

**PUBLIC COMMENTS**  
**COMMISSIONERS COURT**  
**August 7, 2024**

Good afternoon. My name is Claire Nybro, Burnet County voter and taxpayer.

Here is an opinion piece from one of our local papers, the Daily Trib, dated April 5, 2011, entitled OUR TURN: Judge's ruling is victory for open government.

This article recounts a federal judge's ruling on a case filed by members of the Alpine City Council and public leaders from 11 other Texas cities who claimed that the Texas Open Meetings Act violated their First Amendment rights to free speech because it prevented them from making decisions on official business out of the public eye.

Quotes from the article: "In essence, they said the Open Meetings Act muzzled them. What nonsense. They tried to use one of the country's most highly cherished laws that protects free speech in a bid to stifle open government. Is the irony lost on them?"

"Luckily, US District Judge Robert Junell saw it that way, too. According to his decision, the state Open Meetings Act protects 'the compelling interest of governmental transparency.' This was a case that never should have gone to trial. It was a waste of taxpayer money."

"Even worse, it only goes to prove that while some politicians will pay lip service to treasured American values, they don't necessarily believe in them or practice them. The Open Meetings Act was created as a criminal statute with fines and even jail time to ensure government remains open and transparent. The people deserve to know what their elected leaders are doing, how they're voting and why they make the decisions they do. The open meetings statute is a security measure that guards against back-room deals; awarding contracts based on favoritism and nepotism; and creating a shadow government where decisions are made outside of public view. This ruling by the federal judge should serve as a wake-up call that time-honored traditions of open government are the law of the land."

I direct your attention to an article written by Raymond Whelan, dated July 26, 2024, published in the Highlander newspaper, which quotes Judge Oakley: "The Baker Tilly report will come forward when it is ready, Oakley said. We (the commissioners) cannot talk about it during open session nor during executive session. There is nothing to hide."

In light of the opinion piece from 2011, I have but one question: Is the irony lost on you, Judge Oakley?

Thank you for your time and attention.

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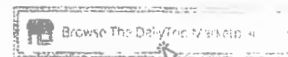
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## OUR TURN: Judge's ruling is victory for open government



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### Current Publications

Chalk one up for open government and the people's right to know.

A federal judge last week upheld the constitutionality of the Texas Open Meetings Act in a case filed years ago by members of the Alpine City Council.

The plaintiffs, who included Alpine council members and public leaders from 11 other Texas cities, claimed the Open Meetings Act violated their First Amendment right to free speech because it prevents them from making decisions on official business out of the public eye.

In essence, they said the Open Meetings Act muzzled them.

What utter nonsense. They tried to use one of the country's most highly cherished laws that protects free speech in a bid to stifle open government. Is the irony lost on them?



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# News

## Burnet County divulges total cash and investments

By Raymond V. Whelan  
Staff Writer

Burnet County commissioners received an update about their financial holdings July 23, during their regular meeting.

During her third quarter report for Fiscal Year 2024, County Treasurer Karrie Crownover announced the county counted a total cash and investment balance of more than \$64.7 million through the end of last month.

Furthermore, county holdings in the LOGIC, TexPool and Texas Cooperative Liquid Assets Securities System local government investment pools are yielding more than 5%, in tandem with the six-month U.S. Treasury Bill.

Also, commissioners

recognized the work of probation officers.

Texas Gov. Greg Abbott recently proclaimed July 21-27 as "Pretrial, Probation and Parole Supervision Week."

In turn, the commissioners applauded 33rd and 424th District Court probation officers.

"They all do a tough job," Burnet County James Oakley said.

In other business, the commissioners:

- Applied to the Lower Colorado River Authority (LCRA) for temporary raw water irrigation no more than 10 acre-feet per year (about 3.2 million gallons) from October 2024 through September 2027;

- Approved a reimbursement grant of

\$35,000 from the Capital Area Council of Governments for county household hazardous waste collection events;

- Applied for the Fiscal Year 2025 Texas Rural Law Enforcement Grant Program authorized for the sheriff, county attorney and district attorney;

- Approved a work order for KC Engineering to provide construction costs for work on CR 114 from RM 690 to RM 2341, to be paid out of Fiscal Year 2022 tax notes;

- Approved bids for paving at CR 420; and

- Approved advertising for bids to construct the Development Services building next to the Burnet County Courthouse Annex on the square.

Moments before the

meeting ended, during time for "discussion regarding any previous agenda items" Bertram resident Charlie Parker approached the commissioners to discuss an ongoing independent audit of alleged payroll irregularities related to the sheriff's office.

Oakley ruled Parker out of order, because the subject matter was not appropriate for "old business."

Parker asked to discuss the issue under "public comment."

Oakley granted Parker permission to speak as such.

Then, Parker voiced questions related to an ongoing independent audit focused on alleged payroll regularities with-

in the Burnet County Sheriff's Office.

Last September, the commissioners hired the independent firm Baker-Tilly to conduct the audit.

According to his personal copy of the Baker-Tilly proposed schedule, the audit was planned for completion last November, Parker said.

"Has Baker Tilly complied with the terms of their contract and provided the results of their audit?" Parker asked.

Since Parker posed his question during time set aside for public comment, by law, the commissioners could not respond.

After Parker finished his comment, Oakley spoke briefly.

"The Baker Tilly report will come forward when it is ready," Oakley said.

"We (the commissioners) cannot talk about it during open session nor during executive session. There is nothing to hide."

Also, the judge praised Ferguson and his election administration associates.

"I have all the confidence in the world in Doug and all the work they do," Oakley said.

## Voting

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American Rescue Plan Act of 2021 will pay for the new software.