

**Hamilton County Commissioner's Court**



Regular Session  
Monday, July 22, 2013  
9:00 A.M.

Hamilton County Commissioner's Court met in Regular Session on July 22, 2013 @ 9:00 A.M. with the following members present: County Judge Randy Mills, Commissioners Johnny Wagner, Mark Tafel, Lloyd Huggins, and Dickie Clary.

Judge Mills called the meeting to order and Clary opened with prayer. Judge Mills opened the floor for public comments.

Jane Crouch from the Hamilton Economic Development Committee introduced an intern Victoria Orsak that they had the pleasure of having. She is a student at Sam Houston University and the Texas Department of Agriculture sponsors a Texas Internship Project and we were fortunate enough to attract one. Victoria said that being here has been a real interesting experience and that she has fallen in love with the community and the surrounding area. She said that she has enjoyed everything she has done so far here and that she is hoping to get to come back and visit sometime soon. Mills told her on behalf of the court that it was good to have her.

Damon Chumney spoke in regards to the Hamilton County Appraisal District budget. He said that he would like the court to consider not voting for the pay increase that is being proposed this year. He said that the Chief Appraiser made a one hundred and ten thousand dollar mistake last year that we had to pay for and should not be rewarded with a salary and benefits increase. Mills explained aloud even though he felt that Mr. Chumney already knew this, he said that we could always ask the appraisal board to come back and speak to us but he wanted the rest of the audience to understand that in order to change this it would take a majority vote from all the taxing entities.

Mills then moved to item 6 on the agenda; Presentation by Carlos Perez, Government Account Executive for Verizon Wireless. Mills stated that the guy that was supposed to come and do a presentation was not here this morning.

Wagner had Mark Nolen, a representative for H-Bat requesting help from Hamilton County Precinct 1 equipment and personnel to do some dirt work at the Hamilton High School Baseball field at Fair Park. Nolen stated that he will be having about 5 to 6 loads of sand brought in because the right field was sunk. He is requesting help to spread these loads out. He said that it shouldn't take long because once he gets it spread out he can finish up from there. Huggins asked if he already had the sand and Nolen stated that he is in the process of getting the sand right now. County Attorney Mark Henkes stated that as long as it was for a non-profit organization that he did not see a problem with it. Wagner said that they expected that the

work would take less than a day to do and would be involving the use of one motor grader and possibly a backhoe. Motion was made by Mills and seconded by Huggins to allow Hamilton County Precinct 1 to use its' equipment and personnel to do the dirt work at the Hamilton High School Baseball field at Fair Park. The motion carried unanimously.

A motion was made by Clary and seconded by Mills to approve the following budget amendments: Sheriff's Department to District Attorney from professional services to investigations; Non departmental from courthouse building and liability to bonding insurance; County Jail from electricity to service contracts; Courthouse from general repairs courthouse to general repairs annex and janitorial supplies; Sheriff's Office from employee medical to investigations; County Jail from employee medical to janitorial supplies; Auditor/Non departmental amendment (revenue that was not previously budgeted for assistant auditor, FICA, county retirement, Texas Association of Counties surplus credit, and service contracts.) The motion passed unanimously. (Recorded in Commissioner's Court Papers Book 46 Page 428)

*(Hamilton County Assistant Auditor Marliessa Clark explained to the court that the revenue that was not previously budgeted is for the assistant auditor position. It's just a best guess estimate that she has come up with at an hourly rate and will be depending on when the new county auditor will be hired and the amount of time that it may take to train her. This was the easiest way that she could come up with. She just wanted to budget this money all at once instead of doing it a little at a time.)*

A motion was made by Huggins and seconded by Tafel to approve the minutes of the July 8, 2013 Commissioners Court meeting. The motion carried unanimously.

A motion was made by Wagner and seconded by Clary to approve all the departmental reports submitted. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 46 Page 458)

Tafel requested that we pass on consent agenda item B. He has recently returned some items back to the company and is waiting on another statement from them.

A motion was made by Tafel and seconded by Huggins to approve bills submitted for payment in the amount of \$32,150.52. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 446)

The court opened the following qualification statements from the independent certified public accounting firms to provide professional audit services:

1.) Sanderson, Knox & Co.

2014 - \$28,597.50

2.) Brooks Cardiel

2014 - \$22,985.00    2015 - \$23,445.00    2016 - \$23,915.00

3.) Rutledge Crain & Co.

2014 - \$22,000.00    2015 - \$22,704.00    2016 - 23,408.00

4.) Hereford, Lynch, Sellars & Kirkham

2014– 26,000.00      2015 - \$27,000.00      2016 – 28,100.00

5.) Condley & Company

2014- \$29,650.00      2015 - \$29,650.00      2016 – 29,650.00

6.) Kennemer, Masters & Lunsford

2014- \$27,135.00      2015 - \$27,700.00      2016 - \$27,900.00      2017 - \$28,740.00

7.) Singleton, Clark & Co.

2014 - \$22,000.00      (Recorded in Commissioner’s Court Papers Book 46 Page 480)

Assistant Auditor Marliessa Clark will be making a spreadsheet and present this to the court to help the court in deciding which option is best. (Recorded in Commissioner’s Court Papers Book 46 Page 479)

Judy Walker, Executive Director of (CASA) Court Appointed Special Advocates asked the court to consider funding a line item in the amount of \$2,000.00 for the 2014 budget. She explained what CASA trains volunteers to be guardian ad-litem for foster children so that they can look out for the child’s best interest. Mills stated that (CASA) and the things that they do are really valuable. Ms. Walker stated that the funding that they are requesting for this coming year is the Smiles Program. This money would go to reimburse their volunteers for mileage used for Hamilton County’s children. Mills said that we are currently in the middle of budget and that we would be letting her know the decision. Ms. Walker also requested an application so that (CASA) could be listed as an option on the juror donation form. (Recorded in Commissioner’s Court Papers Book 46 Page 472)

A motion was made by Clary and seconded by Wagner to approve the imposition of optional fees for Hamilton County road and bridge. Mills stated that this is something that the court must do yearly. The motion passed unanimously.

Mike James, a representative of the Hico EDC wanted to give the court heads about a project going on in Hico for a 1.2 million dollar (high-end fast food restaurant) that may be coming into Hico. He had stated that the owner had already requested from the Hico EDC *utility changes* that will cost about \$30,000.00 dollars. He said that the owner estimates that this business could create about 30 jobs. Eight full-time and the rest part time. Mr. James wanted the court to know that the owner will probably be requesting for the county to approve a tax abatement for three years, with the first year 100%, second 75%, and the third year 50%. He also wanted the court to know that the estimated sales for this business would be \$900,000.00. He thinks that they will be requesting this tax abatement at the August 26, 2013 commissioner’s court meeting.

Commissioner Huggins wanted to update the court on the Hico Activity Center (Hico Senior Center) because the county has been putting money into the center as well as the citizens of Hico. Huggins handed out a status report on the center and he introduced Jack & Sherri Reed to help update the court. Huggins said that the Center is not only for the citizens that need assistance by HCCAA, it is also a social center for so many of

Hico's senior citizens. There have been suggestions made all the way back to 2001 to close the center because of financial reasons and also food and nutrition compliance.

Sherri Reed brought in 2 calendars. The first calendar is for the July schedule of events. It has the days that things have been scheduled for. For example: Dominoes, United Care food distribution, community night, etc... The goal is for the center to be available for the citizens when they need it, not when it is convenient for us. The second Schedule that she brought in showed the monthly menu plans for the center. She brought a couple of samples of the meals that they provide for the court to see. She said when she asked the people what were some of their favorite meals it would have been easier to ask what are your least favorite meals. She told the court that she is working on getting meals that are more appealing and more nutritious for the citizens.

Jack Reed gave us a handout and explained the financial to the court. He explained that 80% of the money they have comes locally, and 20% comes from outside of the county. He said that with the ending of our association with Hill County that we want to try and do this a different way. He said that we are focusing on the needs of our people. He is hoping one day to create our own revenue and operate independently. (Recorded in Commissioner's Court Volume 46 Page 473)

A motion was made by Clary and seconded by Huggins to declare a 4WD pickup from Pct. 3, and a rubber tire loader from the county as surplus equipment and to sell. The motion carried unanimously.

A motion was made by Mills and seconded by Clary to approve the Texas Association of Counties Blue Cross Blue Shield 2013-2014 renewal and benefits which had a 1.2% increase and will cost the county \$549.52 per employee and it maintains the current benefits. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 46 Page 478)

A motion was made by Wagner and seconded by Clary to appoint Bill Lesjak, Election Judge for Pct. 12 – Aleman for a two year period. The motion carried unanimously.

A motion was made Clary and seconded by Huggins to appoint Debbie Rudolph – Central Count Manager, Kiesha Bagwell – Tabulation Supervisor, and Shawna Dyer – Assistant Tabulation Supervisor for November 5, 2013 Constitutional Amendment Election.

A motion was made by Huggins and seconded by Clary to approve the resolution authorizing Texas Department of Agricultural Grant Program. The motion carried unanimously.

A motion was made by Tafel and seconded by Wagner to take a 10 minute recess and then go into budget workshop. The motion carried unanimously.

The court reconvened at 11:05 a.m. for the budget workshop with Judge Mills, and Commissioners Wagner, Huggins, and Clary present. Commissioner Mark Tafel was absent.

The court began by looking at the jail budget. Sheriff Gregg Bewley wanted the court to look at the pay for the jailers/dispatchers. He requested that they get raised up to what the deputy clerks are making. He said currently the jailers/dispatchers are making \$26,531.00 per year and the deputy clerks were making \$26,978.00 per year. He said it would be a \$437.00 per year pay raise multiplied by 10 would make it

\$4,370.00 per year increase. Wagner stated that he does support this raise. He said that coming from working as a road hand and then as a jailer/dispatcher that he understands the responsibilities of each job. Having been a jailer/dispatcher he cannot justify why we don't pay them more than we do. He would like to see the pay scale brought a little bit more together. He says I don't know what the line of thought was and he is not pointing fingers or making any accusations, as far as that goes. He is 100% certain there were reasons the salaries were set like they were. He says he feels like we have created a small system of class warfare amongst the employees'. If we start talking about a raise for some employees and not for others people are going to get their feelings hurt. He does remember a time where more of the employees were paid the same amount in the past, prior to FEMA. He says he realizes he has an emotional aspect to this, but it's difficult to understand the line of thinking as to how that salary was set. He knows the budget that we have to work with and understands that this will take time, and can't all be done at once. He also suggested that the court could look into longevity raises, a step program for people get awarded for years of service. This would set a systematic raise over a period of time without it becoming a budgetary issue. Bewley stated that this raise for the jailers/dispatchers could easily be done by moving money around in his budget. Wagner and Bewley spoke of the multi-tasking jobs that the jailer/dispatchers do. These jobs are very important and can deal with life and death situations. Bewley added that the raise could be easily accomplished by simply moving money around in his budget. Clary stated that he cannot support the raise. He told Wager that he was not discounting anything that he had said, but this never solves the problem. He did state that he will support a complete review of the salary structure (county wide). Both Mills and Huggins stated that before they considered this they would like to get some numbers from the Appraisal District to see where we are at as far as the budget goes. Clary stated also that something he would like for the court to consider a bonus, not a salary increase but a bonus to the employee. There would have to be some specific circumstances that would happen each year in order to be able to do. Gregg Bewley also mentioned something that he has been involved with in another department in addition to longevity was a sick leave buyback program. Where if an employee used so few sick days per year that at the end of the year the department would buy back a specific amount of days (the court could decide that amount of days). In December the employee would be issued a check for those days. This would help alleviate a lot of issues. It would be the employee's responsibility in part to manage their time wisely, and should also help cut down on amount of overtime the county pays out.

Mills made a motion to recess until 1:20 p.m. for lunch and Huggins seconded. The motion passed unanimously.

Judge Mills brought the meeting back into session at 1:20 p.m. Mills stated that he promised the sheriff that when they would do a straw vote on the raise for the jailer/dispatcher positions. Huggins and Wagner were for the raise, Clary against, and Mills stating that he was not inclined to do it at this time.

The court went back to item number 11 on the agenda. Marliessa Clark did a spreadsheet comparing the list of qualifications/statements from independent certified public accounting firms. Out of the seven submitted four were too high to which she indicated on the spreadsheet with the darker shading. This left three of the firms that she said were essentially about the same. She said that there was not enough difference in these numbers to go one way or the other. She indicated that there was a difference indicated on these three with the number of hours they have submitted. She said she was puzzled on the amount of hours on each. She did state that Rutledge Crain quoted 176 hours and had been here before and are familiar with the things we do and they only have the two partners that come in and do the work themselves, unless something has

changed since the last time they were here. Brooks Cardiel quoted 288 hours, and it's not because they were cheaper it's because they have given us a huge discount. The Singleton Clark and company only gave us a bid on the first year. They have quoted 220 hours and also she said they raise each year by the cost of living index, but she would have to verify that if they were thinking of choosing them. Marliessa stated that Rutledge Crain would know better what it takes to do our audits because they have worked with us in years past. A motion was made by Mills and seconded by Huggins that they accept Rutledge Crain & Co as our independent auditors. The motion carried unanimously.

Doyle Roberts, Chief Appraiser for the Hamilton County Appraisal District brought in the tax numbers. The net taxable rate this year is \$523,219,238.00 which is an increase of nine and one-half million dollars. (Recorded in Commissioner's Court Papers Book 46 Page 669)

Marliessa stated that with all things being equal that the budget has already gone up \$60,537.00 and she has not gotten all budget request entered yet.

There was some discussion on whether to leave the equipment repairs and maintenance consolidated or to break it out to each individual office. After they had discussed this for a while it was decided that we would leave it consolidated.

The court moved on to the Hamilton County Sheriff's budget. Mills stated that the primary issue on this budget was for the request for another a new deputy/patrol officer position. The county would be responsible for funding half of the officer's salary and the City of Hamilton would be responsible for the other half. Bewley said that he could find the money in his budget to fund the counties half of the salary. This could really benefit the sheriff's office because now if one of their current officers is sick, takes vacation, has school or is out for any other reason he has to put one of his investigators on patrol. Their office also has to serve all the civil papers in the county. After a discussion Mills, Huggins, Wagner and Clary said that they would support adding another patrol officer to the budget.

There was also some discussion over adding two new vehicles to the budget. Clary said that he understood the sheriff's need for these two cars. He suggested that we could set up some sort of special (line item) as example the retiree benefit in order to budget for one and one-half vehicles per year. He understands that it will take a while but explained why he thought this would work.

A motion was made by Huggins and seconded by Clary to recess until 9:00 a.m. tomorrow. The motion carried unanimously.

Budget Workshop Cont.

July 23, 2013

9:00 a.m.

The meeting was brought to order by Judge Mills. This meeting was continued from yesterday with Commissioners Johnny Wagner, Lloyd Huggins and Dickie Clary. Commissioner Tafel was absent.

Clary wanted the court to know that he had spoken to Bill Funderburk the City Administrator about the budget. He said that long story short he would like for the law enforcement contract get to a certain point and

then stabilize. He is dealing with the same tax issue that we are. Clary told Funderburk that the only place that he can see on this budget to help cut would be the car issue. Instead of budgeting two cars this year we could only budget for one, and next year possibly start looking at the suggestion that he made yesterday. Bewley came in and the court informed him of the discussion that Clary had with Funderburk and about cutting one of the vehicles out of the budget this year. Bewley stated that he was okay with that.

Clary did state that there would be a law enforcement committee meeting Thursday evening and after that meeting we can see where we are and what if any more issues need to be discussed with this budget.

Then the court began to review the budget line by line in each department excluding precincts 1, 2, & 3 and make the changes that they could. The county retirement increased from 6.73% to 7.17%. There are going to be changes in each department for the health insurance, county retirement and FICA but we do not have those exact numbers yet.

With the changes that have been made so far to the budget our total expenditures equal \$3,423,318.00.

The court also discussed more on possibility of raises, bonuses, longevity, sick leave buy back, etc. Mills also told the court to consider the rebate check that we will be receiving from TAC for the health insurance premiums this year on this topic.

They also discussed the request for \$2,000.00 Smiles program and declined it at this time. Mills stated that he would let Judy Walker from CASA know.

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

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County Judge

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

County Clerk