

Franklin County Commissioners' Court
Commissioner Court Minutes
Regular Session
June 27, 2011

The Franklin County Commissioners' Court met in Regular Session June 27, 2011 at 9:00 AM in the District Courtroom at the Franklin County Courthouse Annex located at 208 Highway 37

Members present: Paul Lovier, County Judge ABSENT
Danny Chitsey, Commissioner, Precinct 1
Donnie Surratt, Commissioner, Precinct 2
Deryl Carr, Commissioner, Precinct 3
Sam Young, Commissioner, Precinct 4
Will Ramsay, County Attorney
Betty Sue Allen, County Treasurer
Betty Crane, County Clerk

VISITORS: Lanny Walker, Marcia Davis Seale, Carolyn Teague, Trish Kuhl, Kathy Marrs, Gary Marrs, Bert Edmondson, Steve Everett, Everett Walter, D. K. Michaelson, Ellen Jaggars, V. J. Rhoades, Bryan Giguere, Jerry Cooper, Jim Alford, Gerry Allen, Paul Fletcher, John Kaufman, David Rains, and Lillie Bush-Reves

Commissioner Carr called the meeting to order and Commissioner Young offered prayer.

ISSUANCE OF AUDITED FINANCIAL STATEMENTS AND ANNUAL REPORT – LANNY WALKER OF ARNOLD, WALKER, AND ARNOLD & CO. / COUNTY AUDITOR – Mr. Walker gave an overview of the audited financial statements and annual report. Commissioner Chitsey made a motion to approve the audited financial statements and annual report from Arnold, Walker, and Arnold and Company and Commissioner Surratt seconded the motion. Motion carried.
See Volume 1Q Page _____

APPROVE THE MINUTES FROM THE JUNE 13, 2011 REGULAR SESSION AND JUNE 13, 2011 WORKSHOP SESSION – COUNTY CLERK Commissioner Surratt made a motion to approve the minutes from the June 13, 2011 regular meeting and the June 13, 2011 Workshop session and Commissioner Young seconded the motion. Motion carried.

AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER - Commissioner Young made a motion to approve all the claims against the county and Commissioner Surratt seconded the motion and the motion carried.
See Vol. 1Q Page _____

FIRST READING REPLAT PINE VALLEY SUBDIVISION LOT 350R – FCWD FOR VAUGHN BALLARD – Commissioner Young made a motion to approve the first reading of the replat of the Pine Valley subdivision lot 350R and Commissioner Chitsey seconded the motion. Motion carried.

DISCUSS AND APPROVE RESOLUTION AUTHORIZING FRANKLIN COUNTY TO ENTER INTO INTERLOCAL AGREEMENT WITH MT.VERNON INDEPENDENT SCHOOL DISTRICT – COUNTY ATTORNEY – Commissioner Surratt made a motion to approve the Resolution authorizing Franklin County to enter into Inter-local Agreement with Mount Vernon Independent School District and Commissioner Chitsey seconded the motion. Motion carried. See Volume 1Q Page _____

DISCUSS AND APPROVE INTERLOCAL AGREEMENT WITH MOUNT VERNON INDEPENDENT SCHOOL DISTRICT REGARDING ROADWAYS LOCATED ON MVISD PROPERTY AS DISCUSSED IN COMMISSIONERS' COURT ON JUNE 13, 2011 – COUNTY ATTORNEY – Commissioner Young made a motion to approve the Inter-local Agreement with Mount Vernon Independent School District regarding roadways located on MVISD property which includes Tiger Field Road and South Tiger Drive and Commissioner Surratt seconded the motion. Motion carried. See Volume 1Q Page _____

COURTHOUSE RESTORATION- Commissioner Young reported the restoration project was still on schedule and an Owner's meeting is to be held after this meeting today. He also reported it looked like the interior project was going to be funded.

APPROVE QUARTERLY INTERFUND TRANSFERS – COUNTY TREASURER
Commissioner Chitsey made a motion to approve the quarterly interfund transfers and Commissioner Young seconded the motion. Motion carried.
See Volume 1Q Page _____

APPROVE MOVING CELL PHONE ALLOWANCE FROM MIKE SOWLE TO STARLA MCCARTHY – COUNTY TREASURER – Commissioner Young made a motion to approve moving the cell phone allowance from Mike Sowle to Starla McCarthy and Commissioner Carr seconded the motion. Motion carried. See Volume 1Q Page _____

APPROVE 2011 BUDGET AMENDMENT OF \$49,964.00 FOR ODYSSEY SERVERS – COUNTY TREASURER – Commissioner Surratt made a motion approving the 2011 Budget Amendment in the amount of \$49,964.00 for Odyssey servers and Commissioner Young seconded the motion. Motion carried.
See Volume 1Q Page _____

CONSIDER AND APPROVE REQUEST FROM FARMERS ELECTRIC COOPERATIVE (FEC) TO CONSTRUCT ELECTRICAL POWER DISTRIBUTION FACILITIES ACROSS COUNTY ROAD NE 2120 – PRECINCT 2 – Commissioner Chitsey made a motion to approve the request from Farmers Electric Cooperative to construct electrical power distribution facilities across County Road NE 2120 and Commissioner Surratt seconded the motion. Motion carried.
See Volume 1Q Page _____

CONSIDER AND APPROVE BID FROM COPELAND CONSTRUCTION FOR REPAIRS TO FRANKLIN COUNTY CHAMBER OF COMMERCE – CAROLYN TEAGUE, CHAMBER MANAGER – Carolyn Teague, Chamber Manager gave an overview of work that needed to be done at the Chamber office and presented a proposal from Copeland Construction. Commissioner Young made a motion to approve the bid from Copeland Construction in the amount of \$3,600.00 for repairs to the Chamber office and Commissioner Surratt seconded the motion. Motion carried.
See Volume 1Q Page _____

CONSIDER AND APPROVE BURN BAN - PRECINCT 1 – Commissioner Chitsey made a motion to approve prohibiting outdoor burning for 90 days unless the restriction is terminated earlier based on a determination made by the Texas Forest Service or the Court. Commissioner Surratt seconded the motion and the motion carried. See Volume 1Q Page _____. The Commissioners' noted the Order did not prohibit the cautious use of enclosed barbecue grills for outdoor burning.

CONSIDER AND APPROVE FIREWORKS BAN – PRECINCT 1
Kathy Marrs and Steve Everett, local firework vendors requested the Court to rescind the ban on selling fireworks in Franklin County. County Attorney Will Ramsay stated he wanted to discuss this with Judge Lovier and the Governor's office to make sure we procedurally do this to correctly reflect the statute. We cannot consider and approve anything at this time since the Governor has signed an Order stating all fireworks are banned. The County Attorney stressed we need to go through the Governor's office to get this changed if that is what we want to do. After much discussion, Commissioner Young made a motion to table this item until the County Attorney could contact the Governor's office to discuss the Declaration of Disaster and Commissioner Surratt seconded the motion. Motion carried.

APPROVE LINE ITEM TRANSFERS TO 2011 BUDGET – COUNTY TREASURER / COUNTY AUDITOR – Commissioner Chitsey made a motion to approve the line item transfer in the amount of \$115,627.08 to reflect FY2009 Homeland Security Grant money received and paid out to Motorola and Inter-County Communications for radios. Commissioner Surratt seconded the motion and the motion carried. See Volume 1Q Page _____

Mike Michaelson, County Auditor requested realigning his 2011 budget but was informed this was not necessary because this could be adjusted at the end of the year. See Volume 1Q Page _____ Mr. Michaelson requested the court to help him do his job since the funds are there and requested them to not make a transfer out of his budget to make up the difference for Marla White's salary when she was hired as contract labor to train the new treasurer.

DISCUSSION ITEMS: Commissioner Chitsey reported having to fix leaks from broken sprinkler heads and reminded everyone to try to stay away the soccer and football fields. Commissioner Chitsey questioned Sheriff Fletcher why the County paid \$250.00 to catch and board a donkey and asked if there a way to do more cost efficient. Sheriff Fletcher reported this fee was to pay Stone Livestock Commission Company to rope the donkey, pay for the Coggins test as well as feed the donkey for fifteen days. Commissioner Chitsey suggested placing animals in the closest corral the Sheriff could find and Sheriff Fletcher explained he could not do that because it would have to have a Coggins test first. It was suggested that Dr. Reed could possibly do this cheaper. Sheriff Fletcher stated Stone Livestock Commission is available 24 hours a day seven days a week.

Commissioner Young reported the legislative bill on the courthouse was approved and Franklin County should be good on the interior restoration project.

Commissioners Court recessed at 10:25 and reconvened at 10:40.

HIGH SPEED RAIL PRESENTATION – DEAN INTERNATIONAL

Commissioner Young introduced David Dean with Dean International from Dallas and reported Dean International is the go-to company for high speed rail. Mr. Dean gave a presentation and an update as to what is going on with high-speed rail.

County Attorney Will Ramsay requested going back to agenda item #13 since he had talked with the Governor's office. He stated the fireworks ban deadline was June 15th but the County Judge issued a Declaration of Disaster which includes a fireworks ban on all fireworks. The Governor's office extends what the Commissioners' put in place and if the Commissioners want to withdraw the fireworks provision, you have the authority to do that. Gerry Allen reported the State Forest Service, the State Division of Emergency Management, and the National Weather Service says we need to do this. After much discussion, an Emergency Meeting was scheduled for the afternoon at 4:30PM in the District Courtroom.

Commissioner Surratt made a motion to adjourn the meeting and Commissioner Carr seconded the motion. Motion carried.

I, Betty Crane, County Clerk certify that this is an accurate accounting of the proceedings of Commissioner's Court Regular meeting on June 27, 2011.

Witnessed and recorded this 27th day of June, 2011.

Betty Crane, County Clerk