

Franklin County Commissioners' Court
Commissioner Court Minutes
Regular Session
October 24, 2016

The Franklin County Commissioners' Court met in Regular Session October 24, 2016 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
Larkin Jumper, Commissioner, Precinct 2
Deryl Carr, Commissioner, Precinct 3
Sam Young, Commissioner, Precinct 4
Betty Crane, County Clerk

VISITORS: Jerry Cooper, Sue Ann Harper, Betty Sue Allen, Josh Jordan, Lera Owens, Johnny Owens, Bill Travis, Amy Briscoe, Reesy Jumper, Walter Sears, Greg Ostertag, Lisa Lawrence, Diane Newsom, Margaret Sears, Cathy Jumper, Pat Wright, Carolyn Teague, Bryan Giguere, Donna McFarland, Jacqueline Miller, Jim Alford, Willie Bane, Gene Stump, Bob McFarland,

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

Public Comments:

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 Carr seconded the motion. Motion carried.
See Exhibit 10/24/2016 - A

CONSIDER AND TAKE ACTION ON APPROVING REMOVAL OF HOTEL / MOTEL OCCUPANCY TAX COMMITTEE MEMBERS AND REPLACING WITH A DESIGNEE PER PRECINCT BY EACH COMMISSIONER AND A DESIGNEE BY COUTY JUDGE – PRECINCT 2 - Commissioner Jumper suggested appointing a designee from each Commissioner's Precinct for the Hotel / Motel Occupancy Tax Committee and each appointment of the designee would expire when the Commissioners' term ended and a new person would be appointed. There would be a rotation of the Committee members. There are five members on the Committee and \$120,000 has been awarded to events the last four or five years that these members are involved in. Commissioner Jumper considered that to be a conflict of interest. Commissioner Jumper stated would like to appoint members that will not seek any funding (including their family members). Mr. Bane reported the Committee members include the County Judge (or his representative – Larkin Jumper), a representative from the county hotel / motel (Dave Hickerson), President of the Chamber of Commerce (Donna McFarland), a representative from the Industrial Foundation (Bob McFarland) and one other person within the county (Willie Bane). This is the way Commissioners' Court wanted the Committee set up and if the Commissioners' Court would like to change it, they can. Mr. Bane said the Committee was set up to assist the court by hearing the requests and going over the applications for the events and make recommendations. Commissioner Young questioned what the reasoning was in changing the Hotel / Motel Occupancy Tax Committee Members and Commissioner Jumper stated he wanted to remove the conflict of interest. Mr.

McFarland stated we need people that are informed about these events and what is going on in the community. It is going to be hard to find someone that is not informed or involved and not a member of any of these organizations. Mr. McFarland reported he supported Commissioner Jumper's proposal except the part about not being involved with the organizations. Mr. Bane stated Commissioners' Court has the final say on who is awarded the funds and how much. Donna McFarland reported the Committee has guidelines to go by and we ask the question if the funding falls within the guideline. The Committee does not award the money, the Commissioners' Court does. There was more discussion about following the Open Meetings Acts, Roberts Rule of Order, recuse from making recommendations if the person on the Committee is involved with the event or organization (Conflict of Interest), reschedule meetings if there is a conflict of interest because the only members present represent the event / organization that is requesting funds, same events get the funding every year and a majority of the events have the funds to do it themselves. After much more discussion, Commissioner Jumper made a motion change the types of members of the Hotel / Motel Occupancy Tax Committee. Commissioner Young stated he was fine with the types of members of the Committee as it was. He did agree there needed to be term limits. Commissioner Carr reported it would be hard for him to find a representative from his precinct that has a vested interest. After more discussion, Commissioner Jumper withdrew his motion and asked what would be wrong by changing this for a 2, 3 or 4 year period and see if something positive comes out of it. No action taken. More discussion followed.

CONSIDER AND TAKE ACTION ON APPROVING HOTEL / MOTEL OCCUPANCY TAX COMMITTEE'S RECOMMENDATIONS FOR AMENDED 2017 FUNDING REQUESTS – BOB MCFARLAND, FRANKLIN COUNTY HOTEL / MOTEL OCCUPANCY TAX COMMITTEE -

Judge Lee expressed this is a serious situation. Meetings have to be posted correctly and legally. Judge Lee stated he did not know why the County Judge and County Clerk was signing the Occupancy Tax Committee meeting agendas. He stated someone from the Hotel / Motel Occupancy Committee should be preparing, signing and posting the agendas 72 hours in advance of the meetings. He stated if a meeting was held without the agenda being posted 72 hours in advance another meeting needed to take place before any recommendations could be submitted to Commissioners' Court. Possible legal action could be taken if the agendas are not properly posted. Mr. McFarland agreed and stated the meeting would be held again and an agenda would be properly posted. Commissioner Young made a motion to table this agenda item and Commissioner Carr seconded the motion. Commissioner Jumper reported there was some inaccuracies with the minutes also. Mrs. McFarland reported the minutes are distributed to members and normally if there are any discrepancies found, she should be notified and changes could be made before they are approved before the next meeting. Motion carried to table this agenda item.

CONSIDER AND TAKE ACTION ON APPROVING REVOKING HOTEL / MOTEL OCCUPANCY TAX COMMITTEE FUNDS FOR ALAMO MISSION'S OPERATING COSTS IN THE AMOUNT OF \$4,000.00 – COUNTY JUDGE -

Commissioner Carr made a motion to approve revoking the responsibility from Commissioners Court and transferring the duties to the Hotel / Motel Occupancy Tax Committee to make the recommendation of \$4,000 for Alamo's Operating cost. Commissioner Young seconded the motion and the motion carried.

CONSIDER AND TAKE ACTION ON APPROVING UPDATE AND RENEWAL OF CONTRACT WITH AUCTIONEEREXPRESS.COM – TREASURER -

Treasurer Betty Sue Allen reported the reason we are updating the contract with AuctioneerExpress is to update the name of the County Judge on the contract. She reported it is a perpetual contract. Commissioner Young made a motion to approve updating and renewing the contract with AuctioneerExpress.com and Commissioner Carr seconded the motion. Motion carried.

DISCUSSION ITEMS:

- Judge Lee reported there is a new law that county roads have a right to oil leases and the county can receive payments.
- Snake problem at the County Extension Office / wasp issues in the Courthouse
- Loose bricks at the airport and how to proceed
- Treasurer Betty Sue Allen reported that TAC will be available on Wednesday, November 2nd to explain the new drug coverage. If a person is taking a long term medications you can get a 90 day supply / three months for the price of 2 months.
- Audience members encouraged the Court to support the events. The downtown area is being restored and life brought back into the town.
- Lera Owens expressed her appreciation the support that the Genealogy Association is receiving.
- Library is offering free excel classes next week if anyone would like to attend the classes

Commissioner Young made a motion to adjourn the meeting 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 October 24, 2016

Witnessed and recorded this 24th day of October, 2016.

Betty Crane, County Clerk