

Franklin County Commissioners' Court
Commissioner Court Minutes
Regular Session
August 22, 2011

The Franklin County Commissioners' Court met in Regular Session August 22, 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
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: Lisa Lawrence, Mark Johnson, Don Rose, Pat Wright, Danny Smith, Steve Slaton, Sandy Sariego, Sandra Dunn, Bob McFarland, Richard Hamrick, Chuck Armstrong, Everett Walter, D. K. Michaelson, Ellen Jaggars, V. J. Rhoades, Bryan Giguere, Jerry Cooper, Jim Alford, Gerry Allen, Paul Fletcher, and Susan Reeves

Judge Lovier called the meeting to order and offered prayer.

APPROVE THE MINUTES FROM THE JULY 25, 2011 REGULAR SESSION, JULY 25, 2011 WORKSHOP SESSION, JULY 27, 2011 WORKSHOP SESSION, AUGUST 5, 2011 WORKSHOP SESSION, AUGUST 8, 2011 REGULAR SESSION AND AUGUST 12, 2011 WORKSHOP SESSION – COUNTY CLERK

– Commissioner Chitsey wanted to clarify something he said during the discussion at the August 8, 2011 meeting. Commissioner Chitsey had reported using 46,000 gallons of water at the sports complex and said there was really not any reason to water the fields. He wanted to clarify he meant the baseball fields not the soccer and football fields. Commissioner Chitsey made a motion to approve the minutes from the July 25, 2011 Regular Session, July 25, 2011 Workshop Session, July 27, 2011 Workshop Session, August 5, 2011 Workshop Session, August 8, 2011 Regular Session and August 12, 2011 Workshop session and Commissioner Surratt 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 including four additional claims to RK Hall Construction \$3040.51, Wooden Acres Tool Rental \$95.00, Dealers Choice Automotive \$1,496.51 and RBR Construction Inc \$198,724.80. Commissioner Carr seconded the motion and the motion carried.
See Vol. 1Q Page _____

FIRST READING REPLAT ELDORADO SUBDIVISION LOT 13R – DANNY SMITH FOR ALLEN GEHRKI - Commissioner Young made a motion to approve the first reading of the replat of Eldorado subdivision lot 13R and Commissioner Carr seconded the motion. Motion carried.

COURTHOUSE RESTORATION- COUNTY JUDGE – Judge Lovier reported the courthouse restoration is still on schedule.

PRESENT DONATION TO THE FRANKLIN COUNTY SPORTS COMPLEX – MOUNT VERNON ROTARY CLUB – Sandy Sariego presented a \$1000 donation for the Sports Complex from the Rotary Club. The Court was very grateful for the donation.

LEADERS OF TOMORROW PRESENTATION – BOB MCFARLAND

Mr. McFarland reported the Leaders of Tomorrow Program is for the top 25 students in the Junior Class. He reported they have nine sessions during the year. It teaches them life skills and exposes them to businesses. He stated they have 25 to 30 sponsors every year and asked if Franklin County would like to be a sponsor. The fee to be a sponsor is \$100. They use the sponsor fees towards the lunches as well as purchase materials. The Court thought it was a really good program and assured Mr. McFarland the elected officials would be a sponsor.

DISCUSS AND TAKE ACTION ON RESOLUTION FOR THE NATIONAL MOMENT OF REMEMBRANCE ON THE 10TH ANNIVERSARY OF SEPTEMBER 11TH –

COUNTY JUDGE – Judge Lovier presented a Resolution for the National Moment of Remembrance and read a portion of the Resolution. Commissioner Young made a motion to approve the Resolution for the National Moment of Remembrance on the Tenth Anniversary of September 11th and Commissioner Surratt seconded the motion. Motion carried. See Volume 1Q Page _____

APPROVE RENEWAL OF FRANKLIN COUNTY JAIL PHYSICIAN AGREEMENT – SHERIFF – Sheriff Fletcher requested this item be tabled until the next regular meeting. Commissioner Surratt made a motion to table the renewal of the Franklin County Jail Physician Agreement until the next regular meeting and Commissioner Chitsey seconded the motion. Motion carried.

DISCUSS AND TAKE ACTION ON REQUEST FOR PROPOSALS NO. 2011 – A – 1 FINANCIAL AUDIT SERVICES – AUDITOR - Commissioner Carr made a motion to request proposals for Financial Audit Services No. 2011-A-1 and Commissioner Young seconded the motion. Motion carried.

DISCUSS AND APPROVE TRANSFER OF FRANKLIN COUNTY AIRPORT HANGER FROM ESTATE OF ARTHUR HALEY TO DON ROSE – DON ROSE

– Mark Johnson reported Arthur Haley's hanger (Lot B1) had been sold to Don Rose and they were advised to come before the court for the lease of the land at the airport. Judge Lovier suggested the paperwork needs to be filed in the County Clerk's office to show who owns the hanger. Commissioner Young suggested getting approval from the Airport Board before approval of the transfer of the lease. County Attorney Will Ramsay stated he thought there needed to be an Assignment of Lease approved by the Airport Board and then brought before the court to be approved and filed with the County. Judge Lovier stated the problem cannot be solved today but when you get it signed over to Mr. Rose and approved by the Airport Board. The County Attorney stated he would get with Mr. Johnson to discuss the matter. See Volume 1Q Page _____

DISCUSS AND TAKE ACTION ON NARROW-BANDING OF FREQUENCIES FOR COMMISSIONERS AND FIRE DEPARTMENTS – GERRY ALLEN

Commissioner Young made a motion to take action on narrow-banding of frequencies for the Commissioners and Commissioner Surratt seconded the motion. Motion carried. See Volume 1Q Page _____ to review the invoice from APCO International in the amount of \$100.

DISCUSS AND TAKE ACTION ON RESOLUTION REGARDING DISCRETIONARY EXEMPTION FOR USE OF GRANT FUNDS TO PURCHASE RADIO EQUIPMENT FOR LAW ENFORCEMENT – GERRY ALLEN

– Commissioner Carr made a motion to approve the Resolution regarding discretionary exemption for the use of grant funds to purchase radio equipment for law enforcement and Commissioner Chitsey seconded the motion. Motion carried. See Volume 1Q Page _____

APPROVE PAYMENT TO FIRST NATIONAL BANK OF MOUNT VERNON IN THE AMOUNT OF \$15,845.10 FOR INTEREST DUE ON CERTIFICATES OF OBLIGATION – TREASURER

- Commissioner Carr made a motion to approve the payment in the amount of \$15,845.10 for interest due on Certificates of Obligation to the First National Bank of Mount Vernon and Commissioner Young seconded the motion. Motion carried.

DISCUSS AND TAKE ACTION ON RESOLUTION THAT CREATES A PROGRAM PURSUANT TO SECTION 381.004 OF THE LOCAL GOVERNMENT CODE – COUNTY ATTORNEY

– County Attorney Will Ramsay reported receiving notice from the unclaimed properties division of the Comptrollers Office. He reported there is around \$4,600 that was available for Franklin County and we need to send a written request to receive it. He reported these funds will need to be used towards economic development but it is pretty broad on what we can do with the funds. Commissioner Surratt made a motion to approve the Resolution that creates a program pursuant to Section 381.004 of the Local Government Code and Commissioner Young seconded the motion. Motion carried. See Volume 1Q Page _____

DISCUSS AND TAKE ACTION ON SUBMITTING WRITTEN REQUEST TO THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS TO RECEIVE FUNDS PURSUANT TO SECTION 74.602 OF THE TEXAS PROPERTY CODE – COUNTY ATTORNEY

Commissioner Surratt made a motion to submit a written request to the Texas Comptroller of Public Accounts to receive funds pursuant to Section 74.602 of the Texas Property Code and Commissioner Young seconded the motion. Motion carried.

DISCUSS AND CONDUCT PUBLIC HEARING REGARDING THE APPROVAL OF THE LOCAL REDISTRICTING PLAN – COUNTY JUDGE

- (A) **CONVENE** – Judge Lovier convened the public hearing regarding the approval of the local redistricting plan at 9:57AM. No comments were made by the public.
- (B) **ADJOURN** – Judge Lovier adjourned the Public Hearing at 9:58AM

EXECUTIVE SESSION: THE FRANKLIN COUNTY COMMISSIONER'S COURT WILL RECESS INTO EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE FOR CONSULTATION WITH THE COUNTY ATTORNEY

– Judge Lovier recessed into Executive Session at 9:59 AM.

RECONVENE OPEN MEETING – Judge Lovier reconvened the Open Meeting at 10:30 AM and reported the Court was seeking advice from the County Attorney on possible

litigation with no action needed.

DISCUSSION ITEM: Sheriff Fletcher reported getting five inmates from Hopkins County.

Commissioner Surratt made a motion to adjourn the meeting and Commissioner Young 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 August 22, 2011.

Witnessed and recorded this 22nd day of August, 2011.

Betty Crane, County Clerk