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COMMISSIONERS' COURT  
SPECIAL MEETING  
AUGUST 22, 2011

Notice is hereby given that the Titus County Commissioners' Court met in a special meeting on Monday, September 26, 2011 at 9:00 a.m. in the Titus County Courtroom, with the following members present:

Brian P. Lee	County Judge
Don Boggs	Commissioner Precinct 1
Mike Fields	Commissioner Precinct 2
Phillip Hinton	Commissioner Precinct 3
Thomas Hockaday	Commissioner Precinct 4
Dianne Norris	County Clerk
Carl Johnson	County Auditor
Sheryl Preddy	County Treasurer
Judy Cook	County Tax Assessor
Judge Kay McNutt	JP Precincts 1,3&4
Leonard Rockwell	Election Administrator
Tim Ingram	County Sheriff

Public Attending Meeting:

Barbara Bruechner	O.M. Adams	Karen Adams
A.T. Riddle	Mat Gibson	Judy Gibson
Trish Scarborough	Margie Thomas	Gerry Evenwel
Brad Eubanks	T. Landrum	Steve Aikman
Judy Lee	Doyle W McGee	Keith Kridler
Carolyn Norman	Judy Green	John Walker
Elmer Patton	Eric Bruechner	James Baker
Michael Hughes	Nigel Christopher	Doug Hobbs
Dixie Spruill	Mike Ahrens	Chief Larry McRae
Ted Aikman	Cleve Johnson	Scott Spruill
Sherri Spruill	T. Buffalo	Troy Sellers
Wiley Carpenter	Jona Carpenter	Joe Prince
Emily Aikman	Kristen Frazier	Sandra Price
Norma Narramore	Jake Narramore	

Pledge of Allegiance led by:	Judge Lee
Invocation by:	Judge Lee

1) Pursuant to section 551.042, Texas Open Meeting Act, the Court is open to hear public comments and/or requests for information on non-agenda items. (Listen to audio track 1, 00:01:54).

- a. Judge Lee: This is an opportunity to discuss non-agenda items. Despite the fact that we had hearings on the two important matters for today, and theoretically your time for input has been offered during those two times. However, I will ask you one more time, if there is somebody has that has new and fresh ideas that you would like to share with the Commissioners' Court I will give you a little bit of time. If you just want to re-hash the same things you had an opportunity to the last couple of times, I will ask you to let somebody use that time instead. Is anybody here to address a non-agenda item?
- b. Trish Scarborough: My comment is how we got here, which is EFH which is the parent company of Luminant. In the Dallas Morning News, on September 16<sup>th</sup> on the front page, there was a headline that said EFH (Energy Future Holdings). Ms. Scarborough reads excerpts of the aforementioned Dallas Morning News article. Ms. Scarborough closes by saying that we need to pay attention to how we treat our County Employees and "do not throw anybody under the bus".
- c. Barbara Bruechner: Presents a question pertaining to the budget. In regards to the budget, I think you are all aware that many of the taxpayers are asking to balance the budget. In light of the fact that the Commissioners' salaries and travel allowances are above average, that they take a 10% salary cut and a 50% travel cut. I think that taxpayers would like to see a vote taken on that. I am just wondering if that will be part of the discussion when we get to the budget?
  - i. Judge Lee: We have discussed it and if they have anything that they would like to say then I will give them that opportunity.
- d. Mr. Buffalo: Reminds the Commissioners' Court that they are all elected officials...you need to take that into consideration as you proceed.

- 2) Consider and possibly approve minutes from September 12, 2011 regular meeting of the Commissioners' Court. (Listen to audio track 1, 00:10:44)

Motion made by Commissioner Boggs and seconded by Commissioner Hinton to approve the acceptance of the minutes from September 12, 2011 regular meeting.  
Motion carried unanimously.

- 3) Consider and possibly approve minutes from the Public Hearing of the Commissioners' Court from August 31, 2011 and September 12, 2011. (Listen to audio track 1, 00:11:09)

Motion made by Commissioner Boggs and seconded by Commissioner Fields to approve the acceptance of the minutes from August 31, 2011 and September 12, 2011. Motion carried unanimously.

- 4) Adopt the 2011-2012 Budget. (Listen to audio track 1, 00:11:42).

- a. Judge Lee: I just want to personally express to you my appreciation for your participation in our budget process. It has been a while since we have had this many people involved. This is what is supposed to happen each and every year, do not forget that this process occurs every year, this is nothing new nor nothing special, you have the right to come up here and express your opinion on everything from car allowances to salaries and everything in between. This is your time, you have those hearing dates set aside and available, so remember that in the future when September comes along next year remind yourself that this is your time to be heard. Also by your votes every couple of years, you determine who sits up here in these chairs, and you have the right to make changes there, you have the right to say "I want a piece of that" or you have the right to determine who is it that is going to be sitting there. I can assure you that your perspective changes once you sit up here and no longer can you continue to make choices that only make you happy. You realize that there are a lot more opinions out there than just the ones that you have, and there is a lot of legitimate factors to be considered than just simply no more taxes. Please do not think that we are not listening to you if we do not arrive to the conclusion that 100% supports your position.

Ultimately, the county budget and the tax rate are determined by this group of five votes. My decision is based on what I believe to be the best use of tax dollars, the least amount of tax dollars to serve the most people in the most equitable way.

- b. Commissioner Boggs: There is a couple of things that I would like to say, specifically about the budget. What you said about the compensation that we receive...I do debate that we are the fourth highest paid office in the County, there are three other elected officials that make more than Commissioners do. The item in the paper brought out several comparisons of what our compensation is and what other compensation are around the state. One thing not brought out is that for example, Bowie County has a \$21,000.00 a year travel allowance and they have cars. There are Newton County, Wilson County, Trenton County, Jim Wells County, they all get cars in addition to the travel allowance. Some other Counties like Jackson and Harper Counties have a small travel allowance but they also have a key to the gas tank at their barn to use for their personal use. Counties like Maverick County has a large amount of square miles but  $\frac{1}{4}$  of the roads that Titus County has. Garza County has a salary supplement for their Commissioners. Brewster County has a \$3500.00 a year salary supplement. Cass County has a \$1200.00 a year salary supplement. So there are many different ways to compensate Commissioners around the State. I just wanted to make that clear that I do not think that the travel allowance is too high, I think that it compensates the Commissioners for the efforts that they use their vehicles for, pay insurance for, pay maintenance for, and other various expenses. It comes down to the fact that I, personally feel because I have a smaller vehicle, I will take a small cut in my travel allowance. I mentioned during the budget workshop that I would take an 18% cut in my travel allowance.
- c. Carl Johnson: I think everybody has gone over the budget. I would suggest that you make a motion to approve the budget that has been on public display since August 31<sup>st</sup> and then address the amendments. I think it would be the clearest way to say: We started with the budget that everybody has looked at, we are going to approve it that way with the following changes. Then the only other item that needs to be remembered by everyone is that this is an ongoing adjustment to this budget, we are not where we finally want to be with the budget. We have health insurance adjustments to make over the next three or four months and we

may have to make other adjustments as we go along. There is \$600,000.00 roughly, reduced in this budget from the prior years in actual expenses. Our goal is to get to \$800,000.00. We are not through necessarily with the budget just because we approve what we do today.

- d. Judge Lee: It is my understanding that Commissioner Boggs made that adjustment to his allowance, the only other change that I am aware of to the budget is specifically related to the Volunteer Fire Departments. We had initially suggested a flat \$1000.00 per month for each of the Departments. After further discussion and some assistants of those Departments of the Volunteers, we have decided that will be a three tiered approach. The total dollars between the six will still be an average of \$1000.00 a month, yet we are going to allocate \$1200.00 to two of those Departments, \$1000.00 per month to two, and \$800.00 for the other two.

Motion made by Judge Lee to approve the 2011-2012 Budget as stated and seconded by Commissioner Fields. Motion carried unanimously.

5) Adopt the 2011 Tax Rate. (Listen to audio track 1, 00:20:41)

- a. Carl Johnson: There are actually two tax rates involved: One is the Interest and Sinking fund to pay the interest and principal on the bonds, at this point it is almost all interest. That is 13.48 cents per hundred. The Maintenance and Operations Budget which operates the County Operations is 25.24 cents per hundred for a total rate of 38.72 cents per hundred is the proposed rate.
- b. Commissioner Boggs: I wanted to bring out the fact, I was curious about previous tax rates in Titus County. I found it interesting between the years of 1970 and 1989 the M&O tax rate was 25.83 cents per hundred and what are we going to on the M&O?
- c. Carl Johnson: 25.24 cents per hundred.
- d. Commissioner Boggs: So I believe it is a fair tax rate, it accomplishes not all of what we need, but some of what we need, and for the rest of it we will see if we can find it within.

Motion made by Judge adopt the 2011 Tax Rate for the upcoming year in the amount of 38.72 cents per hundred being split again 13.48 and 25.24 between Interest and Sinking Fund and Maintenance and Operations, and seconded by Commissioner Fields. Motion carried unanimously.

Judge Lee explains that the Health Insurance Auditor requested that

- 6) Consider and possibly approve 2011 Tax Year Resolution for Exemptions and Discounts.

(Listen to audio track 1, 00:01:09 and 00::41)

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Motion made by Judge Lee to go with Chief McRae's recommendation of six repeaters to be purchased from TeleTouch, radios and batteries are purchased from McCollum and these funds will be reimbursed as part of our grant and seconded by Commissioner Hinton. Motion carried unanimously.

- 7) Consider and possibly adjust the Holiday Schedule to remove Friday 12/23/2011 and Friday 12/30/2011 from the paid holiday list.. (Listen to audio track 1, 00:26:19).

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Motion made by Judge Lee to table this matter and seconded by Commissioner Fields. Motion carried unanimously.

- 8) Consider and possibly approve 2012 Titus County Resolution Indigent Defense Grant Program. (Listen to audio track 1, 00:28:01 and/or see Attachment #3)

Motion made by Commissioner Boggs and seconded by Commissioner Fields. Motion carried unanimously.

- 9) Consider and possibly approve budget for records management and archive funds (County Clerk's Office). (Listen to audio track 1, 00:30:28 and/or see Attachment #4).

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Further discussion on this matter can be listened to on audio track 1.

Motion made by Commissioner Boggs to approve oral and written reports from August 8, 2011 and August 22, 2011 and seconded by Commissioner Fields. Motion carried unanimously

- 10) Consider and possibly approve Travel and Seminars for Titus County Employees and Elected Officials. (Listen to audio track, 1, 00:00:00 and/or see attachment #)

Motion made by Commissioner Boggs to approve Treasurer's reports from August 8, 2011 and August 22, 2011 and seconded by Commissioner Hockaday. Motion carried unanimously

- 11) Approve oral and written reports of County Officials. (Listen to audio track 1, 00:00:00 and/or see attachment #)

Motion made by Commissioner Boggs to approve Treasurer's reports from August 8, 2011 and August 22, 2011 and seconded by Commissioner Hockaday. Motion carried unanimously

- 12) Consider and possibly approve Treasurer's report. (Listen to audio track 1, 00:52:04 and/or see attachment #5)

Motion made by Commissioner Boggs to approve Treasurer's reports from August 8, 2011 and August 22, 2011 and seconded by Commissioner Hockaday. Motion carried unanimously.

- 13) Approve Budget Amendments. (Listen to audio track 1, 00:56:48 and/or see Attachment #6)

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

- 14) Sign pay Orders and Approve Payments. (Listen to audio track 1, 01:02:09)

Motion made by Commissioner Hockaday and seconded by Judge Lee. Motion carried unanimously.

- 15) Closing Comments by County Judge and Commissioners, if any.

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- 16) Adjournment. (Listen to audio track 1, 00:19:38)

Motion made by Commissioner Hockaday and seconded by Commissioner Hinton.

Motion carried unanimously.