

Franklin County Commissioners' Court
Commissioner Court Minutes
Special Session
January 18, 2011

The Franklin County Commissioners' Court met in Special Session January 18, 2011 at 9:00 AM in the Council Chambers at the Mount Vernon City Hall located at 109 North Kaufman Street.

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: Clint Hopkins, Danny Smith, Willie Bane, Paul Fletcher, Steve Boorman, Sue Ann Harper, Jim Alford, Chuck Armstrong, Jennifer Cooper, Jerry Cooper, Leon Pless, Emmitt Walters, Ellen Jagers, Bobby Elbert, Mark Olinger, Bert Edmondson, Jennifer Jordan, Dale Jordan, Lisa Lawrence, Brantin Carr, Marcia Davis Seale, Gerry Allen, Jeannie Rhoades, Bryan Giguere, and Lillie Bush-Reves

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

APPROVE THE MINUTES OF DECEMBER 27, 2010 SESSION – COUNTY CLERK

Commissioner Chitsey made a motion to approve the minutes from the December 27, 2010 regular meeting and Commissioner Young seconded the motion.
Motion carried unanimously.

AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT –

TREASURER - Commissioner Carr made a motion to approve all the claims against the county and Commissioner Young seconded the motion. The motion carried unanimously. See Vol. 1P Page _____

MONTHLY AND QUARTERLY REPORTS County Treasurer Betty Sue Allen presented the January monthly reports and the quarterly reports. Commissioner Young made a motion to approve the monthly and quarterly reports and Commissioner Chitsey seconded the motion. Motion carried unanimously. See Volume 1P Page _____

FIRST READING REPLAT TALL TREE SUBDIVISION, LOT 86R BLOCK 13 SECTION 3 – DANNY SMITH FOR BRIAN O'BOYLE, AGENT FOR 582 WINDY POINT, LLC

Commissioner Young made a motion to approve the first reading of the replat of Tall Tree lot 86R, block 13 section 3 and Commissioner Surratt seconded the motion. Motion carried unanimously.

COURTHOUSE RESTORATION- COUNTY JUDGE - Judge Lovier reported the next meeting will be a subcontractors meeting with Susan Gammage. Commissioner Young reported a safety meeting for subcontractors had been held on January 17th.

APPROVE APPOINTING PAUL LOVIER AS FRANKLIN COUNTY'S REPRESENTATIVE FOR THE ARK-TEX COUNCIL OF GOVERNMENTS' BOARD OF DIRECTORS – COUNTY JUDGE - Commissioner Carr made a motion to approve appointing Paul Lovier as Franklin County's representative for the Ark-Tex Council of Governments' Board of Directors and Commissioner Chitsey seconded the motion. Motion carried unanimously.

APPROVE RENEWAL OF SERVICE CONTRACT WITH NETWORK TECHNOLOGIES – STEVE BOORMAN, NETWORK TECHNOLOGIES -
Commissioner Carr made a motion to approve the 300 hour service contract with Network Technologies and Commissioner Surratt seconded the motion. Motion carried unanimously. See Volume 1P Page _____

APPROVAL OF 2011 INTERFUND TRANSFERS - TREASURER – Commissioner Chitsey made a motion to approve the 2011 Interfund Transfers and Commissioner Young seconded the motion. Motion carried unanimously.
See Volume 1P Page _____

APPROVAL OF CELL PHONE REIMBURSEMENT FOR COMMISSIONER DONNIE SURRATT PCT 2– Commissioner Carr made a motion to approve the \$50 monthly cell phone allowance for Commissioner Surratt and Commissioner Chitsey seconded the motion. Motion carried unanimously. See Volume 1P Page _____

REMOVE MARLA WHITE FROM SIGNATORY AUTHORITY ON ALL COUNTY TREASURER BANK ACCOUNTS AND REPLACE WITH BETTY SUE ALLEN – TREASURER - Commissioner Surratt made a motion to remove Marla White from the signatory authority on all the county treasurer bank accounts and replace with Betty Sue Allen. Commissioner Chitsey seconded the motion and the motion carried unanimously.

APPROVAL OF LINE ITEM TRANSFERS AND BUDGET AMENDMENTS FOR 2010
Commissioner Chitsey made a motion to approve the 2010 line item transfers and budget amendments and Commissioner Young seconded the motion. Motion carried unanimously. See Volume 1P Page _____.

REMOVE PAUL LOVIER FROM SIGNATORY AUTHORITY ON JUSTICE OF THE PEACE CHECKING ACCOUNT AND REPLACE WITH JIM L. ALFORD – JUSTICE OF THE PEACE – Commissioner Young made a motion to remove Paul Lovier from signatory authority on the Justice of the Peace checking account and replace with Jim L. Alford. Commissioner Carr seconded the motion. Motion carried unanimously.

APPROVE 2010 CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY – COUNTY ATTORNEY – County Attorney Will Ramsay reported the Chapter 59 Asset Forfeiture Report was required to be completed yearly. He also reported the County had not received any forfeited funds in the misdemeanor court and the information would be included in his report. Commissioner Surratt made a motion to approve the 2010 Chapter 59 asset forfeiture report by the Law Enforcement Agency and Commissioner Chitsey seconded the motion. Motion carried unanimously. See Volume 1P Page _____

APPROVE TAX REFUND FOR SCOTT ESKRIDGE IN THE AMOUNT OF \$6,917.77 –

TAX ASSESSOR – Tax Assessor Sue Ann Harper explained the mortgage company and the property owner both paid the taxes on the property. She reported she was required to get Commissioners' Court approval for refunds over \$500.00.

Commissioner Young made a motion to approve a tax refund in the amount of \$6,917.77 to Scott Eskridge and Commissioner Chitsey seconded the motion.

Motion carried unanimously.

PRESENT COMMITTEE FOR MAINTENANCE AND FURTHERING COMPLETION OF SPORTS COMPLEX – STEVE SLATON

– Mr. Slaton was not available and this item was tabled.

CONSIDER AND APPROVE HIRING MARLA WHITE AS TEMPORARY CONTRACT LABORER IN AN ADVISORY POSITION TO THE COUNTY TREASURER

Commissioner Carr reported talking with the new treasurer and he suggested getting her some temporary assistance. He recommended hiring the former treasurer Marla White to give her some instruction. He reported receiving a letter from Marla White stating she would be a consultant for \$20 an hour and 90 days of health insurance. After some discussion, Commissioner Carr made a motion to approve hiring Marla White with a 90 day cap at \$20 per hour and Commissioner Chitsey seconded the motion. Motion carried unanimously.

CONSIDER AND APPROVE ADOPTING RULES OF PROCEDURE, CONDUCT AND DECORUM – PRECINCT 4

– Commissioner Young made a motion to table the rules of procedure, conduct and decorum until it could be discussed in the afternoon workshop session. Commissioner Surratt seconded the motion and the motion carried. Motion carried unanimously. See Volume 1P Page _____

AIRPORT BOARD TO PRESENT ISSUES – DALE JORDAN

Dale Jordan gave a brief synopsis of the 2010 Airport Safety Data Inspection of the Franklin County Airport which identified issues that needed to be addressed. He also discussed the Routine Airport Maintenance Program (R.A.M.P.). He reported Judge Lovier will need to write a letter requesting TXDOT to include the airport in the RAMP program and as well as request an overlay of the existing airport runway. He reported it takes about three years to get on the overlay program. He stated Judge Lovier will also need to write a letter to the inspectors reporting to them we had discussed this in commissioners' court and let them know the court will work to comply with the issues that have been addressed.

Commissioner Carr made a motion to authorize the county judge to send a letter to TXDOT requesting Franklin County to be included in the RAMP program and Commissioner Young seconded the motion. It was noted a motion was not needed at this time since this was not an action item. Commissioner Carr withdrew his motion.

PRESENTATION OF AUDITOR PETITION – JENNIFER COOPER

Jennifer Cooper presented each commissioner a blank copy of the petition that had been circulated through-out the county. The petition stated the undersigned registered voters would like to place the pending Auditor's position on hold until; the census is finalized, the State of Texas mandates the creation of the position, or until the Texas Legislature can consider raising the population threshold. The petitioners believe taxpayer's money could be saved or put to other use during the period of January 1, 2011 and the date would require an auditor. She reported 230 signatures had been collected on the petition and she would be presenting the petition to both District Judges. She asked the Commissioners' to reconsider their decision until we find out

what the legislature will do. She reported Representative Cain had indicated he would take it to the legislature if he received something from the county indicating they wanted him to.

DISCUSSION

Commissioner Carr reported he had been contacted by TXDOT wanting to know how far along he was on the equivalent match project on the bridges. He reported they will go out for contract in October and start on the bridges in December if legislature does not cut the budget. The two bridges are on the program to be done.

Commissioner Chitsey reported a Sports Complex fund raiser will be held on January 29th. He reported there would be a barbecue dinner and items have been donated to be auctioned off to raise funds. He encouraged everyone to come show their support.

Commissioner Young asked Steve Boorman if the Network Technologies Information packet was to replace the servers. Steve Boorman explained this is only preliminary information and not a final figure. He reported he needed to discuss some items with the department heads and Commissioners before a final decision was made on what was needed to be replaced. Commissioner Carr asked if this needed to be done now or could it be done later since this is not in the budget. Mr. Boorman reported ideally it would be best to replace them before they completely go down because he could not guarantee that he could 100% recover data.

Sheriff Fletcher addressed the inmates being able to do public service. He stated it will depend on his manpower. He reported several alternative ways of being able to do this.

Sheriff Fletcher gave information on the inmate phone system. He reported in 2009 the jail was using AGM as the prisoner phone system. This company has been bought out by a company in California. He reported 50% of the phones in the inmate visitation rooms and cells had been down and they had trouble getting them repaired. He reported checking with other sheriffs and agencies that offer these services. He talked with City Telecom Coin which is located in Louisiana and reported getting a better contract. He reported receiving 52% from CTC versus 50% from AGM to the inmate fund plus they gave us \$15,000 worth of inmate prepaid calling cards which is 100% profit for the inmate fund. The sheriff explained there was not an indication on the AGM contract that showed the court had to sign off on it. He reported this did not cost the county anything and makes money for the inmate fund. Sheriff Fletcher apologized if he erred by doing this without Commissioners' Court approval. This is a state of the art phone system that will protect the county from potential liability issues. Commissioner Chitsey pointed out to Sheriff Fletcher that he did not have the authority to sign a contract unless he had permission. Sheriff Fletcher stated he now knows he needs the courts approval before signing a contract and he would do that in the future. County Attorney Will Ramsay suggested putting it on the agenda to ratify the sheriff's actions and if approved by the court, that would settle any issues. Sheriff Fletcher stated he would get this back on the agenda and get CTC to send him a copy of the contract.

Commissioner Carr stated we need to designate a place to do sheriff sales and suggested putting this on the next agenda.

COMMENTS BY THE PUBLIC – Mayor J. D. Baumgardner reported they will be holding a monthly session of the Leaders of Tomorrow. This session will be about Law, Government and Justice. He reported the Leaders of Tomorrow consisted of twenty five juniors. He has them scheduled to come observe Commissioners' Court in operation on January 24th.

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 Special meeting on January 18, 2011.

Witnessed and recorded this 18th day of January, 2011.

Betty Crane, County Clerk