

Franklin County Commissioners' Court  
Commissioner Court Minutes  
Regular Session  
October 23, 2017

The Franklin County Commissioners' Court met in Regular Session October 23, 2017 at 9:00 AM in the Commissioners' Courtroom at the Franklin County Courthouse located at 200 North Kaufman Street, Mount Vernon, TX

Members present: Scott Lee, County Judge  
Jerry Cooper, Commissioner, Precinct 1  
Larkin Jumper, Commissioner, Precinct 2  
Charlie Emerson, Commissioner, Precinct 3  
Sam Young, Commissioner, Precinct 4  
Betty Crane, County Clerk

**VISITORS:** Mark Tapley, Willie Bane, Dave Hickerson, Sue Ann Harper, Gail Reed, Linda Hammond, Ellen Jagers, LuAlice Weilbacher, Andy Kuklish, Frankie Cooper, Lillie Bush-Reves, Katie Stump, Gene Stump, Joe D. Stanley, John Gunn, Donna Gunn, Jacque Miller, Bert Edmondson, Jennifer Jordan, Diane Newsom, Donna McFarland, Carolyn Teague, Bryan Giguere, Chris Mars, Jim Taggart, Willie Bane, Tina Phillips, Betty Sue Allen, and Ron Barker

Judge Lee called the meeting to order and Commissioner Young offered prayer. The Pledge of Allegiance to the American flag was recited.

**Public Comments:** Mark Tapley addressed the court about the loud noise coming from the Winnsboro Kart Speedway race track. He reported discussing his complaint with several deputies from the sheriff's office. He was told the noise would stop at 10PM but it never did. Judge Lee explained Commissioners' Court did not have any power or control on this type of complaint and referred him to the Justice of the Peace office.

**Agenda Item 1 - APPROVE MINUTES FROM THE OCTOBER 10, 2017 REGULAR SESSION, OCTOBER 17, 2017 AND OCTOBER 18, 2017 SPECIAL SESSIONS AND OCTOBER 18, 2017 WORKSHOP SESSION - COUNTY CLERK** – Commissioner Emerson made a motion to approve the July 10, 2017 Regular Session minutes, July 10, 2017 Workshop session and the July 17, 2017 Budget Workshop session minutes and Commissioner Cooper seconded the motion. Motion carried.

**Agenda Item 2 – CONSIDER AND TAKE ACTION ON APPROVING ADDITIONAL BOND FOR COUNTY JUDGE MANDATED BY SENATE BILL 40 – COUNTY JUDGE** Commissioner Young made a motion to approve the additional bond in the amount of \$100,000 for the county judge which is mandated by Senate Bill 40 and Commissioner Emerson seconded the motion. Motion carried. **See Exhibit 10/23/2017 - A**

**Agenda Item 3 - AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER** – Commissioner Jumper made a motion to approve all the claims against the county and Commissioner Emerson seconded the motion. Motion carried. **See Exhibit 10/23/2017 – B**

**Agenda Item 4 – FIRST READING REPLAT LOT 24R EAST PARK SUBDIVISION – JOHN D AND DONNA G. GUNN** Commissioner Cooper made a motion to approve the first reading of the replat of lot 24R in the East Park Subdivision and Commissioner Jumper seconded the motion. Motion carried.

**Agenda Item 5 – RECORD MINUTES OF THE SEPTEMBER 18, 2017 REGULAR SESSION OF THE FRANKLIN COUNTY CHILD WELFARE BOARD – LINDA HAMMOND -** The Franklin County Child Welfare Board September 18, 2017 Regular session Minutes were presented to be put on record in the minutes. **See Exhibit 10/23/2017 - C**

**Agenda Item 6 - CONSIDER AND TAKE ACTION ON APPROVING ADVERTISING FOR BIDS FOR ROAD MATERIALS, CULVERTS AND FUEL – TREASURER -** Commissioner Young made a motion to approve advertising for bids for road materials, culverts and fuel and Commissioner Jumper seconded the motion. Motion carried. The bids are to be opened on November 13<sup>th</sup>.

**Agenda Item 7 - CONSIDER AND TAKE ACTION ON APPROVING RESOLUTION FOR APPROVAL OF BRINGING SUIT ON BEHALF OF FRANKLIN COUNTY, TEXAS vs VARIOUS DRUG MANUFACTURERS, DEVELOPERS, SUPPLIERS AND OTHERS OF A CLASS OF PHARMACEUTICAL DRUGS COMMONLY REFERRED TO AS OPIOIDS AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR SPECIAL COUNSEL – COUNTY ATTORNEY –** Commissioner Emerson made a motion to approve the Resolution to bring suit on behalf of Franklin County, Texas vs various drug manufacturers, developers, suppliers and others of a class of pharmaceutical drugs commonly referred to as opioids and approval of professional services agreement for Special Counsel. Commissioner Cooper seconded the motion and the motion carried. **See Exhibit 10/23/2017 – D** to view the Resolution and the Professional Services Agreement for Special Counsel.

**Agenda Item 8 - CONSIDER AND TAKE ACTION ON APPROVING FRANKLIN COUNTY AIRPORT BOARD'S REQUEST TO ADVERTISE FOR REBIDS FOR AIRPORT REPAIRS AND ESTIMATED OVERAGE FROM BIDS OPENED OCTOBER 12, 2017 – JENNIFER JORDAN –** Commissioner Young made a motion to approve the Franklin County Airport Board's request to advertise for rebids as soon as possible for airport repairs and estimated overage from bids opened October 12, 2017. Commissioner Jumper seconded the motion and the motion carried.

**Agenda Item 9 – CONSIDER AND TAKE ACTION ON APPROVING FUNDING REQUEST SUBMITTED BY KEY CLUB FOR 2018 COUNTRYFEST – FRANKIE COOPER –** Commissioner Jumper made a motion to approve the funding request submitted by the Key Club for the 2018 Countryfest for county Hotel / Motel Occupancy Tax funds and Commissioner Cooper seconded the motion. After discussion Commissioners Jumper and Cooper withdrew their motions and no action was taken at this time. The Commissioners' reported would give full consideration and history of the event when the decision is made at a later date.

**Agenda Item 10 – CONSIDER AND TAKE ACTION ON APPROVING ALAMO MISSION MUSEUM'S REQUEST TO APPEAL THE FRANKLIN COUNTY/HOTEL/MOTEL OCCUPANCY TAX REVIEW COMMITTEE'S DENIAL OF 2018 FUNDING REQUEST – ALAMO MISSION MUSEUM –** Jacque Miller requested \$4,000 for restoration of a school house. The Commissioners' reported they would consider the appeal for the Alamo Mission Museum's request for \$4,000 of the County's Hotel/Motel Occupancy tax funds and make a decision at a later date.

**Agenda Item 11 – CONSIDER AND TAKE ACTION ON APPROVING FRANKLIN COUNTY ARTS ALLIANCE'S REQUEST TO APPEAL THE FRANKLIN COUNTY HOTEL/MOTEL OCCUPANCY TAX REVIEW COMMITTEE'S DENIAL OF 2018 FUNDING REQUEST – FRANKLIN COUNTY ARTS ALLIANCE –** Linda Hammond reported \$6,000 of Hotel / Motel Occupancy tax funds had been requested for art receptions and the children's programs and \$9,000 had been requested for the Old Jail project. The Commissioners reported they would consider the appeal for Hotel / Motel Occupancy Tax funds from the Arts Alliance and make a decision at a later date.



**Agenda Item 12 – RECORD MINUTES OF THE OCTOBER 10, 2017 REGULAR SESSION OF THE FRANKLIN COUNTY HOTEL/MOTEL OCCUPANCY TAX REVIEW COMMITTEE – WILLIE BANE –**

Mr. Bane presented the October 10, 2017 Regular Session Minutes of the Franklin County Hotel / Motel Occupancy Tax Committee to be put on record in the Minutes. Commissioner Jumper requested to see the minutes and proclaimed this was not the first set of minutes from that meeting. The first set of minutes recommended other amounts the recipients would receive. He questioned when the committee met to reassess the amount of funds each recipient would receive. Commissioner Jumper indicated the recommendations were invalid. Mr. Bane explained he had asked the treasurer's office how much money was in the Hotel / Motel fund and was told \$58,000 and that was the amount they originally used to decide how much the committee would recommend each recipient would receive. Afterwards he was told there was \$49,378 and after discussing it with other committee members he prorated the funds using the same percentage that was used to the original amount. Mr. Bane requested to withdraw the Minutes but later submitted them to be put on record. Treasurer Betty Sue Allen explained the County reserves \$5,000 of the hotel / motel funds just in case a new event needed funding later in the year. She also explained there is \$500 budgeted for administrative fees which leaves around \$44,750.00. The minutes will be recorded as presented.

**See Exhibit 10/23/2017-E**

**Agenda Item 13 – CONSIDER AND TAKE ACTION ON APPROVING THE FRANKLIN COUNTY HOTEL/MOTEL OCCUPANCY TAX REVIEW COMMITTEE'S RECOMMENDATIONS FOR 2018 FUNDING REQUEST – WILLIE BANE –**

Judge Lee asked for a motion to approve the Franklin County Hotel / Motel Occupancy Tax Review Committee's recommendations for 2018 funding request. After discussion, the Commissioners' decided they could not approve the funding as the Committee recommended. This agenda item died for a lack of a motion.

**Agenda Item 14 – CONSIDER AND TAKE ACTION ON APPROVING IMPLEMENTING POLICY SETTING LENGTH OF TERMS AND ROTATION OF OFFICERS FOR MEMBERS OF THE FRANKLIN COUNTY HOTEL/MOTEL OCCUPANCY TAX REVIEW COMMITTEE – PRECINCT 4 –**

After discussion, Commissioner Young made a motion to table this agenda item and Commissioner Jumper seconded the motion. Motion carried.

**Agenda Item 15 – CONSIDER AND TAKE ACTION ON APPROVING DISSOLVING THE FRANKLIN COUNTY HOTEL/MOTEL OCCUPANCY TAX COMMITTEE AND RETURNING THE DISBURSEMENT RESPONSIBILITIES TO THE COMMISSIONERS' COURT – COUNTY JUDGE –**

After much discussion, Commissioner Young made a motion to dissolve the Franklin County Hotel / Motel Occupancy Tax Committee as it stands and the Commissioners' Court appoint a new committee with restrictions as far as term limits. After discussion about the wording of the agenda item, Commissioner Young rescinded his motion. Commissioner Young made a motion to dissolve the Franklin County Hotel/Motel Occupancy Tax Review Committee and Commissioner Cooper seconded the motion.

**Agenda Item 16 - RECESS INTO EXECUTIVE SESSION: THE COMMISSIONER'S COURT WILL RECESS INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SEC. 551.071 FOR CONSULTATION WITH THE COUNTY ATTORNEY TO CONSIDER AND TAKE ACTION ON THREATENED OR PENDING LITIGATION AND TEXAS GOVERNMENT CODE SEC. 551.072 TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY – COUNTY JUDGE –**

Judge Lee recessed the meeting into Executive Session at 11:25 AM. Attending the meeting was County Judge Scott Lee, Commissioner Precinct 1 Jerry Cooper, Commissioner Precinct 2 Larkin Jumper, Commissioner Precinct 3 Charlie Emerson, Commissioner Precinct 4 Sam Young, County Clerk Betty Crane, County Attorney Gene Stump, Treasurer Betty Sue Allen, and Auditor Tina Phillips.

**Agenda Item 9 – RECONVENE OPEN MEETING – COUNTY JUDGE –** Judge Lee reconvened back into the Open Meeting at 11:42 AM. No action taken.

**DISCUSSION ITEMS:** County Clerk Betty Crane reported Election Systems and Software came to Franklin County and gave a demonstration of updated versions of the election equipment we have. She reported she has worked with Election Systems and Software ever since HAVA was implemented and has a very good business relationship with them. She reported ES&S had given her a quote of \$99,772.67 for the same amount of equipment we have now which is over \$125,000 less than a Hart represented quoted her about 3 years ago. The equipment is very similar to what we have now and we can still use paper ballots. She reported she would like to be able to use the new equipment in the 2018 elections. She asked if they wanted her to invite ES&S back to do a demonstration. A couple of the commissioners' indicated they would like to see the demonstration. Judge Lee reported there would not be a transferee from within the Texas Agrilife system for the extension agent position. Commissioner Jumper pointed out that Andy Kuklish was in attendance of the meeting and was interested in the position.

Commissioner Jumper made a motion to adjourn the meeting and Commissioner Cooper 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 October 23, 2017

Witnessed and recorded this 23<sup>rd</sup> day of October, 2017.

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Betty Crane, County Clerk