

Franklin County Commissioners' Court  
Commissioner Court Minutes  
Regular Session  
November 23, 2015

The Franklin County Commissioners' Court met in Regular Session November 23, 2015 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  
Danny Chitsey, Commissioner, Precinct 1  
Larkin Jumper, Commissioner, Precinct 2  
Deryl Carr, Commissioner, Precinct 3  
Sam Young, Commissioner, Precinct 4  
Betty Crane, County Clerk

VISITORS: Rick Ogden, Margaret Sears, Bert Edmondson, Lindsey Yeager, Brian Ball, Darrik Ferrell, Charlie Emerson, Sue Ann Harper, Ricky Jones, Tina Phillips, Bryan Giguere, Cathy Jumper, Betty Sue Allen, Jim Alford, Jerry Cooper, Ellen Jagers, Bill Travis and Lillie Bush-Reves

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

**Public Comments:** Family and Consumer Science Extension Agent Lindsey Yeager and Extension Agent Brian Ball reported on recent events and activities they had attended as well as informed the court about future events and activities coming up.

**APPROVE MINUTES FROM THE NOVEMBER 9, 2015 REGULAR SESSION – AND NOVEMBER 12, 2015 SPECIAL SESSION - COUNTY CLERK** – Commissioner Young made a motion to approve the minutes from the November 9, 2015 Regular Session and November 12, 2015 Workshop Session and Commissioner Chitsey seconded the motion. Motion carried

**AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER** – The Commissioners asked several questions about the invoice from MMI for the desk, benches and tables. Commissioner Carr made a motion to approve all the claims against the county and Commissioner Young seconded the motion. Motion carried.

**See Exhibit 11/23/2015 - A**

**APPROVE OCTOBER 2015 MONTHLY REPORTS – TREASURER** - Treasurer Betty Sue Allen presented the October 2015 monthly reports. Commissioner Jumper made a motion to approve the October 2015 monthly reports and Commissioner Chitsey seconded the motion. Motion carried. **See Exhibit 11/23/2015 - B**

**CONSIDER AND TAKE ACTION ON APPROVING HRA AGREEMENT FOR FRANKLIN COUNTY – TREASURER** - Commissioner Carr made a motion to approve the HRA Agreement for Franklin County and Commissioner Chitsey seconded the motion. Motion carried. **See Exhibit 11/23/2015 - C**

**CONSIDER AND TAKE ACTION ON APPROVING TIPS INTERLOCAL AGREEMENT BETWEEN REGION VIII EDUCATION SERVICE CENTER AND FRANKLIN COUNTY – COUNTY JUDGE** - Commissioner Carr made a motion to approve the TIPS Interlocal Agreement between Region 8 Education Service Center and Franklin County. Commissioner Jumper seconded the motion. Motion carried.  
**See Exhibit 11/23/2015 - D**

**CONSIDER AND TAKE ACTION ON APPROVING FRANKLIN COUNTY OSSF INSPECTOR SERVICE AGREEMENT – TREASURER** - Commissioner Chitsey made a motion to approve the Franklin County OSSF Inspector Service Agreement and Commissioner Carr seconded the motion. Motion carried. **See Exhibit 11/23/2015 - E**

**COURTHOUSE RESTORATION – STANDING AGENDA ITEM – COUNTY JUDGE –**  
Auditor Tina Phillips reported the generator is up and running. Work is being scheduled to work on the air conditioners upstairs. She reported there was an engineering design flaw. More work needs to be done on the light switches and the plaster on the stairwell wall will be done over a weekend.

**CONSIDER AND TAKE ACTION ON APPROVING DECLARATION OF LOCAL DISASTER – INCLUDING ADDITIONAL AUTHORITY REGARDING REGULATION OF FIREWORKS – COUNTY JUDGE** - Commissioner Carr made a motion to approve the Declaration of Disaster including the additional authority regarding regulation of fireworks and Commissioner Chitsey seconded the motion. Motion carried with Chitsey, Jumper and Carr all voting aye and Commissioner Young voted nay.  
**See Exhibit 11/23/2015 - F**

**CONSIDER AND TAKE ACTION ON APPROVING ORDER PROHIBITING OR RESTRICTING CERTAIN FIREWORKS IN UNINCORPORATED AREAS OF FRANKLIN COUNTY, TEXAS – COUNTY JUDGE** – After discussion no action was taken. **See Exhibit 11/23/2015 - G**

**CONSIDER AND TAKE ACTION ON APPROVING ORDER PROHIBITING OR RESTRICTING OUTDOOR BURNING – COUNTY JUDGE** – After discussion no action was taken. **See Exhibit 11/23/2015 - H**

**CONSIDER AND TAKE ACTION ON APPROVING ACCEPTING \$5,330.54 DONATION FROM EAST TEXAS MEDICAL CENTER FOR FIRST RESPONDER SUPPORT AND USING THE DONATED FUNDS FOR PURCHASE OF EQUIPMENT AND SUPPLIES FOR THE FRANKLIN COUNTY EMERGENCY RESPONSE REHAB TRAILER PROJECT – COUNTY AUDITOR** - Commissioner Jumper made a motion to approve accepting \$5,330.54 donation from East Texas Medical Center for First Responder support and using the donated funds for the purchase of equipment and supplies for the Franklin County Emergency Response Rehab Trailer Project. Commissioner Chitsey seconded the motion. Motion carried.

#### **DISCUSSION ITEMS:**

Auditor Tina Phillips reported she had been asked to check into the county paying for employees Medicare supplement premiums if the employee opted out of the county medical insurance. She reported after doing research on the subject and finding three laws that will not allow it; Age & Discrimination, Medicare Secondary Payment laws, and the Affordable Health Care Act. Under the Medicare Secondary Payment Laws the

county could not pay Medicare Supplement premiums because it would be considered an incentive and would cost the government money. Under the Affordable Health Care Act the employer's health plan could be classified as a non-compliant group and subject to penalty in the amount of \$100 a day per employee for the total amount of employees. Commissioner Young reported he was the person that asked the question. He reported Copeland Insurance had asked him why he didn't use the Medicare Insurance and do away with the County Insurance. He reported emailing Jim Allison from Allison, Bass and McGee and asked if it was legal to do. Mr. Allison's response was the county may provide Medicare supplement coverage in lieu of regular medical benefits and to check with the county health benefit advisor for necessary Commissioner Court approval. Commissioner Young was asking to make it an option and to not require everyone of Medicare age to do this. Auditor Tina Phillips said an employee can decline the County Insurance and go on Medicare but the county could not pay their Medicare Supplement premium.

Mr. Travis reported what was going on at the Sports Complex and Betty Sue Allen reported there is going to be a class in drug and alcohol awareness in Tyler on December 8<sup>th</sup>. She encouraged the Commissioners to attend because one of them needs to get certified per Bill Faulkner from the Drug Compliance Company.

Sheriff Jones reported he was having plumbing / sewer problem in the jail. There is a possibility the plumbing has collapsed. Judge Lee also reported the bank robber had been captured in Red River County.

Tax Collector – Assessor Sue Ann Harper reported the Attorney General has partnered with the Department of Motor Vehicles and people will not be able to get their vehicles registered if they are 6 months in arrears on child support. This will become affective in the spring. She expressed concerns about security because people will become upset when they cannot register their vehicles.

Commissioner Jumper made a motion to adjourn the meeting at 10:12 AM and Commissioner Carr 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 November 23, 2015.

Witnessed and recorded this 23<sup>rd</sup> day of November, 2015.

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Betty Crane, County Clerk