

HUNT COUNTY COMMISSIONERS COURT

PUBLIC HEARING

AUGUST 16, 2011

The Hunt Commissioners Court met this day at 10:00 A.M. in the Commissioner's Courtroom for a Public Hearing in regards to the Proposed FY 2011-2012 Hunt County Budget and the Proposed FY 2011-2012 Hunt County Property Tax Rate. All Commissioners' are present with Judge John Horn presiding. County Clerk-Jennifer Lindenzweig and County Auditor-Jimmy Hamilton were present. Tammi Byrd-Asst. Auditor was also present.

_____ Judge Horn noted proper postings were completed and opened up the Court for any public comment.

Debbie McKee addressed the Court with concerns regarding the amount of money paid for Court Appointed Attorneys for Indigent Defense. In 2010 almost 2 million was paid out, I know that some comes from the State, but all comes from our pockets. I don't know how many cases that was or what the average payout was. Judge Steve Tittle wrote a letter about this issue and he wants to save money, he's in it to look after our citizens in Hunt County. He says we do have a legal obligation to provide competent legal representation. He looked into what Rockwall and Collin County do, they have a minimum and maximum fee schedule for the attorneys. Hunt County pays out way more than Rockwall or Collin. A lot of attorneys are lavishly feeding at this public trough. And the money comes from all of us. I've heard that there has been talk about a public defenders office or department set up, that can take years to get going but this is something that can be done immediately for this budget year. We can set reasonable rates just like neighboring counties and save hundreds of thousands of dollars. One particular case, almost

\$6,000.00 was paid out and in Rockwall that would have been limited to \$250.00, that's a travesty. I would like see this on the agenda for next Mondays meeting and I would look for your support to implement this type of policy. And whether we see your support, or lack of it, that will tell us a lot about who you really represent.

Judge Horn says the travesty is the amount of misinformation that gets fed. On Monday, we will have someone from the Judiciary here to discuss these fees and who controls or sets these fees. This is not a Commissioner Court issue, it is a Judiciary issue done by a court order and the individual mentioned and 3 other people need to agree and sign that court order. Each Judge has the ability to deny a bill or approve a bill from an attorney; the Commissioner Court can not dictate to the Judiciary what to pay.

Josh Furnish states he interviewed Judge Tittle, I understand the entire perception and the courts are the one to decide this. What we are looking for from the County is that leadership is taken to meet with the county Judges and say look, we want this reduced, this potentially could cripple our budget in the future especially with the economic down turn. With the economy continuing to get worse, I'm sure the Sheriff could agree, crime is up and is going to continue to go up as economy gets worse. The cost of that budget item is going to continue to go up. The courts are going to need to come in and decide that they're going to make a change to this. They're probably not going to do this on their own; they're probably going to need leadership from the Commissioner's Court to push that issue. We want our representatives to proactively go out and work with the courts to actually get this situation taken care of. We understand it's the courts' decision on how they're going to set up their fee schedule. It would be proactive for the Court to go out and work with these judges and say look this could potentially cripple us in the future and we need to get this settled. I understand this is a major concern and I think that the

biggest concern is that if the Judiciary is not caring what the budget is, if they're setting this rate and they just don't care because that's your job to deal with the budget, then I would expect the Commissioner's Court to hold their feet to the fire and go public with it and say the courts are the ones keeping this from happening. It needs to be political issue that's made from the Courts side.

Judge Horn says we took a position on raises this year, but last I think, everybody here got a court order to give a raise from the very same person you're saying is looking at saving this money. We said no raises; we get a court order that says you will raise this salary.

_____ Further discussions were had about a public defenders office, the possibility of placing a cap on fees and the financial responsibility of these fees.

Sheriff Meeks and Judge Horn say there is an amicable agreement in place to include removing 1 G3, 2 G4 and 1 G8 position and in exchange the G9 position would be restored. The residual amount would be attributed to part time which would basically net the bottom line of what the original proposal was to be the same but allow a little bit more monies to the part time budget.

Commissioners Court was ordered by the **196th District Court** to raise the bailiff's salary an additional \$7,000.00 to make total salary \$42,419.00 compared to the bailiff in the 354th which is \$35,495.00 which is consistent with both county courts. In addition, this is not effective just in the ensuing budget year, but effective immediately pursuant to Texas Government Code 53.009(e). At the end of the day, we were court ordered to raise this salary as well as the court reporter's salary, which will have the 196th court at \$10,000.00 higher than the other courts.

____ Lengthy discussions regarding this issue and concerns with the order, the court appointed attorney fees and the effect on the budget were had between the Court and citizens Bobby Stovall, Debbie McKee, Tim Kingsberry and Josh Furnish.

____ The Court recessed at 11:10 a.m.

____ The Court reconvened at 11:20 a.m.

12,069 On the motion by Middlebrooks, second by Latham, the Court accepted the budget as it is pertaining to the 196th District Court with Commissioner Atkins and Judge Horn opposed.

____ Discussions were had between Mr. Hamilton and the Court regarding some final adjustments to line items in regard to reality of revenue, expenses, and grant cuts. These adjustments are as follows:

Revenues Non-Departmental: Line item-501-0000-254 Sales Tax-M/V Tax Commission-change from 200,000 to 250,000; Line item-502-0000-254 Title Report-change from 70,000 to 80,000.

County Judge: Line item-612-0100-2110 Financial Audit (outside)-change from 44,400 to 40,000; Line item-612-0100-2120 GASB 34-change from 1,000 to 5,400.

County Court at Law #1: Line item 621-0400-2130 Attorney-Court Appt-change from 200,000 to 225,000.

County Court at Law #2: Line item 621-0402-2130 Attorney-Court Appt-change from 200,000 to 225,000.

General Fund: Line item 621-2800-2133 Capital Murder Expenses-change from 162,500 to 200,000.

JP 1-2: willing to fund a full time employee, benefits and 100% group medical by using her Defensive Driving Fund.

JP 2: Line item 621-1000-2320 Telephone-change from 1,500 to 1,650.

Records Management & Preservation: Line item 611-5300-4200 Equipment change from 15,000 to zero.

_____ The Court recessed at 11:55 a.m.

_____ The Court reconvened at 12:00 p.m.

Commissioner Atkins, Pct 2 addressed the Court with regard to his budget. After redistricting, I picked up 35.2 more miles of road without an increase in my budget. I'm respectfully asking the Court to amend my budget by the cost of one operator employee at \$45,000 plus benefits without adjusting other budget lines. I am asking that this money be taken from Commissioner Thornton's budget to adjust for the road mileage moved from Thornton's precinct to mine and adjust his budget accordingly. Without these changes, I will not support this budget. I will vote against it. Commissioner Thornton will consider the \$45,000 and meet with Commissioner Atkins to discuss this issue and they will let Mr. Hamilton and Judge Horn know the final decision.

_____ There is no discussion on the Tax Rate.

12,070 On the motion by Middlebrooks, second by Atkins, the Court Adjourned at 12:25 p.m.

Minutes approved this _____ day of _____, 2011

Hunt County Judge

Attest:

Hunt County Clerk