

Public Comments on Potential TOMA and Local Rules Violations
During the March 17, 2025 Burnet County Commissioners Court Meeting

Since 2007, Burnet County has a long tradition of inviting public participation on agenda item deliberations, which has been explicitly provided in Rule 7 and states: "The public is also invited to participate in the discussions of agenda items." This practice has fostered transparency, accountability, citizen engagement, and occasionally a bit of tension. In 2023, the Rules were reaffirmed in a unanimous vote after a proposal to rewrite them by the former county judge, preserving the tradition of inviting public participation. When the new County Judge Wilson assumed office on March 11, 2025, these Rules were still in effect and remain so today.

However, during the special session on March 17, 2025, Judge Wilson denied public participation in deliberations, claiming that the Rules violate state law. He asserted, "The public isn't authorized by law to comment on items that are before the court," and "State law says this is a constitutional county commissioners court, and the deliberations must occur within the government body. I will not acquiesce or give up my constitutional duties." This suggests that Burnet County has been illegally running county meetings for 18 years and implies that public participation in agenda item deliberations is a violation of state law.

At no point did the judge refer to the Rules, cite specific statutes, or provide clear legal justification for his claim. His unilateral decision, made without prior notice, imposed a new restriction on public participation that directly contradicted Rule 7 and the long-standing tradition of public involvement in Burnet County agenda item deliberations.

Public Participation and TOMA Violations:

Does TOMA permit public participation in deliberations, provided it aligns with local Rules and is conducted openly and transparently? I think it does. The judge's actions, in denying participation, undermine both TOMA and the established Rules, which have been in place for nearly two decades.

Texas Code of Judicial Conduct Canon 3B(2):

Canon 3B(2) of the Texas Code of Judicial Conduct requires judges to be knowledgeable about the law and apply it faithfully. The Judge's failure to adhere to the Rules and his unsupported claims about the legality of public participation suggest a lack of understanding. Even a new county judge is expected to demonstrate a solid grasp of the law and ensure proceedings align with established rules.

Precedent and Long-standing Tradition of Public Participation:

This long time commitment to involving citizens in deliberations of agenda items has fostered transparency, accountability, and meaningful engagement, contributing to a culture of open governance which is much admired by many Texans around the state.

The actions of the presiding official are jeopardizing the transparency and democratic principles on which the Burnet County Commissioners Court operates.

Thank you for your time and attention.

Burnet County Voter, Taxpayer, and Interested Person.
Opinions in this document are purely my own.

"The worth of a state in the long run is the worth of the individuals composing it." (John Stuart Mill, *On Liberty*, 1859)