transfers.

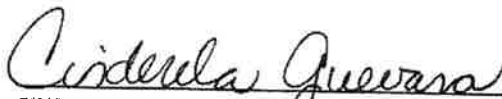
Commissioner Hernandez makes motion to approve line item transfer as presented. Commissioner Aranda seconds. Motion carries.

8. Discussion with action to approve Presidio County bills and expenses.


Commissioner Aranda makes motion to approve the payment of County bills. Commissioner Hernandez seconds. Motion carries.

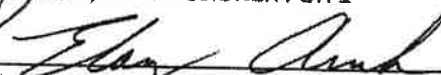
9. Adjourn.

Commissioner Aranda makes motion to adjourn. Commissioner Hernandez seconds. Motion carries.


CINDERELA GUEVARA, COUNTY JUDGE





JIM WHITE III, COMMISSIONER PCT. 1


ELOY ARANDA, COMMISSIONER PCT. 2


LORENZO HERNANDEZ, COMMISSIONER PCT. 3


LORETTO VASQUEZ, COMMISSIONER PCT. 4

ATTEST:


VIRGINIA PALLAREZ, COUNTY CLERK



Cinderela Guevara

CINDERELA GUEVARA, COUNTY JUDGE

Brenda S. Bentley

BRENDA SILVA BENTLEY, COMMISSIONER PCT. 1

Eloy Aranda

ELOY ARANDA, COMMISSIONER PCT. 2

Jose Cabezuela

JOSE CABEZUELA, COMMISSIONER PCT. 3

Loretto Vasquez

LORETTO VASQUEZ, COMMISSIONER PCT. 4

ATTEST:

Virginia Pallarez

VIRGINIA PALLAREZ, COUNTY CLERK

PRESIDIO COUNTY SALARY SCHEDULE

ADOPTED 08/21/2024

PRESIDIO COUNTY SALARY SCHEDULE

ADMINISTRATIVE/CLERICAL

Executive Assistant

Year	0	1	2	3	4	5	6	7	8	9	10
Hourly	\$ 18.50	\$ 18.82	\$ 19.15	\$ 19.49	\$ 19.83	\$ 20.18	\$ 20.53	\$ 20.89	\$ 21.25	\$ 21.63	\$ 22.00

Admin. Assist./Clerk

Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Hourly	\$ 15.00	\$ 15.26	\$ 15.53	\$ 15.80	\$ 16.08	\$ 16.36	\$ 16.65	\$ 16.94	\$ 17.23	\$ 17.53	\$ 17.84	\$ 18.15	\$ 18.47	\$ 18.79	\$ 19.00

FACILITIES & MAINTENANCE

Airport Supervisor/Golf Course

Year	0	1	2	3	4	5	6	7	8	9	10	11	12
Hourly	\$ 18.00	\$ 18.32	\$ 18.64	\$ 18.96	\$ 19.29	\$ 19.63	\$ 19.97	\$ 20.32	\$ 20.68	\$ 21.04	\$ 21.41	\$ 21.78	\$ 22.00

Maintenance I

Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13
Hourly	\$ 16.50	\$ 16.79	\$ 17.08	\$ 17.38	\$ 17.69	\$ 18.00	\$ 18.31	\$ 18.63	\$ 18.96	\$ 19.29	\$ 19.63	\$ 19.97	\$ 20.32	\$ 20.50

Maintenance II

Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Hourly	\$ 14.50	\$ 14.75	\$ 15.01	\$ 15.27	\$ 15.54	\$ 15.81	\$ 16.09	\$ 16.37	\$ 16.66	\$ 16.95	\$ 17.25	\$ 17.55	\$ 17.86	\$ 18.17	\$ 18.49

Custodian

Year	0	1	2	3	4	5	6	7	8	9	10
Hourly	\$ 14.00	\$ 14.25	\$ 14.49	\$ 14.75	\$ 15.01	\$ 15.27	\$ 15.54	\$ 15.81	\$ 16.08	\$ 16.37	\$ 16.50

Equipment Operator

Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13
Hourly	\$ 16.50	\$ 16.79	\$ 17.08	\$ 17.38	\$ 17.69	\$ 18.00	\$ 18.31	\$ 18.63	\$ 18.96	\$ 19.29	\$ 19.63	\$ 19.97	\$ 20.32	\$ 20.50

Laborer

Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Hourly	\$ 14.50	\$ 14.75	\$ 15.01	\$ 15.27	\$ 15.54	\$ 15.81	\$ 16.09	\$ 16.37	\$ 16.66	\$ 16.95	\$ 17.25	\$ 17.55	\$ 17.86	\$ 18.17	\$ 18.49

Adopted as part of personnel policy 08/24/2024

LAW ENFORCEMENT

Chief Deputy

Year	0	1	2	3	4	5	6	7	8	9	10
Hourly	\$ 23.00	\$ 23.40	\$ 23.81	\$ 24.23	\$ 24.65	\$ 25.08	\$ 25.52	\$ 25.97	\$ 26.42	\$ 26.89	\$ 27.00

Deputy

Year	0	1	2	3	4	5	6	7	8	9	10	11
Hourly	\$ 21.00	\$ 21.37	\$ 21.74	\$ 22.12	\$ 22.51	\$ 22.90	\$ 23.30	\$ 23.71	\$ 24.13	\$ 24.55	\$ 24.98	\$ 25.00

Jail Admin

Year	0	1	2	3	4	5	6	7	8	9	10
Hourly	\$ 22.00	\$ 22.39	\$ 22.78	\$ 23.18	\$ 23.58	\$ 23.99	\$ 24.41	\$ 24.84	\$ 25.28	\$ 25.72	\$ 26.00

Records Clerk

Year	0	1	2	3	4	5	6	7	8	9	10	11
Hourly	\$ 20.00	\$ 20.35	\$ 20.71	\$ 21.07	\$ 21.44	\$ 21.81	\$ 22.19	\$ 22.58	\$ 22.98	\$ 23.38	\$ 23.79	\$ 24.00

Jail Sgt

Year	0	1	2	3	4	5	6	7	8	9	10	11
Hourly	\$ 19.50	\$ 19.84	\$ 20.19	\$ 20.54	\$ 20.90	\$ 21.27	\$ 21.64	\$ 22.02	\$ 22.40	\$ 22.80	\$ 23.19	\$ 23.50

Dispatch Supervisor

Year	0	1	2	3	4	5	6	7	8	9	10	11
Hourly	\$ 19.00	\$ 19.33	\$ 19.67	\$ 20.02	\$ 20.37	\$ 20.72	\$ 21.08	\$ 21.45	\$ 21.83	\$ 22.21	\$ 22.60	\$ 22.99

Jail Corporal

Year	0	1	2	3	4	5	6	7	8	9	10	11	12
Hourly	\$ 18.00	\$ 18.32	\$ 18.64	\$ 18.96	\$ 19.29	\$ 19.63	\$ 19.97	\$ 20.32	\$ 20.68	\$ 21.04	\$ 21.41	\$ 21.78	\$ 22.00

Jailer & Dispatcher - Licensed

Year	0	1	2	3	4	5	6	7	8	9	10
Hourly	\$ 17.00	\$ 17.30	\$ 17.60	\$ 17.91	\$ 18.22	\$ 18.54	\$ 18.86	\$ 19.20	\$ 19.53	\$ 19.87	\$ 20.00

Jailer & Dispatcher - Unlicensed

Year	0	1	2
Hourly	\$ 16.00	\$ 16.28	\$ 16.56

*Jailer & Dispatcher (SB22)

Year	All
Hourly	\$ 16.00

*This applies to Jailer & Dispatchers whose salaries are supplemented by SB22, and does not reflect the SB22 supplemented amount. This hourly amount only reflects the portion of said salary funded through Presidio County's funds.

Cook

Year	0	1	2	3	4	5	6	7	8	9	10	11	12
Hourly	\$ 14.00	\$ 14.25	\$ 14.49	\$ 14.75	\$ 15.01	\$ 15.27	\$ 15.54	\$ 15.81	\$ 16.08	\$ 16.37	\$ 16.65	\$ 16.94	\$ 17.00

NOTES:

1. The following departments have one Executive Assistant each: County Judge, County Attorney, County Sheriff, County/District Clerk, County Treasurer, Auditor, Justice of the Peace 1, and County Tax Assessor/Collector. Employees must be full time to qualify for an Executive Asst. Position.
2. Airport incentive pay is calculated at \$0.50/gallon sold per month above 6,000 gallons, and is distributed based on the percentage of time worked.
3. USM Transport wage is \$20.00/hr. This amount is set by contract and cannot be changed.
4. The number of years applicable to each employee is governed by the Employee Personnel Policy.

*Personnel policy amendment/added
salary schedule. Approved 08/21/24*

PRESIDIO COUNTY COMMISSIONERS COURT NOTICE OF SPECIAL MEETING AND BUDGET WORKSHOP

The Presidio County Commissioners Court will meet on

WEDNESDAY August 21st, at 10:00 a.m.

At the PRESIDIO COUNTY ANNEX BLDG B, 300 East O'Reilly Street,
PRESIDIO, TEXAS 79845

While Presidio County Commissioners Court offers hybrid meetings for the convenience of the public, it is not a requirement. This is a privilege that we make available for the convenience of those who wish to attend and cannot do so in person. There may be times when technology fails, but the meetings will continue as planned, due to the need to conduct the business of the County. If you are unable to log in for any reason or if we are unable to start the meeting virtually, you will need to make alternate plans and attend the meeting at the physical location.

Participants can join the meeting using this link via computer or mobile device:

Join Zoom Meeting

<https://us02web.zoom.us/j/83765877212>

Meeting ID: 837 6587 7212

Passcode: 292929

Join by phone dial: 346-248-7799

Questions regarding the agenda should be directed to the Presidio County Commissioner's Court Support at (432)729-4452. The agenda is available on the County's website (<http://www.presidiocounty.org>) Click on the Public Notices Calendar."

assist the Chief Appraiser on property schedules, commercial and residential properties and Property Value Studies for 2025.

- To help create a new temporary part time position to assist with the ever-increasing GIS mapping mandates.

Commissioner Bentley makes a motion not to approve Presidio County Appraisal Districts request to retain surplus funds in the amount of \$14,349.17. Commissioner Cabezuela seconds motion.

Commissioner Beebe - Opposes

Commissioner Hernandez - Opposes

Motion dies.

Item brought by Alicia Sancez, Presidio County Auditor

13. Discussion with action to approve the proposal of Steve Finch of John Shomaker and Associates (Water-Resource and Environmental Consultants) for hydrogeology services to be provided for the Shafter water system project to be funded from the Contingency budget of \$31,890 in EDAP loan number L1001657.

Commissioner Beebe makes a motion to approve the proposal of Steve Finch of John Shomaker and Associates (Water-Resource and Environmental Consultants) for hydrogeology services to be provided for the Shafter water system project to be funded from the Contingency budget of \$31,890 in EDAP loan number L1001657. Commissioner Bentley seconds motion. Motion carries.

14. Discussion with action to approve the Presidio County Salary Schedule, and to adopt it as part of Presidio County personnel Policy.

Commissioner Beebe makes a motion to approve the Presidio County Salary Schedule. Commissioner Bentley seconds motion. Motion carries.

Item brought by Frances Garcia, Presidio County Treasurer

15. Presentation brought by Mindy Seahorn on Health Insurance.

Presentation by Mindy Seahorn

16. Discussion with action to approve Health Insurance

Commissioner Beebe makes a motion to approve the same Health Insurance. Commissioner Cabezuela seconds motion. Motion carries.

Items brought by Florcita Zubia, Presidio County/District Clerk

17. Discussion with action to approve a contract with Spencer Holding Company to rent a building to hold the 2024 November General Election for Early Voting and Election Day in Presidio, Texas.

Commissioner Bentley makes a motion to approve a contract with Spencer Holding Company to rent a building to hold the 2024 November General Election for Early Voting and Election Day in Presidio, Texas. Commissioner Beebe seconds motion. Motion carries.

18. Discussion with action to pay Spencer Holding Company to rent the voting location before services are rendered.

COUNTY JUDGE

COUNTY JUDGE

1. Establish Quorum

Present: **Jose “Joe” Portillo, Presidio County Judge - Not Present**
 Brenda Bentley, Commissioner Pct 1 - Present, Judge ProTem
 Margarito Hernandez, Commissioner Pct 2 - Present
 Jose Cabezuela, Commissioner Pct 3 - Via Present
 David Beebe, Commissioner Pct 4 - Present

2. Pledge of Allegiance to the U.S. Flag

Commissioner Beebe, Judge ProTem

3. Public comments.

We look forward to hearing from the citizens of Presidio County. If you wish to share any thoughts and/or concerns during the Public Comment portion of the meeting, you must sign in with the Judge's Assistant before the meeting is called to order. Public Comments are limited to 5 minutes per person. The Presidio County Clerk will be responsible for keeping time and announce a one-minute remainder of time.

Deirdre Hisler - request for the International Bridge to be an agenda item.

BUDGET WORKSHOP

6. Discussion of approved proposed budget.

AGENDA

COMMISSIONERS COURT ROUTINE AGENDA ITEMS

4. Consider and take action to approve Budget Amendments and/or Line-Item Transfers.

No Budget Amendments

No Line Item Transfers

5. Consider and take action to approve the Treasurer's List of Claims and Bills.

Bills in the amount of \$146,347.62

Commissioner Bentley makes a motion to approve the Treasurer's List of Claims and Bills. Commissioner Cabezuela seconds motion. Motion carries.

BUDGET WORKSHOP

6. Discussion of approved proposed budget.

Discussion of approved proposed budget

COMMISSIONERS COURT REGULAR AGENDA

Item brought by Gilbert Carrillo, City of Marfa Chief of Police

7. Discussion with action to allow Gilbert Carrillo Chief of Police for the City of Marfa to use the Presidio County Courthouse's Courtyard for the 3rd Annual National Night Out which is a night for the community to interact with all Law Enforcement and 1st Responders.

Commissioner Beebe makes a motion to approve Carrillo Chief of Police for the City of Marfa to use the Presidio County Courthouse's Courtyard for the 3rd Annual National Night Out. Commissioner Bentley seconds motion. Motion carries.

Items brought by Jose Portillo, Presidio County Judge

8. Discussion with action to approve Presidio County's Rural Law Enforcement grant application # IA- 0000000778 in the amount of \$17,184.58 for Presidio County Constables in FY2025.

Commissioner Cabezuela makes the motion to approve Presidio County's Rural Law Enforcement grant application # IA- 0000000778 in the amount of \$17,184.58 for Presidio County Constables in FY2025. Commissioner Beebe seconds motion. Motion carries.

9. Discussion with action to approve Presidio County's Rural Law Enforcement grant application # IA-0000000748 in the amount of \$250.000 for Presidio County Sheriff's Office in FY2025.

Commissioner Cabezuela makes a motion to approve Presidio County's Rural Law Enforcement grant application # IA-0000000748 in the amount of \$250.000 for Presidio County Sheriff's Office in FY2025. Commissioner Bentley seconds motion. Motion carries

10. Request by Marfa Chamber of Commerce to get approval for the use of the Presidio County Courthouse lawn the weekend of August 30-September 1,2024 (Labor Day Weekend), for the annual Marfa Light's Festival celebration.

Commissioner Beebe a motion to approve Marfa Chamber of Commerce to use of the Presidio County Courthouse lawn the weekend of August 30-September 1,2024. Commissioner Cabezuela seconds motion. Motion carries.

11. Discussion with action to approve an order for 2024 November's General Election for early voting and Election Day.

Commissioner Cabezuela makes a motion to approve the Order for the 2024 November General Election for Early Voting and Election Day. Commissioner Bentley seconds motion. Motion carries.

Item brought by Josie Simpson, Appraisal Board Secretary

12. Discussion with action to approve Presidio County Appraisal Districts request to retain surplus funds in the amount of \$14,349.17 for the following

- To help offset the increased cost of the new appraisal service firm Pritchard and Abbott Inc. They will be replacing Western Valuation and

20. Administrative Update and Announcements from County Judge and Commissioners.
21. Adjournment.

I certify that the above notice of the regular meeting of the commissioner's court was posted on the front entrance of the Presidio County Courthouse on August 16th, 2024, located at 300 North Highland Avenue, Marfa, Texas.

A handwritten signature in black ink, appearing to read 'Jose Portillo Jr.', is positioned above a horizontal line.

**Jose Portillo Jr.
Presidio County Judge**

Notice to the Public:

The Presidio County Commissioners Court reserves the Right to Adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters) and 551.0725 (Deliberations by Certain Commissioners Courts about Contracts Being Negotiated).