

Franklin County Commissioners' Court
Commissioner Court Minutes
Regular Session
September 9, 2013

The Franklin County Commissioners' Court met in Regular Session September 9, 2013 at 9:00 AM at the District Courtroom at the Franklin County Courthouse Annex located at 208 Highway 37, Mount Vernon, Texas

Members present: Paul Lovier, County Judge
Danny Chitsey, Commissioner, Precinct 1
Donnie Surratt, Commissioner, Precinct 2
Sam Young, Commissioner, Precinct 4
Gene Stump, County Attorney
Tina Phillips, County Auditor
Betty Sue Allen, County Treasurer
Betty Crane, County Clerk

VISITORS: Sandra Dunn, Steve Slaton, Gerry Allen, Jim Alford, Bryan Giguere, Ellen Jagers, Margaret Sears, Vivian Rhoades, Ricky Jones, Robert Zinn, Bob McFarland, Jacque Bateman, Kristen Garcia, Carrie Cooper, Lou Antonelli and Lillie Bush-Reves

Judge Lovier called the meeting to order and offered prayer.

APPROVE MINUTES FROM THE AUGUST 26, 2013 REGULAR SESSION, AUGUST 26, 2013 WORKSHOP SESSION AND THE SEPTEMBER 4, 2013 WORKSHOP SESSION – COUNTY CLERK – Commissioner Young made a motion to approve the minutes from the August 26, 2013 regular session, August 26, 2013 workshop session. and the September 4, 2013 Workshop session. Commissioner Surratt seconded the motion and the motion carried unanimously.

AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER - Commissioner Surratt made a motion to approve all the claims against the county and Commissioner Chitsey seconded the motion. Motion carried unanimously. See Vol. 1U Page _____

MONTHLY REPORTS - County Treasurer Betty Sue Allen presented the August monthly reports. Commissioner Young made a motion to approve the August monthly reports as presented and Commissioner Surratt seconded the motion. Motion carried unanimously. See Volume 1U Page _____

CONSIDER AND TAKE ACTION ON APPROVING APPLICATION OF THE \$9,108.71 GRANT PROCEEDS FROM THE FINAL REIMBURSEMENT REQUEST ON THE TEXAS PARKS & WILDLIFE GRANT TO THE GENERAL FUND – #010 OR THE RECREATION FACILITY FUND - #043 – TREASURER Commissioner Chitsey made a motion to approve the \$9,108.71 grant proceeds received from the final reimbursement request on the Texas Parks & Wildlife Grant to be put into the Recreational Facility Fund and Commissioner Surratt seconded the motion . Motion carried unanimously.

PRESENT THE 8TH JUDICIAL DISTRICT COURT ORDER SETTING OFFICIAL SHORTHAND REPORTER'S SALARY – COUNTY JUDGE - Judge Lovier presented the Order from the 8th Judicial District Court setting the Official Shorthand Reporter's salary at \$13,706.00 per year for Franklin County beginning October 1, 2013. Commissioner Young made a motion to accept the 8th Judicial District Court Order setting the Official Shorthand Reporters salary at \$13,706.00 beginning on October 1, 2013 and Commissioner Chitsey seconded the motion. Motion carried unanimously.

PRESENT 62ND JUDICIAL DISTRICT ORDER SETTING OFFICIAL SHORTHAND REPORTER'S SALARY – COUNTY JUDGE – Judge Lovier presented the Order from the 62nd Judicial District Court setting the Official Shorthand Reporter's salary at \$13,760.00 per year for Franklin County beginning October 1, 2013. Commissioner Surratt made a motion to accept the 62nd Judicial District Court Order setting the Official Shorthand Reporters salary at \$13,706.00 beginning on October 1, 2013 and Commissioner Young seconded the motion. Motion carried unanimously.

CONSIDER AND TAKE ACTION ON APPROVING REPLATTING THE SPORTS COMPLEX PROPERTY – STEVE SLATON – Steve Slaton requested getting the Sports Complex property replatted because there is one acre that has not been platted with the rest of the Sports Complex and there was a mix-up and it could have been sold for taxes. Commissioner Chitsey reported the school and the county had swapped some property back in 2010. Commissioner Chitsey presented information from the Franklin County Appraisal District indicating the one acre of land was in Franklin County's name. The Quit Claim Deed was filed in 2010 and can be found in Volume 227 page 382 in the official public records. Commissioner Chitsey made a motion to table this until the next court and Commissioner Surratt seconded the motion. Motion carried unanimously. See Volume 1U Page _____

CONSIDER AND TAKE ACTION ON APPROVING WATER METER FOR IRRIGATION OF SPORTS COMPLEX – STEVE SLATON – Steve Slaton requested a bigger water meter which could cost anywhere from \$1,600 to \$2,000 for irrigation of the Sports Complex and a RPZ back flow preventer which could also cost up to \$2,000. He reported talking to Richard Zachary at Cypress Springs Water SUD and reported he would not offer any rate adjustments for Franklin County. The water in the pool is too low to use and is a problem every year at this time. He was concerned the grass was dying and there was nothing they could do about it. He requested being able to use the sprinkler heads that were already in place after the larger water meter was in place. Commissioner Surratt made a motion to approve getting a water meter for irrigation for the Sports Complex but it died for a lack of second.

CONSIDER AND TAKE ACTION ON APPROVING UPHOLDING THE COURT'S DECISION, RECORDED IN THE JULY 25, 2011 MINUTES, THAT ALAMO MISSION MUSEUM'S FUNDING REQUESTS TO BE DECIDED BY THE COURT RATHER THAN THE HOTEL OCCUPANCY TAX BOARD – ALAMO MISSION MUSEUM – Commissioner Young made a motion to approve giving \$4,000 flat from the Hotel Occupancy Tax funds in 2014 and the Alamo Mission Museum must ask for any additional funds from the Hotel Occupancy Committee and Commissioner Surratt seconded the motion. Motion carried unanimously.

CONSIDER AND TAKE ACTION ON APPROVING THE ADOPTION OF AN ORDER AUTHORIZING THE ISSUANCE OF \$400,000 FRANKLIN COUNTY, TEXAS, LIMITED TAX NOTES, SERIES 2013; AUTHORIZING THE LEVY OF AN AD VALOREM TAX; APPROVING A PAYING AGENT / REGISTRAR AGREEMENT; AND AUTHORIZING OTHER MATTERS RELATING TO THE ISSUANCE OF THE NOTES – COUNTY AUDITOR -

Auditor Tina Phillips reported these funds are needed to complete the courthouse interior. She reported we would make quarterly payments for seven years at 1.7% interest. At this time we are waiting on the Attorney General's Opinion. Commissioner Chitsey made a motion to approve adopting the Order Authorizing the issuance of \$400,000 Franklin County, Texas Limited Tax Notes, Series 2013 and authorizing the levy of an Ad Valorem Tax, approving a paying agent and registrar agreement and authorizing other matters relating to the issuance of the notes and Commissioner Surratt seconded the motion. Motion carried with Judge Lovier, Commissioners' Chitsey, Surratt and Young all voting in favor. Commissioner Carr was absent from the meeting due to a death in the family. See Volume 1U Page _____

PRESENT RESULTS OF THE RECENT HOMELAND SECURITY GRANT AUDIT BY DPS – GERRY ALLEN

Emergency Management Coordinator, Gerry Allen reported receiving a good audit from the homeland security grant monitoring and compliance review that was conducted on August 7, 2013. There were no deficiencies and the letter commended Franklin County and Emergency Management for complying with the Homeland Security Grant requirements. See Volume 1U Page _____

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 – GERRY ALLEN

Judge Lovier requested everyone leave from the courtroom except the auditor, treasurer, county clerk and the county attorney. After everyone left the courtroom, Judge Lovier call the Executive Session to order at 10:01 a.m. After discussion, the meeting was reconvened into open session at 10:38a.m.

COURTHOUSE RESTORATION – Judge Lovier reported Susan Gammage was promoted and we will have a new field inspector. He reported the electricians are working and the plumbing is on schedule.

DISCUSS AND CONDUCT SECOND PUBLIC HEARING REGARDING PROPOSAL TO INCREASE TOTAL TAX REVENUE – 5 MINUTES PER PERSON – COUNTY JUDGE

Judge Lovier opened the public hearing regarding the proposal to increase the total tax revenue at 10:41 and asked if there was anyone present that would like to speak to the court. After waiting several seconds no one indicated they would like to speak. Judge Lovier closed the public hearing regarding the proposal to increase the total tax revenue at 10:42.

CONSIDER AND TAKE ACTION ON APPROVING THE JOB DESCRIPTION AND PHYSICAL REQUIREMENTS FOR ROAD AND BRIDGE DEPARTMENT – TREASURER

Commissioner Chitsey made a motion to table approving the job description and physical requirements for the road and bridge department and Commissioner Surratt seconded the motion. Motion carried unanimously. He thought the job description needed to be updated since the one used now is from 1993. This will be discussed in the next workshop.

CONSIDER AND TAKE ACTION ON APPROVING PRE-EMPLOYMENT PHYSICALS AND DRUG SCREENING FOR POTENTIAL COUNTY EMPLOYEES – TREASURER -

Commissioner Surratt made a motion to approve pre-employment general physicals and drug screening for potential county employees and Commissioner Chitsey seconded the motion. Motion carried unanimously.

CONSIDER AND TAKE ACTION ON APPROVING IMPLEMENTING A POLICY OF DRUG SCREENING OF COUNTY EMPLOYEES OPERATING COUNTY VEHICLES AND/OR EQUIPMENT – TREASURER -

Commissioner Young made a motion to approve implementing a policy of random drug screening of county employees including the sheriff's office employees and jailers that operate county vehicles and equipment. Commissioner Chitsey seconded the motion and the motion carried unanimously. Sheriff Jones reported he was working with the County Attorney to draft a policy for the Sheriff's office.

CONSIDER AND TAKE ACTION ON APPROVING IMPLEMENTING A POLICY OF DRUG SCREENING OF COUNTY EMPLOYEES AT THE TIME OF AN ACCIDENT – TREASURER -

Commissioner Young made a motion to approve implementing a policy of drug screening of county employees that operate vehicles or equipment at the time of an accident and Commissioner Chitsey seconded the motion. Motion carried unanimously.

CONSIDER AND TAKE ACTION ON APPROVING HIRING ALLIED COMPLIANCE SERVICES, INC. TO PERFORM DRUG SCREENING FOR COUNTY EMPLOYEES WHO HOLD A CDL IN COMPLIANCE WITH FEDERAL LAW – TREASURER –

Commissioner Young made a motion to approve hiring Allied Compliance Services, Inc to perform drug screenings for county employees who hold a CDL in compliance with Federal Law and Commissioner Surratt seconded the motion. Motion carried unanimously.

CONSIDER AND TAKE ACTION ON EARMARKING \$5,036.00 FOR PRE-EMPLOYMENT EMPLOYEE PHYSICALS AND DRUG SCREENING – THIS IS THE AMOUNT RECEIVED AS A SURPLUS FROM BLUE CROSS BLUE SHIELD – TREASURER -

Commissioner Chitsey made a motion to earmark \$5,036.00 received from Blue Cross Blue Shield surplus for pre-employment employee physicals and drug screening and Commissioner Surratt seconded the motion. Motion carried unanimously.

PRESENT AWARD RECEIVED BY FRANKLIN COUNTY FOR BEING THE TOP CONTRIBUTOR IN THE SMALL ORGANIZATION CATEGORY FOR THE 2013 UNITED WAY OF FRANKLIN COUNTY – TREASURER –

Judge Lovier presented the award Franklin County received from United Way for being the top contributor in the small organization category for 2013. The treasurer reported Franklin County had contributed \$4,000 to the United Way in 2013.

DISCUSSION ITEMS: Auditor Tina Phillips reminded everyone about the special meeting to be held on September 16, 2013 at 9:00 AM at the East Annex to adopt the budget. Sheriff Jones had some questions about the online Auction. Commissioner Young wanted to be put on record and he read a letter he had prepared about the county health insurance and not being able to go into executive session to discuss the matter. See Volume 1U Page _____ to see the letter he presented. The treasurer reported a breaker had to be replaced at the airport and it had something to do with the lights in the kitchen. Steve Slaton wanted more clarification about the funds for the water meter. He reported there was enough money in the budget to get the water meter and wondered why they couldn't get it. The Commissioners' explained paying for the water is what could become the problem since Cypress Springs SUD will not give a decreased rate adjustment. Bob McFarland suggested taking \$5,000 from the surplus Hotel Occupancy Tax Fund from the General Fund from years past to supplement the Hotel Occupancy Tax Fund just in case there are not enough funds for the entire request from the entities. Mr. Bane questioned an email he had received from the Treasurer about the Hotel / Motel Tax Fund and what the county required from the entities to receive the funds. See Volume 1U Page _____ to see the email.

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 Regular meeting on September 9, 2013.

Witnessed and recorded this 9th day of September, 2013.

Betty Crane, County Clerk