

Franklin County Commissioners' Court
Commissioner Court Minutes
Regular Session
March 28, 2016

The Franklin County Commissioners' Court met in Regular Session March 28, 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
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: Betty Sue Allen, Tina Phillips, Bryan Giguere, Jim Alford, Margaret Sears, Willie Bane, Bert Edmondson, Pam Hawthorne, Peggy Stutts, Adam Kinney, Barbara Lester, Gayle Cerveney, Sue Ann Harper, Jeff Lester, Cathy Jumper, Gene Stump and Lillie Bush-Reves

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

Public Comments: Pam Hawthorne addressed the court with her concerns about the December 27, 2015 flood. She reported receiving over \$50,000 in damages and has not been able to stay in her house for three months. She reported the Franklin County Water District was not issuing permits and she cannot build a boat house and people are not being allowed to sell their property.

Mayor Margaret Sears reported work on Highway 37 had begun. She also reported Interstate 30 was also being worked on. She reported other projects were also being considered – the service road on Holbrook Street, the bridge at the over pass at Loves. She reported the City receives 1 cent to help the City and ½ cent goes to Economic Development and the County receives ½ cent. She reported the County received \$99,000 in sales tax and the City and the County both need to work on Economic Development.

APPROVE MINUTES FROM THE MARCH 14, 2016 REGULAR SESSION - COUNTY CLERK – Commissioner Jumper made a motion to approve the minutes from the March 14, 2016 Regular Session and Commissioner Chitsey seconded the motion. Motion carried

AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER – Commissioner Young made a motion to approve all the claims against the county and Commissioner Jumper seconded the motion. Motion carried.
See Exhibit 3/28/2016 - A

PRESENT VOTING LOCATIONS FOR THE MAY 24, 2016 PRIMARY RUN-OFF ELECTIONS - County Clerk Betty Crane presented the list of voting locations for the May 24, 2016 Primary Run-Off elections to be put on record in the Minutes.
See Exhibit 3/28/2016 – B

CONSIDER AND TAKE ACTION ON APPROVING REQUEST FOR FOUR EARLY VOTING CLERKS FOR THE MAY 24, 2016 RUN-OFF ELECTION – COUNTY CLERK

Commissioner Chitsey made a motion to approve four Early Voting clerks for the May 24, 2016 Run-Off Election and Commissioner Carr seconded the motion. Motion carried.

RECORD CERTIFICATE OF TERMINATION FROM THE SECRETARY OF STATE CONCERNING TRES LAGOS SUBDIVISION PROPERTY OWNERS' ASSOCIATION

– PRECINCT 4 - Commissioner Young explained this was to put the Certificate of Termination on record in the Minutes from the Secretary of State concerning Tres Lagos subdivision Property Owners' Association. **See Exhibit 3/28/2016 – C** Two women presented court documents from the Sixth Appellate District of Texas at Texarkana which stated on Page 3 of the document "the trial court entered an order on the Association's counterclaim declaring that the Commissioners' Court did not have jurisdiction or authority to cancel, modify, or otherwise change or limit the subdivision restrictions, covenants, or conditions with respect to Lots 93 – 97." **See Exhibit March 28, 2016 D.** County Judge Lee explained all the court was doing today was to put the Certificate of Termination from the Secretary of State concerning Tres Lagos Subdivision Property Owners' Association on record in the minutes.

CONSIDER AND TAKE ACTION ON APPROVING INTERLOCAL AGREEMENT FOR INMATE HOUSING BETWEEN FRANKLIN COUNTY AND RED RIVER COUNTY – SHERIFF -

Sheriff Jones reported the Red River County Jail received damage from a tornado and he is holding 29 inmates from Red River County in the Franklin County Jail. He reported Red River jailers were working at the Franklin County jail taking care of Red River County prisoners and those jailers were being paid by Red River County. Commissioner Young made a motion to approve the Interlocal Agreement for inmate housing between Red River County and Franklin County and Commissioner Chitsey seconded the motion. Motion carried. **See Exhibit 3/28/2016 -E**

CONSIDER AND TAKE ACTION ON APPROVING FRANKLIN COUNTY MULTI-PURPOSE BUILDING RENTAL AGREEMENT FOR MT. VERNON KEY CLUB AND WAFFORD FAMILY REUNION – TREASURER -

Commissioner Jumper made a motion to approve the Franklin County Multi-Purpose Building rental agreement for Mt. Vernon Key Club and Wafford Family Reunion Rental Agreement and Commissioner Carr seconded the motion. Motion carried.

CONSIDER AND TAKE ACTION ON APPROVING ASSESSING LATE FEE WHEN FRANKLIN COUNTY AIRPORT HANGAR LEASE PAYMENT IS NOT PAID WITHIN 30 DAYS OF FIRST NOTICE – TREASURER -

Commissioner Carr made a motion to approve assessing 10% maximum late fee each month when the Franklin County Airport Hangar Lease payment is not paid within 30 days of first notice. Commissioner Young seconded the motion and the motion carried.

DISCUSSION ITEMS:

- Treasurer Betty Sue Allen reported Texas Association of Counties stated it was unlikely they would insure the fuel tanks since they did not belong to Franklin County. If they were insured they would not name H & H as loss payee. The insurance premium would be in the thousands because the replacement cost is \$350,000. TAC will not provide liability insurance unless there is property insurance physical damage insurance on the property. This is concerning the

fuel pump, fuel tank, hose and grounding system equipment at the Franklin County Airport that H & H Contractors, Inc. owned. **See Exhibit 3/28/2016 - F**

- Maintenance Manager Todd Conradson reported an air conditioner needed to be replaced at the Franklin County Building in Winnsboro. He reported getting a proposal from C&S Service Co. in the amount of \$3,650.00.

See Exhibit 3/28/2016 F

- Auditor Tina Phillips reported The Texas Historical Commission reported Komatsu had submitted the final paper work and gave the county authorization to submit our final request for reimbursement so we can receive our last 10% reimbursement which is about \$306,000.00
- Length of term for Franklin County Hotel/Motel Occupancy Tax Committee officers – there is 5 members on the Committee which includes the County Judge or designee, President of the Chamber of Commerce, a representative of the Hotel/Motel, Industrial Foundation and an individual citizen. Mr. Willie Bane explained it is the term of office for the County Judge and the President of the Chamber of Commerce. He reported the Committee meets about twice a year.
- Robert Zinn will be having a meeting with FEMA Tuesday to discuss paperwork that is needed.
- Sheriff Jones discussed Highway 37 construction.
- Ambulance Service Agreement – 120 day notice to not renew. Need to review and decided if we are going to extend or go out for bids again. Sheriff Jones reported he was not happy with the ambulance service we have.
- Auditor plans to have a calendar ready for the upcoming budget process
- April 2 – 9 is County Clean-up
- Bill Travis reported the canopy is up at the Sports Complex

RECESS INTO EXECUTIVE SESSION; THE COMMISSIONERS' COURT WILL RECESS INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SEC. 551.071 FOR CONSULTATION WITH THE COUNTY ATTORNEY TO CONSIDER AND TAKE ACTION ON THREATENED OR PENDING LITIGATION – COUNTY JUDGE – Judge Lee recessed into Executive Session at 10:18 AM.

RECONVENE OPEN MEETING – COUNTY JUDGE – Judge Lee reconvened back into open session at 11:07 AM. No action taken.

Commissioner Jumper 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 March 28, 2016

Witnessed and recorded this 28th day of March, 2016.

Betty Crane, County Clerk