

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR BOARD MEETING MINUTES
November 2, 2015
6:00 P.M.**

Present: Commission Chairman Thomas Bridges
District 1 Commissioner Robert Franklin
District 2 Commissioner David Strickland
District 3 Commissioner Jeff Jacques
District 4 Commissioner Eddie Wester

Media: Shane Scoggins, Franklin County Citizen
MJ Kneiser, WLHR

Staff: County Manager, Beth Thomas
County Engineer, John Phillips

Item 1 & 2: Invocation and Pledge of Allegiance – Chairman Bridges welcomed everyone to the November 2 regular board meeting and thanked them for their attendance. He asked Commissioner Franklin to lead the invocation and pledge to the American flag.

Item 3: Approval of Minutes:

October 5, 2015 – Public Hearing Minutes
October 5, 2015 – Regular Board Meeting
October 27, 2015 – Public Hearing/Work Session

Chairman Bridges said that there are three sets of minutes for approval. He said that the county clerk does a good job sending the minutes out for review. He asked for a motion to accept the minutes. Commissioner Jacques made the motion to accept all the minutes as written and distributed. Chairman Bridges asked for a second. Commissioner Strickland seconded the motion. There was no discussion. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin; Commissioner Strickland; Chairman Bridges; Commissioner Jacques; and Commissioner Wester.

Item 4: *Items for discussion:*

A. Public Comment – Chairman Bridges welcomed his grandson to the meeting who was attending the meeting due to a course requirement for his tenth grade civic class. There were no comments from the public.

B. Planning and Zoning item –

1. Carrie M. Davis – rezone AI to RM – Chairman Bridges said that this item was discussed at the public hearing prior to this meeting. He asked County Engineer, John Phillips to explain this request further. Mr. Phillips gave the recommendation to deny the rezoning request from Carrie M. Davis for rezoning from AI to RM as recommended by the Planning Commission. Chairman Bridges said that the recommendation has been heard. He asked for a motion to accept the recommendation to deny rezoning from Mr. Phillips and the Planning Commission. Commissioner Strickland made the motion to accept the recommendation to deny. Chairman Bridges asked for a second. Commissioner Jacques seconded the motion. There was no discussion. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Wester; Commissioner Jacques; Commissioner Franklin; Commissioner Strickland; and Chairman Bridges.

C. Professional Services Agreement

1. **Jacobs (Landfill)** – Chairman Bridges said that this company monitors the landfill that is no longer in use. He then asked County Manager Beth Thomas to give the information on the Jacobs agreement. Mrs. Thomas said that the task order number 27 was given to the Commission Board at the work session. It is her recommendation to move forward with this. Jacobs Engineering has been doing the testing on the closed landfill for several years. This task order will go through 2017 which will be a large year for the landfill testing. Chairman Bridges asked for a motion to accept the recommendation from Mrs. Thomas. Commissioner Wester made the motion to accept the recommendation from Mrs. Thomas. Chairman Bridges asked for a second. Commissioner Franklin seconded the motion. Commissioner Strickland asked about included costs. Mrs. Thomas said that the cost for last year went down. She said that this cost will go up as it is covering an 18 month time period as well as extensive testing. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Chairman Bridges; Commissioner Franklin; Commissioner Strickland; Commissioner Jacques; and Commissioner Wester.

2. **Legal Services RFP** – Chairman Bridges asked Mrs. Thomas to explain the legal services item. Mrs. Thomas said that the legal services contract runs from January to January of each year. The Commission Board will need to appoint an attorney in January. The RFP to be sent out will include qualifications as well as a cost proposal. An extensive RFP was borrowed from another county and was customized to Franklin County. Mrs. Thomas gave eight points that were specific to Franklin County.

The first point was that attendance will be required at meetings unless counsel is not needed. Chairman Bridges said that he would like to go over the points one at a time. He said that his preference is that the attorney will attend meetings when requested by the Commission Board. Mrs. Thomas said that this could be modified to state to attend or be available upon request. Commissioner Jacques said that he agrees

whole heartedly. He said that the Commission Board will know in advance when counsel is needed. This way services will not be paid for unnecessarily. Commissioner Strickland said that questions can always be asked by email. Mrs. Thomas said that she would modify this item before sending the RFP.

Point two was for coverage. Mrs. Thomas said that on coverage the legal counsel will give advice to the Board of Commissioners; Planning Commission; Board of Assessors and the Board of Elections. There was no objection to this wording.

Point three was for experience. The experience level for the RFP gives a baseline of five years' experience in local government. Mrs. Thomas asked the Commission Board what their preference was on how many years of experience. Chairman Bridges said that he was concerned that potential good candidates would be excluded if the years of experience are five. Commissioner Strickland said that he thought years of experience would be how to get a good attorney. Chairman Bridges said that he has seen some very bright people coming out of law school. Commissioner Strickland said that they might be bright but they wouldn't have experience. Commissioner Jacques said that there needed to be some level of experience. He also said that he wanted to make sure that it would be a specific attorney for Franklin County. Commissioner Jacques suggested going with three years' experience in local government. Commissioner Franklin said that he liked the more experience because it could cost the County more down the road. Commissioner Wester said that he would be okay with five years practicing law with three years in local government. The consensus of the Commission Board was for three years' experience in local government law.

Point four was for client references. Mrs. Thomas said that the RFP asks for a minimum of three client references, specifically from city, county or municipal governments. If the attorney has three years' experience of government law, this part of the RFP should not be a problem. There was no objection to this wording.

Point five was for insurance. Mrs. Thomas said that this is for the attorney to provide proof of professional liability insurance. There was no objection to this wording.

Point six was for compensation. Mrs. Thomas said that this calls for stating what amount of work will be done for an annual amount as well as an hourly rate. She said that this should alleviate questions about compensation because both pricing structures will be received. There was no objection to this wording.

Point seven was for selection committee. Mrs. Thomas said that the RFP stated that the selection will be done by a selection committee. She said that no formal process has been done for a selection committee. A selection committee needs to be appointed or the Board of Commissioners will collectively be the selection committee. Commissioner Jacques said that he thought it might be easier for the selection process to have two commissioners; constitutional officers and Mrs. Thomas on the committee. Chairman Bridges said that he is in agreement with what Commissioner Jacques proposed. Mrs. Thomas said that if everyone is in agreement for the selection

committee wording, this part can remain unchanged.

Point eight was for the term. The RFP wording is for one year with the option of three additional years. Mrs. Thomas said that this gives the County an option of retaining if the attorney or firm is acceptable for the Commission Board to want to keep. It also gives an option if the attorney or firm at any time becomes unacceptable to Franklin County. Chairman Bridges said that he thought this was good because he wants Franklin County to get the most for the money paid.

Mrs. Thomas said that there are two charts in the RFP. The RFP will be sent out by November 5 for selections by December 16 with a final selection by January 5, 2016. Oral presentations may need to be done by the candidates between December 16, 2015 and before January 5, 2016 for the final selection. Chairman Bridges said that it looked like a good time line. The other members of the Commission Board were in agreement with the time line also.

Mrs. Thomas said that the last part to be discussed on the RFP is the evaluation criteria. The evaluation criteria example is a 100 point scale. She said that this scale needs to be in RFP so that each candidate knows how they are being judged. There were no objections to the evaluation criteria point scale. Mrs. Thomas recommended moving forward with the RFP with the changes requested by the Commission Board.

Chairman Bridges asked for a motion to move forward with the RFP based on the recommendation from Mrs. Thomas. Commissioner Franklin made the motion. Chairman Bridges asked for a second. Commissioner Wester seconded the motion. Commissioner Strickland asked if an assessment had been done on the current attorney. Mrs. Thomas said no, that the evaluation would be done with the attorney who sends the proposal in and they are sitting in front of the selection committee. There were no further questions. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Chairman Bridges; Commissioner Franklin; Commissioner Wester; Commissioner Strickland; and Commissioner Jacques.

D. Federal Grant Policy – Chairman Bridges asked Mrs. Thomas to go over this item. Mrs. Thomas said the financial policies are in the process of being updated. The resolution is for a federal grant policy. She asked that the vote be tabled until the county clerk can be in attendance. The county clerk missed the meeting due to a family emergency. Chairman Bridges asked for a motion to table the resolution. Commissioner Strickland made the motion. Chairman Bridges asked for a second. Commissioner Jacques seconded the motion and clarified that it would be voted on at the December meeting. Mrs. Thomas said yes, that the resolution would be ready for the vote in December. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Chairman Bridges; Commissioner Strickland; Commissioner Jacques; Commissioner Wester; and Commissioner Franklin.

E. Franklin County Board Appointments

1. **DFACS** – Chairman Bridges said that the next agenda item is for an appointment to the DFACS Board. He asked Mrs. Thomas to explain the item further. Mrs. Thomas said that this position was advertised this past summer for a position that came open on July 1, 2015. The Child Welfare Act changed the requirements of who is eligible to serve on this board. The application for Ms. Andre Smith was the only application received by either Franklin County or the DFACS office. Mrs. Thomas recommended that the application for Ms. Smith be accepted for the DFACS Board. Chairman Bridges asked for a motion to accept the recommendation from Mrs. Thomas for Ms. Smith to be appointed to the DFACS Board. Commissioner Strickland made the motion. Chairman Bridges asked for a second. Commissioner Jacques seconded the motion. Commissioner Strickland asked when Ms. Smith would start. Mrs. Thomas said that she would notify the DFACS Board of the appointment. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin; Commissioner Strickland; Commissioner Jacques; Commissioner Wester; and Chairman Bridges.

There were no further comments or concerns. Chairman Bridges asked for a motion and a second to adjourn the meeting. Commissioner Strickland made the motion to adjourn. Commissioner Jacques seconded the motion. He also thanked the citizens for attending the meeting. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Wester; Commissioner Jacques; Chairman Bridges; Commissioner Franklin; and Commissioner Strickland. The meeting adjourned at 6:26 p.m.

Signed on the _____ day of _____, 2015

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

David R. Strickland, District 2 Commissioner

Jeff Jacques, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk