

Franklin County Commissioners' Court  
Commissioner Court Minutes  
Regular Session  
February 27, 2023

The Franklin County Commissioners' Court met in Regular Session February 27, 2023, at 9:00 A.M. in the District Courtroom at the Franklin County Courthouse located at 200 North Kaufman Street, Mount Vernon, Texas.

Members present: Scott Lee, County Judge  
Jerry Cooper, Commissioner, Precinct 1  
Toby Godfrey, Commissioner, Precinct 2  
Charlie Emerson, Commissioner, Precinct 3  
Scott Smith, Commissioner, Precinct 4  
Brook Bussell, County Clerk

**VISITORS:** Marla White, Chance Crane, Ellen Jaggars, Katie Elliott, Brantin Carr, Ricky Jones, Tim Dial, Susan Olsen, Pat Merkord, Natalie Holley, Bob Jewett, Jeff Sargent, B.F. Hicks, Kathy Boren, Gary Boren, Cindy Stutts, Jacqueline Miller, Jenny Dennis, Joe Jancosek, Kathie Eaton, Belinda McClenan, Charla Truesdale, David Truesdale, Amber Fox, Dan Hoke, Dale Jordan, Don Whiteman, J.D. Green, Debi Green, John Wilson, Laurie Dihle, Joel Dihle, Sherry Hulsey, Lynn Simpson, David Simpson, Mike Rambin, Betty Austin, Tom Austin, Ron Barker, Larry Coleman, Jennifer Jordan, Ann Fitzgerald, Frank Reda, Patti Reda, David Wimms, Mary McLennan, Resy Jumper, Richard Barrett, and many others who did not sign in.

Judge Lee called the meeting to order at 9:07 A.M., and Commissioner Smith offered prayer. The Pledge of Allegiance to the American flag was recited.

**Agenda Item 1 - APPROVE MINUTES FROM THE FEBRUARY 13, 2023 REGULAR SESSION AND FEBRUARY 17, 2023 WORKSHOP SESSION – COUNTY CLERK -**

Commissioner Smith made a motion to approve the February 13, 2023 Regular Session Minutes and the February 17, 2023 Workshop Session Minutes. Commissioner Godfrey seconded the motion. Motion carried 4-0.

**Agenda Item 2 - AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT – TREASURER**

–Commissioner Cooper made a motion to approve payment of the claims against the county as presented, and Commissioner Godfrey seconded the motion. Motion carried 4-0.

**See Exhibit 02/27/2023 - A**

**Agenda Item 3 – CONSIDER AND TAKE ACTION ON APPROVING JANUARY 2023 MONTHLY REPORTS – TREASURER**

–Commissioner Emerson made a motion to approve the January 2023 monthly reports as presented, and Commissioner Cooper seconded the motion. Motion carried 4-0.

**See Exhibit 02/27/2023 - B**

**Public Comments:** Judge Lee addressed the audience and opened the forum for public comments. Commissioner Smith also addressed the audience. The following individuals addressed the court with concerns and opposition regarding potential commercial utility scale solar industry within Franklin County: John Bordas, B.F. Hicks, Harold Duke, Jim Emery, David Truesdale, Charla Truesdale, Mike Edwards, J.D. Green, Larry Coleman,

Jeff Sargent and Pat Merkord with the Native Prairie Association, Bob Jewett, Ron Barker, Laurie Dihle, and Natalie Holley.

**Agenda Item 4 - FIRST READING: REPLAT LOTS 8R-1 AND 9R-1 DEER COVE SUBDIVISION – CYNTHIA & JOHN FULTON AND COLBY CABIN, LLC –** Commissioner Smith made a motion to approve the first reading of the replat of lots 8R-1 and 9R-1 of the Deer Cove subdivision, and Commissioner Godfrey seconded. Motion carried 4-0.

**COURT RECESSED AT 11:05 A.M. TO ALLOW FOR A BREAK AND RECONVENED AT 11:10 A.M.**

**Agenda Item 5 – SECOND READING: REPLAT LOTS 327R-1 AND 328R OF THE PINE VALLEY SUBDIVISION – AMBER FOX FOR S. STARNES TRUST LP -** Commissioner Smith made a motion to approve the second reading of the replat of lots 327R-1 and 328R of the Pine Valley Subdivision, and Commissioner Emerson seconded the motion. Motion carried 4-0.

**See Plat Cabinet #338B**

**Agenda Item 6 – RECORD MINUTES FROM THE FEBRUARY 9, 2023 AND FEBRUARY 13, 2023 SESSIONS OF THE ELECTION COMMISSION – TAX A/C –**The minutes from the February 9, 2023, and the February 13, 2023, sessions of the Election Commission were presented to be put on record.

**See Exhibit 02/27/2023 – C**

**Agenda Item 7 – RECORD MINUTES FROM THE JANUARY 9, 2023 SESSION OF THE FRANKLIN COUNTY CHILD WELFARE BOARD – LINDA HAMMOND –** The minutes from the January 9, 2023 session of the Franklin County Child Welfare Board were presented to be put on record.

**See Exhibit 02/27/2023 – D**

**Agenda Item 8 – RECORD CERTIFICATE OF COMPLETION FOR TAC CYBERSECURITY AWARENESS TRAINING FOR THE FOLLOWING: BRANTIN CARR, MELISSA MCSWAIN CLAWSON, CHANCE CRANE, JESSICA ESPARZA, CRISTI GONZALES, RICKY JONES, PARIS TILLERY, JANET WHITE, AND MARLA WHITE – COUNTY JUDGE –** Judge Lee presented the Certificates of Completion for TAC Cybersecurity Awareness Training for Brantin Carr, Melissa McSwain Clawson, Chance Crane, Jessica Esparza, Cristi Gonzales, Ricky Jones, Paris Tillery, Janet White and Marla White to be put on record within the Minutes.

**See Exhibit 02/27/2023 – E**

**Agenda Item 9 – RECORD COUNTY & DISTRICT CLERKS' ASSOCIATION OF TEXAS CERTIFICATE OF COMPLETION AWARDED TO BETTY CRANE FOR COMPLETING 20 HOURS OF REQUIRED CONTINUING EDUCATION FOR 2022 – COUNTY JUDGE -** Judge Lee presented the County & District Clerks' Association of Texas Certificate of Completion awarded to Betty Crane for completing 20 hours of required Continuing Education for 2022 to be put on record within the Minutes.

**See Exhibit 02/27/2023 – F**

**Agenda Item 10 – RECORD LEVEL 2 CJIS SECURITY AWARENESS TRAINING CERTIFICATE OF COMPLETION FOR BRANTIN CARR– COUNTY JUDGE –**

Judge Lee presented the Level 2 CJIS Security Awareness Training Certificate of Completion for Brantin Carr to be put on record within the Minutes.

**See Exhibit 02/27/2023 – G**

**Agenda Item 11 – CONSIDER AND TAKE ACTION ON APPROVING RESOLUTION FOR ADOPTION OF FRANKLIN COUNTY BRIDGE REPLACEMENT PROGRAM AUTHORIZING LAMAR COUNTY’S DONATION OF EQUIVALENT MATCH CREDIT TO BE APPLIED TO FRANKLIN COUNTY OFF-SYSTEM BRIDGE ON CR NE 2100 – TXDOT TO REPLACE BRIDGE IN FY 2027 – KATIE VICK, TXDOT BRIDGE & HYDRAULICS ENGINEER-**

Commissioner Cooper made a motion to approve the Resolution for Adoption of Franklin County Bridge Replacement Program authorizing Lamar County’s donation of equivalent match credit to be applied to Franklin County off-system bridge on CR NE 2100. Commissioner Emerson seconded. Motion carried 4-0.

**See Exhibit 02/27/2023 - H**

**Agenda Item 12 – CONSIDER AND TAKE ACTION ON APPROVING REMOVING BETTY SUE ALLEN AND DARRYL K. MICHAELSON AS AUTHORIZED SIGNATORIES FROM BRUCE ENDOWMENT FUND CERTIFICATE OF DEPOSIT AND ADDING THE FOLLOWING AUTHORIZED SIGNATORIES: CHANCE CRANE, TELISA NEWMAN, PARIS TILLERY, AND MARLA WHITE– COUNTY AUDITOR -**

Commissioner Smith made a motion to approve removing Betty Sue Allen and Darryl K. Michaelson as authorized signatories from the Bruce Endowment Fund Certificate of Deposit, and adding Chance Crane, Telisa Newman, Paris Tillery, and Marla White as authorized signatories. Commissioner Emerson seconded the motion. Motion carried 4-0.

**Agenda Item 13 – CONSIDER AND TAKE ACTION ON APPROVING NON-CORPORATE RESOLUTION REMOVING BETTY SUE ALLEN AS AUTHORIZED SIGNATORY FROM FINANCIAL NORTHEASTERN AND ADDING THE FOLLOWING AUTHORIZED SIGNATORIES: CHANCE CRANE, TELISA NEWMAN, PARIS TILLERY, AND MARLA WHITE – COUNTY AUDITOR -**

Commissioner Emerson made a motion to approve Non-Corporation Resolution removing Betty Sue Allen as authorized signatory from Financial Northeastern, and adding Chance Crane, Telisa Newman, Paris Tillery, and Marla White as authorized signatories. Commissioner Smith seconded the motion. Motion carried 4-0.

**See Exhibit 02/27/2023 - I**

**Agenda Item 14 – CONSIDER AND TAKE ACTION ON APPROVING MAINTENANCE AGREEMENT BETWEEN FRANKLIN COUNTY AND HOPCO CLEARWATER SYSTEMS FOR EMS BUILDING – COUNTY JUDGE–**

Commissioner Emerson made a motion to approve the Maintenance Agreement between Franklin County and Hopco Clearwater Systems for the EMS building, and Commissioner Smith seconded the motion. Motion carried 4-0.

**See Exhibit 02/27/2023 – J**

**Agenda Item 15 – CONSIDER AND TAKE ACTION ON APPROVING INTERLOCAL AGREEMENT BETWEEN SULPHUR SPRINGS POLICE DEPARTMENT, FRANKLIN COUNTY SHERIFF’S OFFICE, AND MEDINA COUNTY FOR ACCESS TO A HOSTED SECURE FACILITY WITH INFORMATION TECHNOLOGY RESOURCES AND NETDATA OR GHS SYSTEM/S AND GOVERNMENT SOFTWARE– COUNTY JUDGE**

– Commissioner Smith made a motion to approve the Interlocal Agreement between Sulphur Springs Police Department, Franklin County Sheriff’s Office, and Medina County, Texas, for access to a hosted secure facility with Information Technology Resources and NET Data or GHS System/s and Government Software. Commissioner Emerson seconded the motion. Motion carried 4-0.

**See Exhibit 02/27/2023 –K**

**Agenda Item 16 – CONSIDER AND TAKE ACTION ON APPROVING INTERLOCAL AGREEMENT BETWEEN SULPHUR SPRINGS POLICE DEPARTMENT, FRANKLIN COUNTY SHERIFF’S OFFICE, AND OCHILTREE COUNTY FOR ACCESS TO A HOSTED SECURE FACILITY WITH INFORMATION TECHNOLOGY RESOURCES AND NETDATA OR GHS SYSTEM/S AND GOVERNMENT SOFTWARE– COUNTY**

**JUDGE** – Commissioner Godfrey made a motion to approve the Interlocal Agreement between Sulphur Springs Police Department, Franklin County Sheriff’s Office, and Ochiltree County, Texas, for access to a hosted secure facility with Information Technology Resources and NET Data or GHS System/s and Government Software. Commissioner Smith seconded the motion. Motion carried 4-0.

**See Exhibit 02/27/2023 – L**

**Agenda Item 18 – (JUDGE LEE MOVED THIS BEFORE AGENDA ITEM 17) CONSIDER AND TAKE ACTION ON APPROVING AMENDMENT TO RESOLUTION STATING FRANKLIN COUNTY’S OPPOSITION TO INDUSTRIAL SOLAR DEVELOPMENT WITHIN THE COUNTY, WHICH WAS APPROVED ON DECEMBER 30, 2022, BY THE COMMISSIONERS’ COURT– COUNTY JUDGE**

– Susan Olsen presented information regarding amending the resolution. Commissioner Smith made a motion to approve the amended resolution stating Franklin County’s opposition to industrial solar development with the county. Commissioner Emerson seconded. Motion carried 4-0.

**See Exhibit 02/27/2023 – M**

**Agenda Item 17 – CONSIDER AND TAKE ACTION ON APPROVING MORATORIUM REGARDING COMMERCIAL UTILITY SCALE SOLAR INDUSTRY WITHIN FRANKLIN COUNTY– PRECINCT 1**

– Commissioner Smith made a motion to table approving a moratorium regarding commercial utility scale solar industry within Franklin County, and Commissioner Godfrey seconded. Motion carried 4-0.

**Agenda Item 19 – CONSIDER AND TAKE ACTION ON DETERMINING AND APPROVING FUNDING SOURCE FOR UNDERWOOD EQUIPMENT MODEL DT743 SUPERIOR BROOM– PRECINCT 2**

– Information not available for this agenda item. Commissioner Godfrey made a motion to table. Motion seconded by Commissioner Emerson. Motion carried 4-0.

**Agenda Item 20 – CONSIDER AND TAKE ACTION ON APPROVING DECLARATION OF EMERGENCY DISASTER DUE TO DAMAGES INCURRED FROM JANUARY 30, 2023 ICE STORM – TIM DIAL**

– Commissioner Emerson made a motion to approve the Declaration of Emergency Disaster due to damages incurred from the January 30, 2023, ice storm, and to allow Tim Dial to apply for available funding. Commissioner Cooper seconded. Motion carried 4-0.

**See Exhibit 02/27/2023 – N**

**DISCUSSION** – Update on storage building behind Annex East building and progress of renovations for Election Administrator’s office and County Extension Agent’s office.

**Adjourn** - Commissioner Emerson made a motion to adjourn the meeting and Commissioner Godfrey seconded the motion. Motion carried. Meeting adjourned at 11:42 A.M.

I, Brook Bussell, County Clerk, certify that this is an accurate accounting of the proceedings of the Commissioners’ Court Regular Session on February 27, 2023.

Witnessed and recorded this 9th day of March, 2023.

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Brook Bussell, County Clerk

UNOFFICIAL UNTIL APPROVED