

Hamilton County Commissioner's Court  
Regular Session  
Monday, January 11, 2010  
9:00 A.M.

Hamilton County Commissioner's Court met in Regular Session on Monday, January 11, 2010 at 9:00 A.M. with the following members present: County Judge, Commissioners Jim Boatwright, Mike Lewis, Jon Bonner and Dickie Clary.

The meeting was called to order and Judge Mills opened with prayer.

There were no public comments.

A motion was made and seconded by Boatwright to approve the minutes of December 28, 2009. Judge Mills added that the motion needed to include the amendment and approval of December 14, 2009 Commissioner's Court Meeting and receiving affirmation from the court. The motion carried unanimously.

A motion was made by Clary and seconded by Lewis to approve the budget amendments submitted. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 907)

A motion was made by Boatwright and seconded by Bonner to approve \$72,594.53 amount of bills submitted for payment. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 911)

A motion was made by Boatwright and seconded by Lewis to approve a resolution recognizing Mr. Hubert Harris past contributions to Hamilton County. The motion carried unanimously.

The court opened the following three Requests for Qualifications for the Hamilton County Courthouse Interior Restoration received by Komatsu Architecture by 11:00 A.M. on January 8, 2010:

1. RBR Construction, Inc.
2. Gallagher
3. Journeyman Construction

Komatsu Architecture will review the three submissions and report the scores and recommendations back to the court at a later date. (Recorded in Commissioner's Court Papers Book 35 Page 1)

Hamilton County Courthouse Exterior Restoration is nearing the end with the anticipated arrival of the cupola January 18<sup>th</sup> through January 20<sup>th</sup> 2010.

County Auditor Marliessa Clark presented to the court a Schedule of Values which she does monthly on the exterior courthouse restoration. Ms. Clark reported a total scheduled value of \$2,640,571.71 with expenditures through November of \$1,791,550.20 leaving a balance of \$849,021.51 to complete the project. (Recorded in Commissioner's Court Papers Book 35 Page 238)

County Auditor Marliessa Clark proceeded to discuss the overtime compensation. Ms. Clark stated that all personnel at the Sheriff's Office was considered as law enforcement and that there was a need for there to be a determination of whether they would be classified as jailers and/or as dispatchers.

Sheriff Bewley stated that the difficulty was making the designation as jailers/as dispatchers.

County Treasurer Debbie Eoff stated that insurance requires them to be classified or designated.

The court discussed Hamilton County Policy on Overtime Compensation. Hamilton County Personnel Policy-Policy on Overtime Compensation No. 2 currently reads – Law enforcement is paid on a twenty-eight (28) day cycle. All hours worked over one hundred seventy-one (171) hours are paid at time and a half.

A motion was made by Clary and seconded by Mills to amend the Hamilton County Policy on Overtime Compensation Item No. 2-Law enforcement is paid on a fourteen (14) day cycle. All hours worked over eighty-six (86) hours are paid at time and a half. This change in the policy is effective immediately. The motion carried unanimously. (Recorded in Commissioner’s Court Papers Book 35 Page 239)

County Auditor Clark discussed the fringe benefits for Hamilton County Employees at length. Ms. Clark stated that the counties were targeted groups for these taxable fringe benefits which include (1) transportation, (2) uniforms and (3) cell phone usage. Ms. Clark stated to define uniforms is a taxable benefit which cannot be used for off duty hours. County Attorney Mark Henkes stated that if an item of clothes such as jeans can play a dual role then it is taxable.

Sheriff Bewley requested that the taxable fringe benefit be consistent between the sheriff’s office and precinct hands.

Commissioner Clary requested that each employee receive a statement of accounting that each of the employees incurred regarding the fringe benefits.

Commissioner Bonner reinforced the statement of accounting to make sure that all our figures are accurate. Bonner continued stating that the employee is benefiting from this service.

Commissioner Boatwright asked the auditor if she would prefer a workshop with the employees to discuss the fringe benefits.

Sheriff Bewley stated that his employees want to know what has happened (accounting of the retained benefits) in the past not the future.

Auditor Clark stated that it will be broken down on the W2-Form.

The court discussed this at length and there was no action taken on this item of fringe benefits.

The court went into Executive Session on Item 10 – Consider accepting ownership of donated real estate. Upon the close of the Executive Session the court returned to Regular Session that no action will be taken on this issue.

County Treasurer Debbie Eoff stated that Texas Association of Counties will be here on January 19<sup>th</sup> to inspect the county’s buildings which the county has insured to make an evaluation of the properties.

Commissioner Clary informed the court that Sheriff Bewley was investigating unauthorized operations to the count roads in Precinct Four. Commissioner Clary stated not only his concern for the liability to the county but the cost of county funds to repair the work that had been performed by the person who is unauthorized to do the work. Commissioner Clary stated that it was his position that this was not going to be tolerated any further.

County Attorney Mark Henkes stated that there would be a determination of action by the court depending on the amount of this Criminal Mischief.

A motion was made by Boatwright and seconded by Bonner to approve the departmental reports. The motion carried unanimously. (Recorded in Commissioner’s Court Papers Book 35 Page 240)

A motion was made by Lewis and seconded by Boatwright to approve the verbal reports submitted. The motion carried unanimously.

The court went into Executive Session on Item 11 – Discuss modifying County Personnel Job Responsibilities and Duties. Upon the close of the Executive Session the court returned to Regular Session and announced that no action will be taken on this issue.

A motion was made by Lewis and seconded by Boatwright to adjourn. The motion carried unanimously.

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County Judge

Attest: \_\_\_\_\_