

Hamilton County Commissioner's Court
Regular Session
Monday, August 22, 2011
9:00 A.M.

Hamilton County Commissioner's Court met in Regular Session on Monday, August 22, 2011 at 9:00 A.M. with the following members present: County Judge Randy Mills, Commissioners Jim Boatwright, Mark Tafel, Jon Bonner and Dickie Clary.

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

Damon Chumney stated in public comments that he was hoping that the court could adopt a budget with no tax increases. Mr. Chumney questioned the supplemental funding (13), Item (22) Hamilton County Appraisal District –would like for the county not to approve their budget (23) Retiree Health Insurance –not sure what this item is about but would like to see cuts on this.

Richard Layne commended the court and the departments for their hard work and sacrifice on preparing the budget. Although there is a one cent tax increase he would like to see used for the retirement of debt.

There was no action taken by the court on Agenda Item No. Six for the proposal to set a tax rate which exceeds the effective tax rate.

A motion was made by Bonner and seconded Mill to establish the time, date, and location of the two required public hearings on the proposed tax rate and the public hearing on the proposed budget for fiscal year 2012: The public hearings on the proposed tax rate were set for September 2, 2011 and September 12, 2011 at 9:00 A.M. in the District Courtroom and the public hearing on the proposed budget for 2012 was set for September 16, 2011 at 9:00 A.M. in the District Courtroom. The motion carried by a majority vote; Mills abstained.

A motion was made by Tafel to approve and emergency budget amendment for Precinct Two as it applies to unforeseen emergency safety repairs. The motion died for lack of a second. This item will be place on the next agenda.

A motion was made by Tafel and seconded by Bonner to rescind the budget amendment which was approved by Commissioner's Court on August 8, 2011 in Precinct Two; (there was an error) and to approve the budget amendments presented as follows: Precinct Two from Worker's Compensation Insurance and Temporary Employee to Fuel, Uniforms and Equipment Repair and Maintenance, Precinct Two Road and Bridge from Temporary Employee, FICA, Health Insurance, Workman's Compensation and Unemployment to Fuel, Uniforms, and Equipment Repairs and Maintenance, Precinct Four from Fuel and Capital Equipment, District Court and Juvenile Court from Juvenile Court Appointed Attorney Indigent and Juvenile Detention to Court appointed Attorney, Court Appointed Attorney Indigent and Jury, Sheriff's Office from Schools and Conference to Bonding Insurance, Sheriff's Office from Worker's Compensation to Vehicle Repair, Sheriff's Office from Partial per Diem to Supplies and Stationery, Sheriff's Office from Worker's Compensation to Fuel and Oil, Sheriff's Office from gas to Cable, Sheriff's Office from Janitorial Supplies to Supplies and Stationery, and Sheriff's Office from Gas to Water. The motion carried by majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 485)

A motion was made by Clary and seconded by Boatwright to approve the following consent agenda:

- A. Minutes of 8-1-2011 Commissioner's Court
- B. Minutes of 8-3-2011 Commissioner's Court
- C. Minutes of 8-8-2011 Commissioner's Court
- D. Minutes of 8-11-2011 Commissioner's Court

- E. Minutes of 8-17-2011 Commissioner's Court (Not prepared)
- F. Approve Departmental Reports (Recorded in Commissioner's Court Papers Book 40 Page 619) (2011 County Indigent Health Care Book 40 Page 484)
- G. Approve bills submitted for payment in the amount of \$352,418.73 and of that amount \$248,364.95 was to RBR Construction for Courthouse Restoration (Recorded in Commissioner's Court Papers Book 40 Page 509)

The motion carried by a majority vote; Mills abstained.

Hamilton County Courthouse Restoration: Owner's Meeting was conducted August 17, 2011 and the additional benches for the District Courtroom and lightning suppression were added with the supplemental funding. The bids were returned to the architect so that there would be no additional fees to the general conditions. Those bids will be forwarded on Judge Mills for the court's review.

A motion was made by Bonner and seconded by Clary to approve Amendment One to the Texas Historical Commission Phase II funding agreement from supplemental funding award increasing the grant award by \$52,713.00 making the total grant award of \$3,784,675.00 for Phase II of the Hamilton County Courthouse Restoration. The motion carried by majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 523)

There was no action regarding the Hamilton County Burn Ban. The expiration deadline for the existing burn ban is September 12, 2011.

A motion was made by Bonner and seconded by Clary to ratify the District Court Order reappointing the Court Reporter. The motion carried by majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 526)

A motion was made by Bonner and seconded by Clary to ratify the District Court Order establishing the budget for the office of the County Auditor for Hamilton County. The motion carried unanimously; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 528)

A motion was made by Bonner and seconded by Boatwright to approve the bond renewals for Hamilton County Deputy Sheriff Kenneth Lovell, Hamilton County Deputy Tax Assessor Collector Anita Mueller and Hamilton County Assistant Treasurer Dicie Moyers. The motion carried by a majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 530)

A motion was made by Clary and seconded by Bonner to approve the Texas Department of Family and Protective Services Non-Financial Contract for Hamilton County. The motion carried by a majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 539)

A motion was made by Bonner and seconded by Boatwright to approve the Interlocal Agreement with the regional Public Defender for Capital Cases. The motion passed by a majority vote; Mills abstained.

A motion was made by Clary and seconded by Boatwright to approve the bond renewal for Hamilton County Deputy Sheriff Justin Caraway and Hamilton County Extension Secretary Susan Hemphill. The motion carried by a majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 555)

A motion was made by Boatwright and seconded by Bonner to appoint Commissioner Tafel as Hamilton County's Representative to serve on the Solid Waste Advisory Committee Board. The motion carried by a majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 544)

A motion was made by Clary and seconded by Boatwright to approve a resolution not approving Hamilton County Appraisal District 2012 Budget. The motion carried by a majority vote; Commissioners voted for and Mills voted against.

A motion was made by Clary and seconded by Boatwright to approve the changes in the county policy regarding to Hamilton County Retiree Health Insurance which reflects that you are eligible for retiree health benefits if you have been employed the previous sixteen (16) continuous years with Hamilton County. Changes under premiums should reflect that (2.) Hamilton County will pay up to \$250 per month for health care premiums. This item is found in the policy in *Section 2.07 Page 2 of 3 under Hamilton County Policy for Retiree Health Insurance Effective October 1, 2007*. Clary and Boatwright voted in favor, Mills and Bonner voted against the issue with Tafel abstaining. The motion died due to a lack of a majority vote. (Recorded in Commissioner's Court Papers Book 40 Page 561)

A motion was made by Bonner and seconded by Clary to approve the report given by Voter Registrar Terry Short which verified that the petition had 288 signatures of the 280 needed for a Local Option Election for The Legal Sale of All Alcoholic Beverages Including Mixed Beverages. This election only covers the City of Hamilton's jurisdiction. The motion carried by a majority vote; Mills abstained. (Recorded in Commissioner's Court Papers Book 40 Page 563)

A motion was made by Bonner and seconded by Clary to order Hamilton County Clerk Debbie Rudolph to conduct a local option election to legalize the legal sale of all alcoholic beverages including mixed beverages. This election will be held on November 8, 2011 in conjunction with the Constitutional Amendment Election. The motion carried by a majority vote, Mills abstained.

Bonner addressed County Auditor Marliessa Clark stating that he was making a formal request of a statement on your letterhead reflecting a true and accurate account of all the rolling stock of machinery and vehicles purchased during the FEMA and ORCA Grant Programs by Commissioners Boatwright, Lewis, Bonner and Clary. Additionally, a true and accurate accounting of all funds received by Commissioners Boatwright, Lewis, Bonner and Clary relating to both, FEMA and ORCA Grants as well as the total estimated cost by precincts for the FEMA and ORCA Disaster. Also include beginning and ending fund balances from inception to close for each precinct. Please send copies to County Judge, Commissioners, County Clerk, Hico News Review and Hamilton Herald News. Additional copies needed for the court to hand out to the public. (Recorded in Commissioner's Court Papers Book 40 Page 617)

Agenda Item for September 12:

Discuss and/or take action on proposal by Precinct Three Bonner to re-allocate \$100,000 from each precinct to the general fund via utilization of existing fund balances or proceeds from equipment sales.

Commissioner Clary requested from County Auditor Marliessa Clark a recapitulation of the courthouse restoration account: Expenses for Phase I and projected cost for Phase II and what the county can expect back from the Texas Historical Commission. Clary requested this report in thirty days.

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

County Judge

Attest: _____
County Clerk