

Franklin County Commissioners' Court  
Commissioner Court Minutes  
Regular Session  
February 12, 2018

The Franklin County Commissioners' Court met in Regular Session February 12, 2018 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:** Gerald Ezelle, Elizabeth Ezelle, Sarah Brod, Bryan Giguere, Telisa Newman, Ellen Jagers, Betty Sue Allen, Sue Ann Harper, Lisa Lawrence, Jim Alford, LuAlice Weilbacher, Lillie Bush-Reves, Tina Phillips, Gene Stump, Katie Stump, Ricky Jones, Bill Travis, Bert Edmondson, Cathy Jumper, and Chris Mars

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

**Public Comments:** None

**Agenda Item 1 - APPROVE MINUTES FROM THE JANUARY 22, 2018 REGULAR SESSION, JANUARY 22, 2018 WORKSHOP SESSION, JANUARY 24, 2018 SPECIAL SESSION, JANUARY 31, 2018 SPECIAL SESSION AND FEBRUARY 7, 2018 SPECIAL SESSION – COUNTY CLERK -**

Commissioner Jumper made a motion to approve the January 22, 2018 Regular Session, January 22, 2018 Workshop Session, January 24, 2018 Special Session, January 31, 2018 Special Session and February 7, 2018 Special Session and Commissioner Cooper seconded the motion. Motion carried

**Agenda Item 2 - AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER –**

Treasurer Betty Sue Allen reported there are three print outs. One is for \$600 jury money for the Justice of the Peace office for a jury that will be coming up before next court, one is for accounts payable in the amount of \$154,797.23 and for payroll for 80 hours per full time employee in the amount of \$94,044.19 since the Commissioners' will be gone next week and won't be available to approve the payroll. No overtime will be paid on this payroll because we cannot predict how much overtime someone may have in advance. Only the regular 80 hours will be paid and overtime will be paid on the next payroll. Commissioner Jumper made a motion to approve all the claims against the county and Commissioner Young seconded the motion. Motion carried.

**See Exhibit 2/12/2018 – A**

**Agenda Item 3 – FIRST READING: PLAT LOTS 1A, 2A & 3A PHASE 4 CADDO POINT TRAILS – GERALD & ELIZABETH EZELLE -**

Commissioner Young made a motion to approve the first reading of Caddo Point Trails, lots 1A, 2A, & 3A of Phase 4 and Commissioner Emerson seconded the motion. Motion carried.

**Agenda Item 4 - CONSIDER AND TAKE ACTION ON APPROVING AMENDING COURTROOM DECORUM POLICY FOR FRANKLIN COUNTY – COUNTY JUDGE-** Suggestions were made to limit the public to three minutes for remarks, and correct a typo on page 3 (VII) change the word medical to media. Commissioner Jumper made a motion to approve amending the Courtroom Decorum Policy for Franklin County Solutions and Commissioner Young seconded the motion. Motion carried. **See Exhibit 2/12/2017 - B**

**Agenda Item 5 – PRESENT ACCOUNT RECAPS FOR NOVEMBER AND DECEMBER 2017 – TREASURER** – Treasurer Betty Sue Allen presented the November and December 2017 account recaps to be put on record in the minutes. **See Exhibit 2/12/2018 - C.**

**Agenda Item 6 – PRESENT MONTHLY RECEIPTS BY DEPARTMENT FOR JANUARY 2018 – TREASURER** – Treasurer Betty Sue Allen presented the January 2018 monthly receipts by department to be put on record in the minutes. **See Exhibit 2/12/2018 – D**

**Agenda Item 7 – PRESENT JANUARY 2018 MONTHLY REPORT AS FILED WITH THE COUNTY CLERK – DISTRICT CLERK** – District Clerk Ellen Jagers presented the January 2018 District Clerk monthly report to be put on record in the minutes. **See Exhibit 2/12/2018 - E**

**Agenda Item 8 – CONSIDER AND TAKE ACTION ON APPROVING USING DISTRICT COURT TECHNOLOGY FUND FOR RESTORATION OF HISTORICAL MINUTE BOOKS DATING BACK TO 1875 – DISTRICT CLERK** – District Clerk Ellen Jagers made a presentation concerning historical record books dating back to 1875. She presented Commissioner Court Minutes dated August 31, 2009 showing a Public Hearing was held on the District Clerk Preservation and Restoration Records Plan and the District Court Technology Fund SB 1685 **See Exhibit 2/12/2018 - F.** She also presented Government Code Sec 51.305. **See Exhibit 2/12/2018 - G.** She presented Minutes from October 28, 2013 where the court approved proposals from Scantiva to restore four minute books using funds from the District Clerk's Technology Fund. **See Exhibit 2/12/2018 – H.** She also presented emails between herself and the County Auditor. **See Exhibit 2/12/2018 – I.** Commissioner Cooper made a motion to approve using the District Court Technology Fund for the restoration of historical Minute Books dating back to 1875. Commissioner Jumper read information from the TAC book on Special and Dedicated Funds 2017 **(See Exhibit 2/12/2018 – J)** and Clerk Jagers explained that is a different fee. She reported she was talking about \$10 civil fees and what he was reading was about \$4 Criminal Fees. Judge Lee said there is a motion on the floor to approve and Commissioner Emerson seconded the motion to approve using the District Court Technology Fund to restore minute books. Commissioners' Jumper and Young both voted against approving using the District Court Technology Fund for the restoration of historical minute books. Judge Lee asked the County Attorney if it was legal to expend the funds from the District Court Technology Fund to restore minute books and he confirmed it was legal to use the funds from the Civil District Court Technology Fund for restoration projects. Judge Lee voted to approve using the District Court Technology fund for the restoration of historical Minute books. Motion carried 3 to 2.

**Agenda Item 9 - CONSIDER AND TAKE ACTION ON APPROVING PROPOSAL FOR THE RESTORATION OF HISTORICAL MINUTE BOOKS BY DATA PRESERVATION SOLUTION – DISTRICT CLERK** – Commissioner Cooper made a motion to approve the proposal for the restoration of historical Minutes Books by Data Preservation Solutions and Commissioner Emerson seconded the motion. Motion carried. **See Exhibit 2/12/2018 – K**

**Agenda Item 10 – CONSIDER AND TAKE ACTION ON APPROVING TWO NEW MEMEBERS FOR FRANKLIN COUNTY LIBRARY BOARD – LISA LAWRENCE** – Library Director Lisa Lawrence requested no action on this agenda item.

**Agenda Item 11 - CONSIDER AND TAKE ACTION ON APPROVING OAG SAVNS MAINTENANCE GRANT CONTRACT FOR FY2018 – COUNTY JUDGE** – Commissioner Emerson made a motion to approve the OAG SAVNS Maintenance Grant contract for FY2018 and Commissioner Young seconded the motion. Motion carried. **See Exhibit 2/12/2018 - L**

**Agenda Item 12 – CONSIDER AND TAKE ACTION ON APPROVING RENTAL OF MULTI-PURPOSE BUILDING BY ROTARY CLUB ON FEBRUARY 17, 2018 – TREASURER** – Commissioner Jumper made a motion to approve the rental of the Multi-Purpose building by the Rotary Club on Wednesday, February 17, 2018 and Commissioner Emerson seconded the motion. Motion carried.

**Agenda Item 13 - CONSIDER AND TAKE ACTION ON APPROVING ALLOWING AN OFFICE SPACE ON COUNTY PROPERTY FOR PHIL DAVILA OF NORTHEAST TEXAS RURAL RAILROAD TRANSPORTATION DISTRICT AND INTERNET SERVICE FOR SAID OFFICE SPACE – COUNTY JUDGE** – Commissioner Jumper made a motion to allow Phil Davila of the Northeast Texas Rural Railroad Transportation District, office space and internet service on county property and Commissioner Emerson seconded the motion. Motion carried.

**Agenda Item 14 – CONSIDER AND TAKE ACTION ON APPROVING INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT COOPERATION BETWEEN FRANKLIN COUNTY SHERIFF’S OFFICE AND FRANKLIN COUNTY WATER DISTRICT – SHERIFF** – Sheriff Jones explained this would allow the Franklin County Water District patrol to work out in the County under the Franklin County Sheriff’s Office. Commissioner Jumper made a motion to approve the Interlocal Agreement for law enforcement cooperation between Franklin County Sheriff’s office and the Franklin County Water District and Commissioner Emerson seconded the motion. Motion carried  
**See Exhibit 2/12/2018 - M**

**Agenda Item 15 – CONSIDER AND TAKE ACTION ON APPROVING DONATION OF FLIR FROM AMERICAN LEGION TO FRANKLIN COUNTY SHERIFF’S OFFICE – SHERIFF** – Commissioner Jumper made a motion to approve the donation of FLIR from the American Legion to the Franklin County Sheriff’s office and Commissioner Emerson seconded the motion. Motion carried.

**Agenda Item 16 – CONSIDER AND TAKE ACTION ON APPROVING ADVERTISING FOR BIDS FOR SALE OF PHILLIPS X-RAY MACHINE FROM HOSPITAL BUILDING – COUNTY JUDGE** – Commissioner Young made a motion to table this agenda item and Commissioner Jumper seconded the motion. Motion carried.

**Agenda Item 17 - CONSIDER AND TAKE ACTION ON APPROVING 2018 BUDGET AMENDMENT TO ADD FULL TIME CLERK TO JUSTICE COURT OFFICE – JUSTICE OF THE PEACE** – After discussion of adding a full time or part time clerk in Justice Court and the cost, Commissioner Young made a motion to table the agenda item to research to see where the funds would come from to fund the position. Commissioner Emerson seconded the motion and the motion carried. This agenda item was tabled.

**Agenda Item 18 – CONSIDER AND TAKE ACTION ON APPROVING METHOD OF PAYMENT FOR JURY PANELS – COUNTY JUDGE –** The question of writing jurors checks or keep it like it is and pay them cash when they appeared for jury selection. District Clerk Jagers reported she did not have any communication from the Treasurer's office about having to get funds approved in advance for jury selection. She reported in the past she would let the Treasurer's Office know a couple of days in advance how many jurors were scheduled to appear. She reported she had concerns since a Grand Jury could be called at a moment's notice and funds would not be available to pay them since the funds had to be approved in Commissioners' Court in advance. Judge Lee stated the Grand Jurors could be paid at a later date once it is approved in Commissioners' Court. The decision to continue to pay the jurors cash was made and no action was taken on this agenda item.

**Agenda Item 19 – CONSIDER AND TAKE ACTION ON APPROVING CUMMINS SALES AND SERVICE PLANNED MAINTENANCE AGREEMENTS FOR FRANKLIN COUNTY COURTHOUSE AND FRANKLIN COUNTY LAW ENFORCEMENT CENTER – COUNTY JUDGE –** Judge Lee suggested the Planned Maintenance Quotes the county received from Cummins Sales and Service was too high. **See Exhibit 2/12/2018 – N.** It was suggested to get a quote from James Jeter to do the maintenance on the generators at the Courthouse and the Law Enforcement Center. No action taken.

**DISCUSSION ITEMS:** Sheriff Jones introduced the new Jail Administrator, Don Peek. There will be a 5PM reception at the Multi-Purpose building for the new Extension Agent, Sarah Brod. It was also reported that Bryan Alcorn had passed away and his services had not been scheduled yet.

**Agenda Item 20 – RECESS INTO EXECUTIVE SESSION: THE COMMISSIONERS' COURT WILL RECESS INTO EXECUTIVE SESSION AS PER GOVERNMENT CODE SEC. 551.047(a)(1) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE – COUNTY JUDGE –**  
Judge Lee recessed the meeting into Executive Session at 10:35 AM.

**Agenda Item 21 – RECONVENE TO OPEN MEETING – COUNTY JUDGE -** Commissioners' Court reconvened back into open session at 11:25 AM. No action taken.

Commissioner Young made a motion to adjourn the meeting and Commissioner Emerson 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 February 12, 2018.

Witnessed and recorded this 12<sup>th</sup> day of February, 2018.

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Betty Crane, County Clerk