



PHOTOS BY JIM LOWE  
A 1997 Toyota 4Runner rolled over Tuesday afternoon north of town on U.S. Highway 281. The driver was taken to Rollins Brook Community Hospital with what were believed to have been superficial cuts and scrapes to his arms, the Texas Department of Public Safety said.

## Rollovers on Monday, Tuesday send one driver to hospital

By JIM LOWE  
Staff Writer

The drivers in two one-vehicle rollovers earlier this week apparently escaped serious injury, officials said.

On Tuesday about 12:50 p.m., the second of the two accidents occurred four to five miles north of town on U.S. Highway 281.

The day before, the Texas Department of Public Safety was called at 9:55 a.m. about a rollover one mile north of Lampasas on U.S. 183/190.

Troopers Jacob Wheeler and Andrew Lott of Mills County investigated the Tuesday rollover, and Wheeler gave the following account.

Austin Shoemaker, 20, of Lampasas, was driving a southbound 1997 Toyota 4Runner toward Lampasas. He reached down to change a station on his iPod, the trooper said.

In the process, the vehicle veered off the roadway onto an unimproved shoulder on the right side of the highway. The driver overcorrected to his left and lost control of the Toyota.

The 4Runner, which crossed all lanes of traffic, went into a side skid, and the vehicle ended up in a bar ditch on the east side of the highway. The Toyota came to rest on the driver's side, facing southeast.

The vehicle, which had to be towed from the scene, was believed to have been totaled.

Capital Ambulance transported Shoemaker, who was the sole occupant of the 4Runner, to Rollins Brook Community Hospital. The driver was wearing a seat belt at the time of the crash. Shoemaker sustained superficial cuts and scrapes to his arms, the trooper said.

The Lampasas Fire Department and Lampasas County Sheriff's Department also assisted at the scene.

A little more than 24 hours earlier, DPS Cpl. 5 Jimmy Chesnut of Lampasas investigated the other rollover.

In that accident on U.S. 183/190 – a short distance northwest of Lampasas Cattle Auction – a 2000 two-door Chevy Cavalier driven by Janet Walsh rolled over halfway.

Ms. Walsh of Lometa was southbound when the vehicle she was driving ran off the right side of the highway onto the grass.

As she approached a road sign, she overcorrected to the left and ran off the highway on the northbound side. She then overcorrected to the right, which caused the car to roll over, the trooper said.

The Cavalier, which was totaled, had to be towed from the scene.

The driver, who refused treatment for what Chesnut said were minor injuries, was wearing a seat belt.

Ms. Walsh – the only occupant of the Chevy – was arrested for driving while intoxicated.

The fire department, sheriff's department, Lampasas Police Department and Capital Ambulance assisted at the accident site.



The driver of a southbound 2000 Chevy Cavalier drove off the right side of U.S. Highway 183/190 one mile north of town and overcorrected, which caused the car to roll over.

## Commissioners divided about constable pay

Continued from page 1

year, Nelson said, he recorded more than 1,000 hours through the end of July.

Commissioners courts have wide latitude in determining what is "reasonable" constable pay, County Auditor Jack Clark said at Monday's meeting.

Nelson, who said he wants to cooperate with commissioners about a possible supplement, has withdrawn a letter in which he requested a salary of \$30,000 and indicated he might seek a grievance committee's opinion about his request.

A nine-person grievance committee, composed of six elected officials and three members of the public, can force the commissioners Court to raise Nelson's salary, but only if the committee votes unanimously in the constable's favor, Clark said.

If Nelson goes through the grievance process and is not satisfied with the outcome, Clark said the constable's next option to increase his salary would be to file a lawsuit in district court.

The auditor said he hopes county

officials can resolve the pay dispute by agreeing to give Nelson the supplement of \$7,900 he is seeking. The Commissioners Court will vote Sept. 24 to adopt a 2012-2013 budget.

The court discussed the salary matter extensively at its meeting Monday. Precinct 4 Justice of the Peace Sheila Blackwell Hood and other officials also offered comments about Nelson's duties.

Mrs. Hood said she asks the Lampasas County Sheriff's Office, rather than Nelson, to serve papers in her precinct. Nelson has not served any civil papers or filed on any criminal matters in Precinct 4 in the last year, the justice of the peace said.

In a telephone interview, Nelson said although Mrs. Hood does not call him to work in her precinct he has served all papers presented to him. Occasionally, cases involve matters in Precinct 4, Nelson said.

The constable said he served papers in Precinct 4 about a month ago, and he said his patrols along school bus routes often take him into Precinct 4.

By law, constables have only two

required duties, Clark said: to serve warrants and to act as the bailiff in their precinct's justice of the peace court.

Sheriff David Whitis said although Nelson assists his office "as needed" with traffic matters, court duties, and transportation of inmates and juveniles, the constable is under no obligation to do so.

Nelson works as a bailiff in only one of the county's three JP courts, Precinct 3 Commissioner Lowell Ivey said. Although the county gave the constable a pay supplement this year, Ivey said new information he has received makes him oppose a pay boost for Nelson.

"Personally, when we gave the supplement last year I feel like we were misinformed about what he does," Ivey said. "Now that we know what he doesn't do, I'm not in favor of the supplement."

County Judge Wayne Boultinghouse also disputed the need to boost Nelson's pay beyond what is budgeted for the new year. Because Lampasas County's population is smaller than that of nearby urban counties, the judge said

# Council votes to hire new city manager

By DAVID LOWE  
Staff Writer

The Lampasas City Council on Monday voted unanimously to hire Llano City Manager Finley deGraffenried as Lampasas city manager.

The council has been searching for a new city manager since August of last year, when the council voted to fire Michael Stoldt.

DeGraffenried is giving the city of Llano 30 days' notice, Mayor Jerry Grayson said, and he will start work in Lampasas Oct. 15.

DeGraffenried has served as Llano city manager since January 2008, according to a resumé obtained through an open records request at Lampasas City Hall. He worked as city administrator for Bridgeport, Neb. – a town of about 1,500 people in the western part of that state – from October 1998 to December 2007.

Grayson said deGraffenried's 14 years of city management experience, along with what the mayor described as the job applicant's ability to work well with people, convinced the council he is the right person to direct city administration.

Grayson also said deGraffenried will be well suited to the Lampasas post



Finley deGraffenried

because he is familiar with working in rural areas.

"I believe any manager who has worked in a community similar to the one he's going to is a good thing," the mayor said.

Lampasas' financial health and "progressive" approach to city projects, deGraffenried said, as well as its population and home-rule form of city government motivated the Llano official to apply for the management job.

DeGraffenried said he will meet with the City Council, municipal staff and city residents once he begins his work in Lampasas. Communication with

city leaders and residents, he said, will enable him to determine Lampasas' needs and to set goals.

Finalist David Vela, deputy city manager in Abilene, withdrew himself from consideration for the Lampasas post about a month ago, and the City Council began a new search. The council on Aug. 22 interviewed both deGraffenried and Interim City Manager Stacy Brack, Mrs. Brack said.

Grayson praised the work of Mrs. Brack, who will return to her duties as assistant city manager when deGraffenried begins his employment in Lampasas.

"She did well, and we appreciate that," the mayor said. "She's been a longtime [city] employee and a dedicated employee."

DeGraffenried will earn an annual base salary of \$94,500. In addition, he will receive a monthly car allowance of \$500 in exchange for using his personal vehicle for city business. Also, deGraffenried will be entitled to the use of a cell phone paid for by the city.

The new city manager must establish a permanent residence within the city limits by Aug. 1, 2013, according to his employment agreement.

The city of Lampasas also will pay deGraffenried \$2,500 for moving expenses.

## Lampasas man sentenced for DWI

In recent 27<sup>th</sup> District Court action, 31-year-old Jason Alex Brown of Lampasas was sentenced to one year in jail probated to 18 months, and he received a \$1,000 fine for driving while intoxicated, second.

Bond was increased to \$100,000, and a warrant was issued for Justin Edward Bass, 20, when the Lampasas man failed to show up for court on a charge of possession of a controlled substance greater than 28 grams in a drug-free zone.

Christopher Lynn Fields, 29, of Lampasas is set for a pretrial hearing today for assault on a public servant.

An adjudication hearing is on today's docket for Benjamin Charles Fitzgerald, 21, of Copperas Cove. He is charged with debit card abuse.

Scheduled for Oct. 5 are pretrial hearings for Adam Trejo, 22, for sexual assault of a child, and Frazer Hinga, 21, for assault on a public servant. Hinga's bond was reduced to \$5,000.

Arraignment is set Oct. 5 for Christopher Lewis Aull, 31, of Burnet for theft over \$1,500 and less than \$20,000.

For injury to a child/elderly/disabled reckless bodily injury, Phyllis Stone Smith, 64, of Lampasas is set to enter a plea Oct. 12.

The following are expected to be on the Oct. 19 docket:

- a plea and sentencing for Dustin Dale Crawford, 27, of Kempner for theft of a firearm.
- a plea and sentencing for Frank James Mums, 30, for prohibited substance in a correctional facility-alcohol/drug/phone/tobacco.
- a pretrial hearing for James Charles Jason Carter, 35, of Burnet for theft over \$1,500 and less than \$20,000.

Jury trials are slated Oct. 29 for Darius Lashawn Wilson, 28, of Dallas for bail jumping and failure to appear felony, and theft over \$1,500 two or more convictions any theft.

A review is set Dec. 7 for Johnette Sanchez, 34, of Belton for delivery of

a controlled substance.

Jury trials are scheduled Dec. 17 for John Lee Champion, 37, of Lampasas on a charge of possession of a controlled substance less than

one gram in a drug-free zone, and for Freddy Rolando Pena Rapalo, 45, of Lawton, Okla., for forgery of a government instrument/money/securities.

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