

**MINUTES OF THE
SPECIAL MEETING OF THE
WASHINGTON COUNTY QUORUM COURT**

Monday, September 30, 2014
5:30 p.m.
Washington County Quorum Court Room

2014 OCT 17 PM 12:53
BRYAN H. HALL, CLERK
CO. & PROBATE CLERK
WASHINGTON CO. TN

FILED

- 151.1 The Washington County Quorum Court met in special session on Monday, September 30, 2014. The meeting was called to order by County Judge Marilyn Edwards.
- 151.2 B. Pond led the Quorum Court in a prayer and the Pledge of Allegiance.
- 151.3 MEMBERS PRESENT: Ron Aman, Rex Bailey, Harvey Bowman, Diane Bryant, Candy Clark, Rick Cochran, John Firmin, Barbara Fitzpatrick, Ann Harbison, Tom Lundstrum, Eva Madison, Jimmy Mardis, Joe Patterson, Butch Pond, and Bill Ussery.
- 151.4 OTHERS PRESENT: County Judge Marilyn Edwards; County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 151.5 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 151.6 **A motion was made and seconded to adopt the agenda as presented. The motion passed unanimously by voice vote. The agenda was adopted as presented.**
- 151.7 AN ORDINANCE CHANGING THE TITLE OF A LAW CLERK POSITION TO A CIRCUIT COURT STAFF ATTORNEY-COUNTY CIRCUIT COURTS POSITION; AND APPROPRIATING \$4,156 FROM THE GENERAL FUND TO PERSONAL SERVICES LINE ITEMS IN THE CIRCUIT COURT IV BUDGET FOR 2014: C. Clark introduced **An Ordinance Changing The Title Of A Law Clerk Position To A Circuit Court Staff Attorney-County Circuit Courts Position; And Appropriating \$4,156 From The General Fund To Personal Services Line Items In The Circuit Court IV Budget For 2014**, and County Attorney George Butler read the ordinance that is on third and final reading.
- 151.8 **A. Harbison made a motion to adopt the ordinance. B. Fitzpatrick seconded.**
- 151.9 Madison stated that everyone knows her position on this and she will not be changing her mind. However, she stated for the record it is important to note that this position was posted at \$43,139.20 which was a fact that they were not told and uncovered on their own; they are being asked to pay \$55,952.00 which is a 29.7% increase. She stated that some will argue that this is not an

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increase, but it is 100% new money and money that the county does not have. She stated that she stayed up late last night going through all of the budget numbers and spoke today with Bobby Hill, our incoming County Treasurer. She stated that the budgets that they have looked at so far, as compared to the projected revenue, puts them at \$6.2 million over our projected revenue. E. Madison stated that this is shocking and they have a lot of work to do.

- 152.1 E. Madison stated she is a little astonished at the efforts that they have gone to give one county employee such a large raise when nobody has said anything else about a raise for any other county employee and she doesn't see that it will happen with a \$6.2 million shortfall. She stated that she is hoping that those who have fought for this employee will do half as much to fight for raises for the other county employees because she intends to find some way to try to give at least a 2% increase to county employees. She pointed out that it is easy to look at every individual and say that they have merits, as does Leta Darling, but when she hears things like she will be saving lives, she notes that our Sheriff's Deputies save lives and risk their lives every day and no one has fought for their raises like those who have fought for this one.
- 152.2 E. Madison stated that she knows this ordinance is going to pass unless something dramatic has happened since last week, but she challenges the members of this Quorum Court to do their homework and figure out if they can afford this raise, then they can make it work so that everyone else gets a raise. She pointed out that there are county employees who have expressed their thoughts to her privately and wanted to say what she has said tonight after watching what the court has done, but they feel uncomfortable challenging a sitting Judge and disagree with what they are doing. She further stated that people who were going to come to the meeting last week have since been stifled and may not be here tonight.
- 152.3 B. Fitzpatrick stated that the Budget Committee has not started discussions on raises for county employees, but will be doing so at their meeting following this Special Quorum Court meeting. She concurred with E. Madison that every single county employee deserves a raise and she will fight for those raises as she has for the entire time that she has served on this court as they want to keep these good employees. She stated as for this particular situation, she thinks it is a pity that lawyers don't fall under JESAP because when someone is in a position under a JESAP and have a rated position, more responsibilities are added and the job has changed to the extent that they are moved up by two steps, then the policy is that their pay increases

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with it. She stated that it is not unusual when they add extra duties to the extent that have been added here to have an increase in salary to go along with it, but since lawyers don't fall under JESAP, they have to do this on the wing.

- 153.1 R. Bailey stated that this is nothing personal against Judge Beaumont, but this has been one of the most confusing situations that he has encountered during the six years he has been on this court. He noted that talk with respect to our President has referred to "fuzzy math" and he sees this as "fuzzy money" because though it won't cost them anything, Judge Beaumont has come to them asking for money and it will cost them eventually. He stated that if you are paying more money than when you started out, that is a raise to him and he will not support this 27% raise and probably won't support raises for the rest of the county employees.
- 153.2 T. Lundstrum stated that he has worked for the last few years trying to get raises for their lowest paid employees in this county and because of JESAP, he has not been able to accomplish that at all. He stated his frustration because when the value of a dollar goes from 35 cents to 17 cents, a \$10 to \$12 an hour job doesn't provide very much purchasing power, where a \$50,000 to \$60,000 a year job falls into a different category altogether. He questioned whether they could change the title of their janitors' jobs to sanitarian experts in order to get them a raise. T. Lundstrum stated for these reasons, he will not support this ordinance.
- 153.3 B. Pond stated that JESAP has been brought up by 2-3 different individuals and he has set in on several JESAP committee meetings which are quite educational and when they review a position, they evaluate the job, not the individual. He stated that they don't look at who it is or who wants what, but rather they look at the position, the importance of that position, or what kind of service is provided for the county, but doesn't consider what others in the county may think about it. He stated in other words, politics is not involved in a job evaluation.
- 153.4 J. Mardis stated that he could go through a long list of reasons why he doesn't like the way this is set up, many of which have been addressed tonight. He thinks it is ridiculous that they are talking one employee and their salary because usually a department head comes in and wants to do something requiring them to move money from one area to another, but in this case, that is not an option. He stated that they have this position that was set and put in place by someone's wisdom years ago and the JPs have to

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make the decision. J. Mardis stated that he has found that it is very difficult sometimes to do a better thing with so many people voting the way it works. He stated that he will support this ordinance because at the end of the day, the Judge is trying to do this for her court in taking care of what she needs to get done and hopefully this will benefit her court in the future. He wishes that there was a way to require her to move money out to make up for the increase, but they don't have authority to do that.

- 154.1 H. Bowman stated that it was very important to remember that Judge Beaumont came to them and talked about numerous cases that were falling through the cracks where people were not being appropriately served and this young lady has skills that have contributed to solving those problems. He states when they look at the situation in this regard and hear the stories about the things that she has done to help those people who are falling through the cracks and not receiving needed services, he will be supporting this ordinance.
- 154.2 B. Ussery concurred with J. Mardis and firmly believes that this will save the County more money in the long run. He further pointed out that this person is educated and has gone to the effort to learn an additional set of skills and anytime there is someone worthwhile who will really aide in the overall direction that a department is going, it is very wise to take advantage of that. He stated if he didn't believe that it would save the County in the long run, he would not be supporting it.
- 154.3 Judge Cristi Beaumont addressed the Quorum Court stating that she thinks they have gotten somewhat sidetracked because this 27% increase has been a complete misrepresentation. She explained that she was hired on at a salary of \$47,964 and no one hid the fact that it was originally posted at \$43,000 because that was the salary back from 2007, and she was never hired at a lower salary. She stated it was supposed to have the full range, but when her trial court's assistant put it in there, the second salary didn't get put in. She further noted that this position had not been reevaluated in seven years and they have significantly increased the duties for this position. She stated in looking at a comparable market in Pulaski County, they start every one of their first year attorneys at \$49,117.90 which is higher for someone with over six years' experience in their case. She stated that Ms. Darling worked for the county for more than six years and was being paid by the county this salary that they are asking for. Judge Beaumont stated that this is being referred to as a raise and for this position, it is an increase, but it is not a raise for her and the same exact salary she has been paid by the County for years.

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- 155.1 Judge Beaumont stated in reference to this position, this is not costing the County any more money than it did last year because this is the one position that she is aware of in the county that is paid for per statute by participants paying a user fee in Drug Court. She reported that last year participants paid in \$17,642.87 and as of August 2014, they had already paid in that same amount. She stated that their numbers when she started were 160 participants and as of today, there are 233 participants in the Drug Court and with 73 more participants in the program, they have to have extra help. She stated she could have come to the Quorum Court and asked to hire a new person at \$30,000 to \$40,000 and the court could have turned her down. She referred to comments made the other day that it was nothing for an attorney to make \$40 an hour, and pointed out that at the salary that they are asking for, she is making \$27 an hour. She stated that they are asking the Quorum Court to do what is best for this county and she wants to continue to assist in keeping people off of drugs and out of jail and state prisons which they will all be paying for. Judge Beaumont stated that she would not be asking for this if it was not essential for this county and to save lives. She reiterated that she is not taking money from anyone to get raises because their Drug Court participants are paying for the difference and it is not taking one cent out of the county budgeted money that was already there. She noted that she has asked the Legislature to require that the Drug Court participants pay \$5 more a month and she is hopeful that the county will eventually not have to pay a dime for this person's salary.
- 155.2 E. Madison stated that she wants to respond to Judge Beaumont's statement that she is misrepresenting the facts. She stated that R. Bailey came to the Court with this position, this person along with several others that applied for the job knowing that the salary was \$47,000, but to the contrary they applied to a posting supplied to her by Lindsi Huffaker at a salary of \$43,000 because that was the starting salary for the position. She stated that they weren't told that information, but rather that the salary was a measly \$47,000 and they needed to raise it to almost \$56,000. She stated then it was discovered in the budget for this year was a salary of between \$47,000 and \$48,000 because the person in that position had held that job long enough to get raises.
- 155.3 Judge Beaumont responded to E. Madison's comments, stating that Ms. Darling did not apply for the position until she knew the salary was \$47,964.
- 155.4 E. Madison reiterated that she has not misrepresented anything and everyone here knows what they have and have not been told; when the first round didn't justify the salary, they changed the title and added more duties. She believes that this process has been very difficult. She pointed out that the Drug Court is a great program, but it is a State program and the County does

not need these services; the State needs them to keep people out of the state prisons. She believes that the state should step up and pay for the help the Drug Court needs, but the state already provides 11 additional employees to the Drug Court that none of the other Circuit Judges have. She questioned whether it was really the Drug Court's responsibility to find people a place to live when there is a very capable case coordinator and Sheriff's employee that are dedicated to doing just that and they don't need a lawyer doing this job.

- 156.1 **A. Harbison called for the question. There were no objections made.**
- 156.2 **T. Lundstrum made a motion to suspend the rules and take public comments. The motion passed unanimously by those present by voice vote.**
- 156.3 Citizens Comments: Lorraine O'Neal, resident of Ward 4, addressed the Quorum Court and stated that she agrees 100% with E. Madison.
- 156.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 156.5 VOTING FOR: B. Pond, B. Ussery, H. Bowman, D. Bryant, J. Firmin, B. Fitzpatrick, A. Harbison, and J. Mardis. VOTING AGAINST: J. Patterson, R. Aman, R. Bailey, C. Clark, R. Cochran, T. Lundstrum, and E. Madison. **The motion passed with eight members voting for and seven members voting against the motion. The ordinance was adopted.**
- ORDINANCE NO. 2014-54 , BOOK NO. 9, PAGE NO. 439**
- 156.6 CITIZEN COMMENTS: There were no citizen comments made.
- 156.7 ADJOURNMENT: The meeting adjourned at 5:55 p.m.

Respectfully submitted,


Jessica Ims
Quorum Court Coordinator/Reporter