

EMPLOYMENT CONTRACT

THE STATE OF TEXAS

COUNTY OF ROBERTSON

This employment contract is made and entered into this ____ day of _____, 2003, by and between the **CITY OF HEARNE**, a municipal corporation, hereinafter called "Client," and **BRYAN F. RUSS, JR.**, on behalf of the law firm Pamos, Russ, McCullough & Russ, L.L.P., hereinafter called "Attorney," and hereby specifically agrees to the following:

WITNESSETH

WHEREAS, Client desires to employ Attorney to represent the City as City Attorney, as provided in and in compliance with the Hearne City Charter, and;

WHEREAS, the Client and the Attorney have agreed upon the terms and conditions of employment and the consideration for employment, and;

WHEREAS, Attorney desires to accept the employment as City Attorney of the City of Hearne, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENT, in consideration of the mutual covenant herein contained, the Client and Attorney agree as follows:

Section 1 - Employment

Client hereby employs Attorney as City Attorney as set forth in Section 4.05 of the City Charter.

Section 2 - Duties

Attorney accepts the duties to represent the City of Hearne in all legal matters in a

professional and zealous manner.

Section 3 - Terms

Nothing contained herein shall remove the employment of Attorney from the "at will" requirement of the City Charter. Attorney serves at the will and pleasure of the City Council.

Likewise, Attorney has the right to terminate employment at any time, with or without the consent of the City Council.

Section 4 - Consideration

The Client and Attorney agree that for all non-litigation matters, that Client shall pay to Attorney a monthly salary of \$3,271.81.

The Client and Attorney further agree that litigation will be an additional expense at the rate of \$150.00 per hour.

Section 5 - Indemnification

Client agrees to indemnify and hold harmless Attorney and his law firm against any and all claims, surety, causes of action, whether in law or in equity, by third parties arising from the performance of Attorney's duties and responsibilities as City Attorney.

Section 6 - Notices

Notices required to be given under the agreement shall be delivered at the following addresses:

1. Client:
City of Hearne
210 Cedar Street
Hearne, Texas 77859


2. Attorney:
Bryan F. Russ, Jr.
306 Cedar Street
Hearne, Texas 77859

Section 7 - Authority

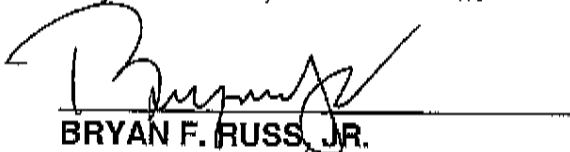
Client, acting by and through its duly authorized City Council, hereby authorizes Mayor Ruben Gomez, on behalf of the City, to execute this contract.

Attorney hereby acknowledges that he is authorized to sign the same on his behalf and on behalf of Pamos, Russ, McCullough & Russ, L.L.P.

SIGNED this ____ day of _____, 2003, effective May 1, 2003.



RUBEN GOMEZ - Mayor
City of Hearne, State of Texas



BRYAN F. RUSS, JR.
Pamos, Russ, McCullough & Russ, L.L.P.

Political agenda top order for council

let's back up to the last regular election in which Hazel Embra, LaShaunda White and Joyce Rattler won their seats.

Foster you may recall was instrumental for the appearance of Quanell X, a New Black Panther Party leader in Hearne for the purpose of leading a protest in our city streets. I do not mind protesting, I do mind racial protesting, side, black or white, in my world there is no place for racism. While it does exist, I have never been a part of it.

I ask, hypothetically had a Black police officer killed a white woman of 93 in Hearne would it be okay to invite the Klux Klan to march in our streets? I ask you, do you really think it is ok to use racial protesting to get civil justice. Quanell X made no difference with his march through Hearne,

besides of course making national headlines and tarnishing the city name.

Prior to the election, the three candidates met in my office with their political agenda in hand as well as William Foster in tow. Outlined directly to me, a plan to unseat the current city government and take over Hearne. Frankly after that conversation I worried for Hearne. Take over Hearne? I thought we were all working together to better Hearne. Working within the system to better define a great city, clean up a tarnished reputation and better our schools. That's what I'm trying to do, build a better Hearne for everyone.

The plan outlined that day was to basically overthrow the Hearne City Council and take control of the city. Termination for Chief Williams, City Attor-

ney Bryan Russ, City Manager Pee Wee Drake, City Secretary Anna Florida and EDC Director Kent Brunette.

I'm for change, but really all these positions at once?

Sure we can discuss mistakes made by any of these people. High salaries, high electric bills, city employees that are in jail and their positions are held open, illegal dumping, city workers scratching lottery tickets when they should be working, and the list goes on. But do you think Hearne is the only place in Texas that has problems? In my experience all you can do is tackle these problems, together and learn from the mistakes one at a time.

Here is what I know as a business owner. This kind of unrest is unhealthy for business and a community;

the only political agenda that should be served by our elected officials is what is in the best interest of the citizens and businesses. Side A wants control and Side B is just hanging on for their political life. The point is, no one seems to have control, and that is just not good.

I want to tell you a story. Last week, I spotted a huge pile of tires in one of Hearne's neighborhoods. I stopped, took a picture with my cell phone and sent it to the Mayor and Pee Wee Drake. Later that afternoon, I saw the Mayor and asked if he got my picture. He said he had and that Rodriguez Tires was on the way to pick them up, at \$3 a tire. I asked if he was going to send a bill to the lot owner for the disposal and his reply was that the lot owner would never pay the bill, so the city would have to. He's right; the lot owner

would not have paid that bill. Just FYI, if you had a large pile of tires on you lot last week and they are gone now, thank the Mayor and your fellow citizens, they paid to clean up your mess.

No matter which side of this council you talk to, everyone is convinced his or her agenda is the right one for this city. So again, in a political mindset, we the people have a choice to make, which side is better for this city?

So here is the outcome of the recall election.

If Vaughn loses the recall election, there will be two City Council meetings, before the next election. A council member can miss two consecutive meetings and remain on the council. She loses the recall, a no quorum will occur until the

See PHILLIPS • page 14

**en again, I
ould be wrong.**
Dennis Phillips

as a business owner in e, a constant state of ation looms whenever pic of the Hearne City cil is brought up. Over ast two years, our city nment has been in the ak, media, spallan, ecedence at a court in , littered local televi- stations with lots of lines none of which favorable and remains nbarrassment to local sses.

be latest fiasco is a election, which is cur- under way. But I'm g ahead of myself;

BOB PHILLIPS

• PHILLIPS •

Continued from page 4

newly elected officials take their seats.

If Vaughn wins the recall election, stalemate again, 3-3 ties as the entire council waits for the newly elected. The seats up for grabs in the May election are Michael Werfinger, Maxine Vaughn and Mayor Ruben Gomez. All three are registered to seek re-election.

So basically, the recall

election was approximately \$10,000.00 expenditure to the citizens of Hearne for nothing but political agenda by Embra, White and Ratler who along with Milton Johnson sued the City of Hearne and won nothing but in the process spent money, drew negative headlines for our city, and again Hearne businesses are suffering the expense.

In my office that day before the election, these three women told me how they wanted to control city spending, yet just spent \$10,000.00 of our tax money to accomplish nothing. Now if you think all of this report was entertaining, you should come to the council meetings. These are the people you have elected to keep your best interest at heart, your business interest in the forefront, it might just be time for you to come on down and remind them.

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