

Franklin County Commissioners' Court  
Commissioner Court Minutes  
Regular Session  
March 26, 2018

The Franklin County Commissioners' Court met in Regular Session March 26, 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:** Ellen Jaggars, Sarah Brod, Rob Stephens, Johnny Wetzel Jr., LuAlice Weilbacher, Courtney Byers-Peugh, Sue Ann Harper, Robert W. Zinn, Larry Wright, B. F. Hicks, Bryan Giguere, Cathy Jumper, Betty Sue Allen, Gerald Ezelle, Joshua Neel, Ricky Jones, Brandon Winn, Greg Liska, Gene Stump, Katie Stump, Jim Alford, and Lillie Bush-Reves

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 FEBRUARY 12, 2018 REGULAR SESSION, FEBRUARY 14, 2018 SPECIAL SESSION, FEBRUARY 26, 2018 REGULAR SESSION, MARCH 7, 2018 SPECIAL SESSION, MARCH 12, 2018 REGULAR SESSION, AND MARCH 21, 2018 SPECIAL SESSION - COUNTY CLERK** Commissioner Jumper made a motion to approve the minutes from the February 12, 2018 Regular Session, February 14, 2018 Special Session, February 26, 2018 Regular Session, March 7, 2018 Special Session, March 12, 2018 Regular Session, and March 21, 2018 Special Session. Commissioner Emerson seconded the motion and the motion carried.

**Agenda Item 2 - AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER** – Questions arose about the payment for the new election equipment. Auditor Tina Phillips was not available to answer questions and Commissioner Emerson made a motion to approve all the claims against the county except the payment for the election equipment in the amount of \$93,238.38 and Commissioner Cooper seconded the motion. Motion carried.

**See Exhibit 3/26/2018 – A**

**Agenda Item 3 – SECOND READING: REPLAT LOT 340R AND LOT 344A-R2 PHASE THREE SNUG HARBOR ESTATES – B F HICKS FOR ORTHAL AND VIRGINIA SPENCER AND JOHN AND ELIZABETH JONES** - Commissioner Cooper made a motion to approve the second reading of the replat of Snug Harbor Estates lots 340R and 344A-R2 of Phase three and Commissioner Emerson seconded the motion. Motion carried. **See PLAT CABINET #314 A**

**Agenda Item 4 – FIRST READING: REPLAT LOTS 10R AND 11R PHASE 3 CADDO POINT TRAILS SUBDIVISION – GERALD AND ELIZABETH EZELLE - -** Commissioner Young made a motion to approve to approve the first reading of Caddo Point Trails subdivision lots 10R and 11R of Phase 3 and Commissioner Cooper seconded the motion. Motion carried.

**Agenda Item 5 – FIRST READING; PLAT LOT 13 PHASE 3 CADDO POINT TRAILS SUBDIVISION – GERALD AND ELIZABETH EZELLE -** Commissioner Cooper made a motion to approve the first reading of the plat of Caddo Point Trails subdivision lot 13 of Phase 3 and Commissioner Emerson seconded the motion. Motion carried.

**Agenda Item 6 – FIRST READING: PLAT LOTS 4A, 5A, 6A, 7A, 8A, & 9A PHASE 3 CADDO POINT TRAILS SUBDIVISION – GERALD AND ELIZABETH EZELLE -** Commissioner Young made a motion to approve the first reading of Caddo Point Trails, Phase 3, lots 4A, 5A, 6A, 7A, 8A, & 9A and Commissioner Emerson seconded the motion. Motion carried.

**Agenda Item 7 – CONSIDER AND TAKE ACTION ON APPROVING ADDITIONAL SALES DATES FOR FIREWORKS – ROB STEPHENS –** Rob Stephens requested the sale of fireworks be permitted on San Jacinto Day (April 16 – 21) and Memorial Day. (May 23 – 28) Commissioner Jumper made a motion to approve the sale of fireworks during San Jacinto Day and Memorial Day and Commissioner Cooper seconded the motion. Motion carried. **See Exhibit 3/26/2018 - B**

**Agenda Item 8 - CONSIDER AND TAKE ACTION ON APPROVING PROPOSALS FROM ADVANTAGE COPY SYSTEMS, INC. FOR MACHINES AND SERVICE – JOHNNY WETZEL, ADVANTAGE COPY SYSTEMS, INC –** The proposals were not available to be presented. Commissioner Young made a motion to table the proposals from Advantage Copy Systems, Inc. for machines and service until the Commissioners' had an opportunity to review them and Commissioner Jumper seconded the motion. Motion carried.

**Agenda Item 9 – PRESENT FEBRUARY 2018 MONTHLY REPORT AS FILED WITH THE COUNTY CLERK – DISTRICT CLERK –** District Clerk Ellen Jagers presented her February 2018 monthly report to be put on record in the Minutes. **See Exhibit 3/26/2018 - C**

**Agenda Item 10 – PRESENT RESOLUTION – DISTRICT CLERK –** District Clerk Ellen Jagers announced her employee of eight years was retiring on March 31<sup>st</sup> and read a Resolution in honor of LuAlice Weilbacher and to show her appreciation of her service to the county. **See Exhibit 3/26/2018 - D**

**Agenda Item 11 – CONSIDER AND TAKE ACTION ON APPROVING LUALICE WEILBACHER DONATING 20 SICK LEAVE HOURS TO COURTNEY BYERS-PEUGH – DISTRICT CLERK –** Commissioner Jumper asked what was the reasoning as to why Courtney needed the sick leave hours. It was reported her husband has health problems. Commissioner Emerson made a motion to approve LuAlice Weilbacher donation 20 hours of sick leave hours to Courtney Byers and Commissioner Cooper seconded the motion. Motion carried. Commissioner Jumper abstained from voting.

**Agenda Item 12 – CONSIDER AND TAKE ACTION ON APPROVING LUALICE WEILBACHER DONATING 20 HOURS SICK LEAVE TO TELISA NEWMAN – DISTRICT CLERK –** Commissioner Jumper asked what was the reasoning as to why Telisa needed the sick leave hours. It was reported her husband has health problems. Commissioner Emerson made a motion to approve LuAlice Weilbacher donation 20 hours of sick leave hours to Telisa Newman and Commissioner Cooper seconded the motion. Motion carried. Commissioner Jumper abstained from voting.

**Agenda Item 13 – PRESENT REPUBLICAN AND DEMOCRATIC MARCH 6, 2018 PRIMARY ELECTION RESULTS – COUNTY CLERK** – County Clerk Betty Crane presented the Democratic and Republican March 6, 2018 Primary election results to be put on record in the Minutes.  
**See Exhibit 3/26/2018 – E**

**Agenda Item 14 – CONSIDER AND TAKE ACTION ON APPROVING DISPOSAL OF TRANSFER STATION OFFICE TRAILER – PRECINCT 2** – Sheriff Jones reported he would call the US Marshalls and let them know the transfer station office trailer is not salvageable. Commissioner Jumper reported that Curtis Pollan would like to have it. No action taken at this time.

**Agenda Item 15 – CONSIDER AND TAKE ACTION ON APPROVING SETTING DATES IN APRIL FOR SPRING CLEAN-UP – COUNTY JUDGE** – Commissioner Cooper made a motion to approve the Spring clean-up dates for Precincts 1, 3 and 4 on April 7 through 15 and April 21<sup>st</sup> for Precinct 2 and Commissioner Emerson seconded the motion. Commissioner Jumper reported the transfer station hours will be from 8:30 – 3:00 PM on April 21<sup>st</sup>. Motion carried.

**Agenda Item 16 – PRESENT 2017 CERTIFICATE OF COMPLIANCE FOR COUNTY TREASURER CONTINUING EDUCATION FOR BETTY SUE ALLEN – TREASURER**  
Treasurer Betty Sue Allen presented her Certificate of Compliance of Continuing Education for 2017 to be put on record in the Minutes. **See Exhibit 3/26/2018 - F**

**Agenda Item 17 – PRESENT CERTIFICATE OF COMPLETION FOR COMMISSIONERS EDUCATION FOR SAM YOUNG – PRECINCT 4** – Commissioner Young presented his Certificate of Completion stating he had successfully completed the continuing education provisions of Article 81.0025 of the Texas Local Government Code for 2017 to be put on record in the Minutes.  
**See Exhibit 3/26/2018 - G**

**Agenda Item 18 – PRESENT CERTIFICATE OF PARTICIPATION FOR SUCCESSFULLY COMPLETING 20 HOURS OF EDUCATION TRAINING FOR SAM YOUNG – PRECINCT 4** – Commissioner Young presented his Certificate of Participation for successfully completing 20 hours of Continuing Education at the V. G. Young Institute of County Government to be put on record in the Minutes. **See Exhibit 3/26/2018 – H**

**DISCUSSION:** Treasurer Betty Sue Allen reported she had received an HRA proposal from Higginbotham and explained how their HRA program worked. The Commissioners' asked several questions. Judge Lee said he thought the Treasurer should go with who she wants. Commissioner Jumper asked what the impact on the employees would be and how user friendly it was. She gave an overview of how the employee would have an 800 number to call if they had any questions. The employee could fax, email or mail their explanation of benefits in themselves and go online to check their account. Commissioner Young stated this was not on the agenda to take action and was told it was not a voting issue by Treasurer Allen and Commissioner Jumper. Treasurer Allen said she wanted their opinion and to let them know the county will be changing to Higginbotham. She will be sending a notice to the employees at the next payroll to inform them to get their benefits submitted before the end of April. Extension Agent, Sarah Brod reported the Ag project show went well Saturday. She also reported a new horse project was starting. Judge Lee reminded everyone about the ATCOG meeting at the Law Enforcement Center on Thursday. District Clerk Ellen Jagers invited everyone to a reception for LuAlice Weilbacher in the District Courtroom after the meeting.

**Agenda Item 19 - RECESS INTO EXECUTIVE SESSION: THE COMMISSIONER'S 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 AND TEXAS GOVERNMENT CODE SEC. 551.071 FOR CONSULTATION WITH THE COUNTY ATTORNEY TO CONSIDER ACTION ON THREATENED OR PENDING LITIGATION – COUNTY JUDGE**

– Judge Lee recessed the meeting into Executive Session at 9:41 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, and Treasurer Betty Sue Allen. Treasurer Allen had an item that needed to be discussed and she left the Executive Session after her item was presented.

**Agenda Item 20 – RECONVENE OPEN MEETING – COUNTY JUDGE**

Commissioners Court reconvened back into open session at 11:10 AM. No action taken.

Commissioner Young made a motion to adjourn the meeting and Commissioner Jumper 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 March 26, 2018.

Witnessed and recorded this 26<sup>th</sup> day of March, 2018.

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Betty Crane, County Clerk