

TYLER COUNTY COMMISSIONERS' COURT  
SPECIAL MEETING  
AUGUST 30, 1991 --- 8:00 A.M.

THE STATE OF TEXAS

COUNTY OF TYLER ON THIS THE 30TH DAY OF AUGUST, A.D. 1991

the Commissioners' Court in and for Tyler County, Texas convened in a Special Meeting at the Commissioners' Courtroom in Woodville, Texas, the following members of the Court present, to wit:

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|-------------------|--------------------------|
| JEROME OWENS      | COUNTY JUDGE, Presiding  |
| MAXIE L. RILEY    | COMMISSIONER, PCT.#1     |
| ARTHUR M. BARNES  | COMMISSIONER, PCT.#2     |
| JERRY MAHAN       | COMMISSIONER, PCT.#3     |
| HENRY EARL SAWYER | COMMISSIONER, PCT.#4     |
| DONECE GREGORY    | COUNTY CLERK, Ex-Officio |

the following were absent: none thereby constituting a quorum. In addition to the above were:

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|-----------------|----------------------------|
| JOYCE MOORE     | COUNTY AUDITOR             |
| JAMES CLARK     | CRIMINAL DISTRICT ATTORNEY |
| BARBARA TOLBERT | COUNTY TAX ASSESSOR        |
| WANDA BRASHER   | J.P. PRECINCT #1           |
| PATRICIA BROWN  | DISTRICT CLERK             |
| JACQUE CULP     | JUVENILE PROBATION OFFICER |
| JOHN YEARWOOD   | EMERGENCY COORDINATOR      |

Judge Owens opened the meeting for the purpose of a public hearing to adopt the 1992 budget. The press was present along with 22 concerned citizens. Judge Owens told the Court that increases in salaries will not be taken from the Road & Bridge Fund, that these funds will be used for the maintenance of county roads. He stated that county government is not funded 100% with tax dollars and that this year our county is dealing with a budget of \$2,672,000. However, approximately only \$1,299,000 comes from taxes. The other funds come from hard work of employees, the collection of fees, fines and penalties, housing of INS prisoners and investment allotment. County employees earn their salaries, nothing is "given" to employees of the county and almost all of the \$1,299,000 is plowed back into the economy to be used by the tax payer, dollar for dollar. The idea that ad valorem taxes pay for everything is a misconception. The Commissioners' Court has been actively involved in bringing grant money to the County with examples of \$100,000 which will be given on the SHECO grant, Commissioner Riley is building a road in his precinct as the result of a \$250,000 grant, the Sheriff's department, through the operation of the jail, will bring in approximately \$200,000 to this county. The county is in the process of investing money in Tex Pool which is expected to bring in an additional \$60,000 over and above what the county has been able to receive from an investment. Commissioner Mahan received word that the Texas Highway Commission has given a project number for the expansion of Highway 92, which when completed will mean approximately \$5,000,000 to the County. An explanation of why the budget was being completed early in the year - under Texas laws, Counties must compile it between the dates of August 15 and end of month or you must wait until October 15 and after October 15 you must do it after the end of the month. If commissioners wait until October to adopt the budget it puts a lot of pressure on the tax office to get tax statements out. Taxpayers do not want late tax statements.

John Yearwood, Emergency Management Coordinator, presented the Emergency Management budget illustrating he receives no compensation for his services. He stated to the Court that he is requesting a budget to hire a flood plane manager explaining the need to the County. The Court reported the progress being made toward automation through grant funds. Commissioner Mahan added

that he thought it was previously approved for Mr. Yearwood to share secretarial services with the DPS department.

Madeline Collins expressed to the Court her opinion concerning raises for County employees stating she was happy to learn that there might be a 3 to 5% increase for employees but against an almost 50% increase of \$10,974.32 for the County Judge. She feels that Judge Owens should only get an increase in the same amount as other employees.

John Kinney commented his concern on whether the County has liability insurance to cover its responsibility toward flood plane advisements. He also commented about the computer hardware and software, stating the County needs to have someone on the staff that knows about computers, otherwise the county's money is being spent foolishly. He has concern as a taxpayer with the opinion the computers that the county has purchased are only being used superficially. He feels the hardware should be milked dry. Mr. Kinney proceeded with his opinion relating to the salary increases, stating when the most skilled worker is given a raise then the same raise must be given all the way down the ladder to the most unskilled worker which, Mr. Kinney, stated was a principal way that the most unskilled worker had to boost his salary. As a taxpayer, his principle concern is that "we get what we pay for" and does not want to not give a very skilled worker the raise he deserves because he cannot afford to give the very unskilled worker a similar raise which he probably does not deserve. Mr. Kinney stated that we need an objective standard to determine which employees can earn similar salaries in the economy. He also suggested to amend the motion to provide that when the office of County Judge is filled by an attorney with more than 20 years of experience in judicial and business affairs, the salary should be \$35,00 and when not filled by such a person, the salary should remain at \$25,000. He also testified that Judge Owens did not spend more than two hours a week in his private law office.

Howard Peacock inquired if the people of Tyler County have had an opportunity to view the budget. The Court answered him stating that the budget was available for the public in the County Clerk's office. He next stated that he was opposed to the proposed raise to the County Judge and he has no quarrel to the Judge's skill or capabilities. He disagreed with Mr. Kinney that a law degree would entitle a person holding this position to more money because he did not have that high of an opinion of a law degree. He sees the County Judge's job as one of a public servant and is opposed to part-time public service. Mr. Peacock wants Judge Owens to close his law practice and be a "full-time" County Judge. He feels that if the county has \$11,000 extra in the coffer it should be used for the tax payers to have a break or use it for the people in Tyler County who are having a hard time economically. Mr. Peacock is opposed under the present circumstances to this kind of raise and states what a bad example it sets on how hard times are in the County for some people and at the same time to stack \$11,000 on a public servants job.

S.E. Duff told the Court that he felt it was ridiculous and a shame for any elected official of Tyler County to give any individual official a 50% raise and only a 2-3% raise to the secretaries.

Lindsey Whisenant informed that some counties which had judges who were attorneys were County Court at Law Judges, with salaries prescribed by statutes. He had moved from Nacogdoches County where the judge makes \$70,000.

J.D. McGroff firmly believes that the strongest government will be the government next to the people and that would be our county government. He feels that there are high-paid officials that are sucking the people dry on taxes. He also stated elected officials

should be people that want to do things for our county, for the people, for our neighbors and to help each other and if they are in it for the money they should have never ran for office.

John Yearwood inquired if there was a system in the courthouse to analyze people's job functions and their ability to perform those jobs. He also wanted to know if there was a review board to monitor employee efficiency or any kind of system like the school would have which would ascertain whether or not people perform the work they were hired to do. Judge Owens responded that we are different from the school due to non-elected positions. The county officials have constitutional powers delegated through the constitution providing the responsibility toward the respective departments.

Leslie Dubose next told the Court that he was opposed to the raise for the County Judge. He feels that a raise should be given to other officials as well as the Judge. He felt consideration should be taken for those on fixed incomes who also pay taxes.

Jesse Wolf confronted Commissioner Mahan about longevity pay, rather than a percentage across-the-board. Commissioner Mahan responded that he was for the longevity pay and would like to have gone in that direction to have doubled the longevity pay from \$5 to \$10 and to have extended it from 5 to 10 years, but there were four Commissioners and each had their input and it could not be done at this time. Jesse pleaded, "...if the Court was going to give employees a raise, then give them enough to live on".

After several heated comments, Judge Owens stated that he would like to state his feelings on his proposed raise. He felt he is entitled to \$35,000 a year and he feels he can make a lot more for the County, but being a public servant he was not putting it on that basis. The record shows that this Court has brought a lot more. He also stated that Tyler County has gone two years without an increase in taxes but still people say "that is not enough, we want more", but no-one wants it more to the extent of being willing to pay for it at tax time. He expressed more could be provided to the people by putting more on their backs. However, the Court chose not to take such harsh steps. The County is in the process of advancement. Additionally, he enlightened there are a lot of people in the Courthouse that make more money than he does. He believes the County Judge should be the Chief-Executive Officer of the County who speaks for the County. "He meets with your representative and your congressman, he goes to Austin", and wants the people of Tyler County to have pride in their County leadership, not in him, but in the office of the County Judge. He feels that a target amount should be set for the salary of the County Judge and then there needs to be an adjustment of other salaries based on the salary of the Chief-Executive Officer. There is no-one being paid in the County a fair and descent salary under the present pay schedule because there is no study which indicates what position should get a raise and there is no system at present of rewarding the employees who are worthy of the raise. He feels the track record of the County Judge indicates \$35,000. He then noted the Court had budgeted \$20,000 to the Shivers Museum and they have said that they need more money. He wants to help the effort and the reasonable thing to do would be to set the County Judge's salary at \$30,000 and \$5,000 transferred to the account for the Shiver's Library. He then stated this was not a pay raise that he had requested, although he felt the \$35,000 was right, but because of the last minute appeal that has been made from the library for additional funds he wants to recognize and give emphasis to the library.

COURT RECESSED FOR 5 MINUTES.

COURT IN SESSION...9:30 A.M.:

The Court responded to questions of the Press concerning: longevity pay, number of employees at the rock crusher, insurance premium

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increase and contingency for miscellaneous fund, expected time table for distributing tax statements, and availability of the budget in the County Clerk's office.

Commissioner Mahan expressed concern for the criticism of doing the budget in August, recounting the years before, people have complained because the budget was done in October or November resulting in delays of tax statements.

Judge Owens addressed the concern about the budget hearings, disclosing that the reporter from the radio station was present during all hearings; and, there will always be a problem about who did and did not get information on the hearing dates. People want to come just on the day the budget is being discussed and we want people to be interested 365 days a year. He agreed there was not as much publicity as he would like to have had concerning the hearings.

Judge Owens responded to comments of "sneaking-in", explaining there was a misunderstanding about the budget process and that was simply the way the budget process had always worked in this County. Every time there is a budget hearing, the Auditor has to rerun the program on the computer and there is nothing unusual and is typical of the way it has been done ever since he has known anything about the way that the county government operates. The first meeting that was held in Commissioners' Court was fully carried on the radio for Friday and Saturday with a full explanation of everything which occurred and any reference to salary adjustments to the County Judge's office was run both Friday and Saturday on the radio.

Irma Hickman asked the Court if a public meeting only had to be posted in front of the Courthouse or if it was required to be published in the newspaper. Judge Owens responded that under Texas laws no publication, other than posting, is necessary.

Judge Owens stated that if there were no other public comments he would close the public hearing session and Commissioners' Court would now consider the adoption of the 1992 budget.

Commissioner Riley refuted remarks concerning the hours of service given by the County Judge. He conveyed appreciation toward Judge Owens for what he had done by helping the museum. He then stated that he would like to give a 5% pay raise instead of 3%. Commissioner Riley said that nothing has been hid and they have followed Texas codes in county government and there has been a lot of progress in the County.

Commissioner Barnes communicated his respect for the employees of Tyler County and he was in favor of a 5% raise without raising taxes. He felt the Judge was due the raise and respected him for his assistance toward the library.

Commissioner Mahan next spoke to the Court stating that contrary to what some had thought that they were not trying to get something by the people; that, he is more proud of the budget this year than he has ever been since he has sat on the Court. He stated that it was the best budget ever prepared and it has addressed more of the needs. He declared to Jesse, he would rather have the longevity pay than the 5% increase but he is only one person and it will not be done this year. He added that the Tex-Pool idea has netted \$70-80,000 per year and if this county government is able to live within the budget and still increase some of the services and at the same time give pay increases and still not raise taxes then someone is doing something right with management.

Commissioner Sawyer displayed his feelings that the County had a "fine bunch of employees"; and, he favored a 5% raise; and, he feels that Judge Owens is doing an outstanding job.

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Commissioner Mahan commented again to say that he feels we have an outstanding group of employees and he is not saying that they are not worth more than a 5% raise. He hopes the employees will accept this 5% increase and continue another year and hopefully the Court can do something more for each of the employees next year.

Judge Owens voiced pride in the Commissioners' Court and will go on record saying this Commissioners' Court is the finest out of his involvement with 12 other counties, speaking of the four commissioners. The employees are getting more now than two years ago and the commissioners' will be looking at job classification next year. He agreed with Jesse Wolf regarding the unfairness of the salary scale; that, it should be based on the type of job, skill and ability.

Jacque Culp requested an amendment to the budget of the Juvenile Probation Department. This amendment would bring the salary of the secretary in-line with that of other County secretaries.

A motion was made by Commissioner Mahan and seconded by Commissioner Barnes to adopt the 1992 budget, with the two additions as discussed with the County Auditor. The pay increases (5% and Juvenile Probation) will be transferred from Miscellaneous Funds. All voted yes and none no. SEE ATTACHED BUDGET.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

SIGNED: Jerome Owens Jerome Owens, County Judge

Maxie L. Riley Maxie L. Riley, Comm. Pct. #1

A. M. Barnes A. M. Barnes, Comm. Pct. #2

Jerry Mahan Jerry Mahan, Comm. Pct. #3

Henry Earl Sawyer Henry Earl Sawyer, Comm. Pct. #4

ATTEST: Donece Gregory Donece Gregory, County Clerk

