

14-Nov-2023 Burnet County Commissioners Court

To: Burnet County Commissioners Court Members
(Beierle, Dockery, Luther, , Wall)

cc:

County Attorney (Arredondo)

County Auditor (Smith)

County Clerk (Stafford)

PUBLIC COMMENTS and the Texas Open Meetings Act

The Texas constitution vests responsibility in the commissioners court, **acting as a whole**, to exercise the power and jurisdiction over all county business prescribed by the constitution or statute.

The September 26, 2023, October 10, 2023, October 24, 2023, and the November 14, 2023 Commissioners Court "Public Comment" agenda items are still posted and recorded in the meeting minutes with changes that were not adopted by a majority of the commissioners court.

As you know, a commissioners court meeting is a deliberation among a quorum of the commissioners court concerning an issue within the court's jurisdiction. This commissioners court has five members – is one member allowed to dictate a rules change without following the rules for rule changes (notice, motion, and vote)? By failing to object, you are consenting.

Prior to the September 26, 2023 agenda being posted, did the commissioners court vote to adopt new rules pertaining to the standard verbage of Agenda Item #3? There is no public record of this happening.

Rules may be adopted by a majority but **never dictated by a single member**. If a majority of the commissioners court did not adopt new rules, the agendas are incorrectly reporting new rules. Which means that the minutes are incorrect too.

By posting an Agenda with invalid rules, and allowing the Public to believe that the rules are valid, the Burnet County Commissioners Court is violating it's own rules and the Texas Open Meetings Act.

By allowing the ongoing posting of invalid rules, the members of the Burnet County Commissioners Court and their counsel are also participating in the Open Meetings Act violations.

The Open Meetings Act is supposed to open the decision making process to the public. If there are no discussions or "deliberations", if there are no Public questions allowed, then you might as well get the rubber stamps ready.

Gentlemen, govern yourselves accordingly.