

Franklin County Commissioners' Court  
Commissioner Court Minutes  
Regular Session  
July 25, 2011

The Franklin County Commissioners' Court met in Regular Session July 25, 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: Paul Paris, Bobby Elbert, Jackie Bateman, Chris Mars, David Rains, John Kaufman, Sid Hudson, Willie Bane, Michelle Thomas, Elizabeth Aden, Bert Edmondson, Everett Walter, D. K. Michaelson, Ellen Jagers, Bryan Giguere, Jerry Cooper, Jim Alford, Gerry Allen, and Lillie Bush-Reves

Judge Lovier called the meeting to order and Commissioner Young offered prayer.

**APPROVE THE MINUTES FROM JUNE 27, 2011 REGULAR SESSION, JUNE 27, 2011 EMERGENCY SESSION, JUNE 28, 2011 EMERGENCY SESSION, JUNE 29, 2011 EMERGENCY SESSION, JULY 5, 2011 WORKSHOP SESSION AND JULY 11, 2011 REGULAR SESSION- COUNTY CLERK** - Commissioner Young made a motion to approve the minutes from the June 27, 2011 regular session, June 27, 2011 emergency session, June 28, 2011 emergency session, June 29, 2011 emergency session, July 5, 2011 workshop session and July 11, 2011 regular session. Commissioner Surratt seconded the motion and the motion carried.

**AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT - TREASURER** - Commissioner Chitsey made a motion to approve all the claims against the county including the three additional claims that were presented in court and Commissioner Surratt seconded the motion and the motion carried.  
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**SECOND READING REPLAT SNUG HARBOR LOT 366R PHASE 3 - SID HUDSON-**  
Commissioner Young made a motion to approve the second reading of the replat of Snug Harbor Lot 366R of phase 3 and Commissioner Carr seconded the motion. Motion carried. See Plat Cabinet 277B

**QUARTERLY REPORTS** County Treasurer Betty Sue Allen presented the quarterly reports. Commissioner Young made a motion to approve the quarterly reports and Commissioner Chitsey seconded the motion. Motion carried.  
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**APPROVAL OF 2012 DEMOCRATIC ELECTION JUDGES – LIBBY ADEN,**

**DEMOCRATIC PARTY** – Commissioner Carr made a motion to approve the 2012 Democratic Election Judges and Commissioner Surratt seconded the motion. Motion carried. See Volume 1Q Page \_\_\_\_\_

**CONSIDER AND APPROVE TRANSFER OF DRIVER SAFETY CLASS (DSC) FUNDS FROM THE GENERAL ACCOUNT TO DRIVER SAFETY CLASS (DSC) ACCOUNT – JUSTICE OF THE PEACE**

Judge Alford requested approving the transfer of the Driver Safety Class funds from the General Fund to the Driver Safety Class account. Judge Alford explained his office collects about two to three thousand dollars a year. County Auditor Mike Michaelson explained these funds have been incorrectly put into the General Fund because it had been coded incorrectly. Judge Alford requested using these funds for salaries. Mr. Michaelson explained this fund is used to administer the Driver Safety Class. Judge Alford presented information from the Texas Criminal Justice of the Peace Training Center legal department. Judge Alford requested going back to January 1, 2011 and transferring any funds collected since that date. Commissioner Carr suggested getting an Attorney General Opinion on what these funds can be used for. Judge Alford stated if we get an Attorney General Opinion he requested going back several years and transferring all the funds that had been collected and put the funds in the Driver Safety Class fund. Commissioner Young made a motion to put the funds into a new DSC fund line item called the Driver Safety Course fund but have the County Attorney research what the funds can be used for and Commissioner Surratt seconded the motion. Motion carried. The auditor reported the information on the Driver Safety Course fund can be found in the Code of Criminal Procedure Article 45.0511.

**COURTHOUSE RESTORATION- COUNTY JUDGE** – Judge Lovier reported the State has appropriated \$20 million dollars into The Historical Commission coffers which pretty well assures us of funds towards the interior restoration project.

**CONSIDER AND APPROVE HOTEL / MOTEL OCCUPANCY TAX BOARD FUNDING UNDER TEXAS TAX CODE SEC 352 – JACQUELINE BATEMAN, ALAMO MISSION**

After much discussion, it was decided that Ms. Bateman does not have to go before the Hotel / Motel Occupancy Tax Board to receive the yearly 10% flat rate and she may use those funds to operate the Alamo Mission Museum and it does not have to be used for advertising. If she wants to request more than 10% a year, she has to go before the Hotel / Motel Occupancy Tax Committee to get approval. If the Hotel / Motel Occupancy Tax Committee denies an entity funds, that entity can make an appeal to Commissioners' Court.

**CONSIDER AND APPROVE THE FOLLOWING HOTEL / MOTEL OCCUPANCY TAX BOARD AGENDA ITEMS FROM THEIR JULY 11, 2011 SESSION – WILLIE BANE**

Mr. Bane gave an overview of the post event report on the Piney Woods Wine Trail Festival. He presented the Rotary Club's funding application in the amount of \$5,850 for the Tour de Cypress Bike Race event to be held on April 21, 2012. Mr. Bane also requested \$3,050.00 for the upcoming Wine in the Pines Event to be held on October 28 and 29, 2011. Commissioner Young made a motion to approve the post event report for the Piney Woods Wine Trail Festival and approve the requests for the Tour de Cypress and Wine in the Pines Events and Commissioner Chitsey seconded the motion. Motion carried. Mr. Bane requested that the Hotel / Motel Occupancy Tax Committee to be included in the budget hearings.

**CONSIDER AND APPROVE 2011 – 2012 CYPRESS SPRINGS SPECIAL UTILITY DISTRICT BLOCK GRANT PROGRAM COMMUNITY DEVELOPMENT FUND APPLICATION – MARY KAY THOMAS, AMAZING GRANTS, INC**

– Commissioner Carr made a motion to table this item since no one was available to discuss this and Commissioner Surratt seconded the motion. Motion carried with a 3 to 2 vote with Judge Lovier and Commissioner Young voting Nay.

**CONSIDER AND APPROVE REDISTRICTING MAPS** – Commissioner Young presented two redistricting maps and gave an overview of the maps. He stated the Commissioners had chosen to go with the redistricting map called “Plan B”. Commissioner Young made a motion to approve using the redistricting map Plan B and Commissioner Surratt seconded the motion. Motion carried. Commissioner Young also noted that two public hearings will need to be held as well as be advertized in the paper three times.

**PRESENTATION ON FIBER OPTIC CABLE THAT WOULD COMBINE COUNTY PHONES AND INTERNET BETWEEN ANNEX WEST AND ANNEX EAST -**

**SUDDENLINK** – Treasurer Betty Sue Allen reported she had been working with Suddenlink to see if it would be cost effective to combine phone, cable and internet. Michelle Thomas from Suddenlink made a presentation and presented a proposal on the fiber optic cable that would combine the county phones and internet between Annex East and Annex West. Treasurer Betty Sue Allen stated

**DISCUSSION ITEMS:** Judge Lovier presented a letter he had received from the Richard Zachary from Cypress Spring Special Utility District. The Commissioners’ reported CSSUD had been very accommodating to the county and they were very appreciative of what CSSUD had done to help towards the Sports Complex. Mr. Zachary encouraged the court to use CSSUD water for central use and use raw water for irrigation services.

Treasurer Betty Sue Allen reported there are two health care plans that are grandfathered and it would be wise to chose one of these plans during the budget process. Otherwise we will have to meet some requirements because of Obama Care and it could take some benefits that we have. She recommended staying in one of the grandfathered health care plans.

John Kaufman, Superintendent of MVISD requested a date when the repair of the roads would be done since school will be starting soon. It was suggested Commissioner Carr be the coordinator between the Commissioners and the school. Commissioner Carr and Mr. Rains agreed to get together to coordinate a date to begin the repairs.

Betty Sue Allen reported being on tract with getting the county discount prescription cards. We are set to have the first cards available on September 19th. This will help people save an average up to 24% off prescriptions.

Commissioner Chitsey reported work had been done on the airport and reported problems with a couple of culverts. He also reported several trees still need to be knocked down.

Commissioner Chitsey stated he had plans to spray the fields at the Sports Complex with herbicide. He also reported all the leaks had been repaired on the irrigation system.

Lillie Bush-Reves invited everyone to a conference at the Cultural Arts Center for the Main Street Program that will be held this afternoon.

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

I, Betty Crane, County Clerk certify that this is an accurate accounting of the proceedings of Commissioner's Court Regular meeting on July 25, 2011.

Witnessed and recorded this 25<sup>th</sup> day of July, 2011.

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Betty Crane, County Clerk