

On this 25th day of July 2011 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 22nd day of July 2011 at 8:40 a.m. with the following members being present:

Creta L. Carter II	County Judge
Gary Whitlock	Commissioner, Precinct 1
Stan Barker	Commissioner, Precinct 2
Dewayne Strickland	Commissioner, Precinct 3
Joe Strong	Commissioner, Precinct 4

The following business was transacted to-wit:

CALL TO ORDER

Judge Creta Carter II called the meeting to order at 9:00 a.m.

INVOCATION

Mike Towery, Treasurer

ITEM 2. ESTABLISH A QUORUM

Judge Creta Carter II stated a quorum is established.

ITEM 3. PUBLIC FORUM

Judge Carter received a "Thank you" card from the K5 Fannin Radio Club for the use of the Old Jail Facility on CR 4200 for the Annual Field Day Event, signed by Kathy Brewer.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

No Minutes presented.

ITEM 5. Discussion, consideration and action to approve execution of Interlocal Agreement for E 9-1-1 Public Safety Answering Point Services (PSAP) between Texoma Council of Governments (TCOG) and Fannin County – TCOG

Ms. C. J. Higgins stated the ILA is for 9/1/2011 through 8/31/2013 including minor changes to the agreement.

Commissioner Barker asked if Article 6 included any reductions. Ms. Higgins stated with the service charges currently in place, no reduction is anticipated; the Equipment Schedule has not been designated, but there is an Emergency Fund that can be used in case equipment fails and must be replaced.

Commissioner Strickland moved to approve.

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Stan Barker
Vote: 5-0 Passed

ITEM 6. Discussion, consideration and possible action to approve naming a resident to help identify possible tourist attractions associated with the Bois D’Arc forest and to help similar sites be mapped – Dr. Tarpley and Mr. Rich

Dr. Fred Tarpley displayed a Bois D’ Arc ashtray sculpture as an example of items created by Jerry Lytle; stating the value of the Bois D’ Arc tree in its beauty and the sawdust being a natural repellent to skunks, armadillos and insects. Dr. Tarpley stated the tree is only found in North Texas and Oklahoma and stated he is asking local counties to become part of the “Bois D’Arc Kingdom”.

Dr. Tarpley requested the County provide an ambassador and approve the Constitution Bylaws.

Judge Carter stated the Bois D’Arc tree could be the brand for Fannin County.

Commissioner Barker read a recommendation requesting Mr. and Mrs. Wildwood Dean Price be appointed the ambassadors.

Commissioner Barker moved to table the Item to permit others the opportunity to apply for the Ambassador position.

Motion by: Commissioner Stan Barker
Second by: Commissioner Dewayne Strickland
Vote: 5-0 Tabled

Upon further discussion, Commissioner Barker stated the Constitution and Bylaws should also be addressed at a future meeting.

ITEM 7. Consideration and action to reduce Criminal District Attorney’s postage line item by \$250, to prior year amount of \$2,000 – Criminal District Attorney

Richard Glaser, Criminal District Attorney stated the money would be better used for a camera in the Intoxilizer Room; any shortage for postage could be taken from the Hot Check Account.

Commissioner Barker moved to not reduce the fund.

Motion by: Commissioner Stan Barker
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed (Item failed)

ITEM 8. Consideration and action to approve statement from Gale H. Fiasco for Court Reporting Services of Grand Jury testimony and establish a line item for such expenditures – Criminal District Attorney

Richard Glaser stated the court reporter in this case is for the grand jury; the grand jury requested witnesses in this case as well as a transcript.

Judge Carter asked for clarification on when a transcript is required and what the variables might be to the cost. Mr. Glaser stated a court reporter is used about 3-4 times per year on very serious matters, stating the turn around time is a factor, whether or not a daily copy is requested and whether or not the case is no-billed.

Commissioners Strong and Strickland asked how much money is being requested for the new line-item. Mr. Glaser stated the amount should be discussed on the next budget cycle based upon the anticipated need for grand juries based upon previous history of court reporter usage.

Commissioner Strickland moved to approve the payment of the invoice.

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Joe Strong
Vote: 5-0 Passed

Scott Dyer, Auditor asked where the money should be taken from. Commissioner Barker stated it would have to come from the Contingency Fund.

ITEM 9. Consideration and action to approve moving funds from one line item to Out of County Travel – Pct. 1 Justice of Peace

Judge Dale requested for travel to the Legislative Session which came earlier than expected this year, to be paid for from the Postage line item and Office Supplies with the total travel and expense equaling \$412.50.

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed

ITEM 10. Discussion, consideration and action to approve 2012 collection of Texas DMV Optional Fees, (Texas Transportation Code 502.172, 502.1725, 502.173), to approve Order indicating revision and to appoint County Judge to sign on behalf of Fannin County – Tax Assessor/Collector

Gail Young, Tax Assessor/Collector stated a letter was received from the Texas DMV requesting whether or not additional fees would be collected in the form of a Child Safety Fee as an addition to the current vehicle registration costs.

Commissioner Barker stated only 39 counties of 254 collect this fee.

Sandy Barber, Executive Director of the Children's Advocacy Center stated her appreciation for any potential support these funds would provide.

Judge Carter stated that while the proposal is a worthy cause, the usage is not intended to be collected for the suggested purpose, the end result being another tax placed upon the citizenry.

Commissioner Barker moved to not increase the vehicle registration costs.

Motion by: Commissioner Stan Barker
Second by: Commissioner Joe Strong

Vote: 5-0 Passed (Item failed)

ITEM 11. Discussion, consideration and action to approve the Party Chair recommendations for Election Judges and Alternate Judges for the 2012 election cycle – County Clerk

Tammy Biggar, County Clerk presented the list of Election Judges provided by the Republican and Democrat Party Chairs along with the Order required for signing.

Commissioner Barker asked if the redistricting had been taken into consideration. Ms. Biggar stated the changes were inclusive of the proposed redistricting plan.

Motion by: Commissioner Stan Barker
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed

ITEM 12. Consideration and action to award contract of the fuel and oil needs for Sheriff's Office and all Precincts for the next twelve (12) months – Purchasing Agent

Jill Edwards, Purchasing Agent stated there were three respondents to the bid. Ms. Edwards recommended Douglass Distributing based upon the breakdown items bid on.

Commissioner Barker stated the bidding was very close. Judge Carter asked Commissioners if they prefer to accept Ms. Edward's recommendation or flip a coin since the variables essentially make it too close to call.

Commissioner Strickland moved to approve Douglass Distributing.

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Stan Barker
Vote: 2-3 Failed (Nays: Commissioners Strong and Whitlock, Judge Carter)

Judge Carter determined a flip of a coin would decide with Douglas Distributing being "heads" and McCraw Oil being "tails". Judge Carter flipped the coin and landed with "tails" up.

Judge Carter stated the bid goes to McCraw Oil.

ITEM 13. Consideration and action to award contract for culvert needs for County Precincts, for the next twelve (12) months – Purchasing Agent

Jill Edwards, Purchasing Agent stated the only respondent was Contech Construction.

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Joe Strong
Vote: 5-0 Passed

ITEM 14. Consideration and action to approve the acceptance of the settlement from the Texas Association of Counties Vehicle Insurance Claim on the accident that involved Sheriff's Office 2006 GMC Crew Cab Truck, Unit 107 – Sheriff and Auditor

Sheriff Donnie Foster stated the truck involved was a total loss, if the truck was turned in to the insurance, the County would receive \$10,000 or if the County kept the truck they would receive approximately \$6,000; the truck had over 100,000 miles on the engine.

Commissioner Barker moved to accept the settlement amount of \$10,000 less the \$1,000 deductible.

Motion by: Commissioner Stan Barker
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed

ITEM 15. Consideration and action to approve amendment to increase budget for Precinct One by amount received from unexpected sale of equipment and to move same amount to be used for purchase of equipment – Pct. 1 Commissioner and Auditor

Scott Dyer, Auditor stated Pct. 1 received \$26,885 from the unexpected sale of equipment and Commissioner Whitlock is requesting an increase in his budget by that amount to the Purchase of Equipment.

Motion by: Commissioner Gary Whitlock
Second by: Commissioner Dewayne Strickland
Vote: 5-0 Passed

ITEM 16. Consideration and action to approve the purchase of two (2) 2002 John Deere 7210 Tractors with 2002 Tiger TRB50C Boom Mowers and one (1) 2002 Gravely ProChip 12115 Chipper from Collin County. – Pct. 1 Commissioner

Commissioner Whitlock stated the need for two mowers/chippers; the mowers at a cost of \$22,000 each and the chippers are \$5,000 each.

Motion by: Commissioner Gary Whitlock
Second by: Commissioner Stan Barker
Vote: 5-0 Passed

ITEM 17. Discussion, consideration and possible action to appoint a person to fill the vacancy for the administrative position to the Subdivision Board – County Judge

Commissioner Strong stated Jessica Hall would be a viable candidate. Judge Carter stated the item should be tabled to permit time for Commissioner Strong to discuss the matter further with Ms. Hall.

Commissioner Strickland moved to table the item.

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed (Item Tabled)

ITEM 18. Discussion, consideration and action to approve budget amendment for Out of County Travel to be taken from Contingency Fund, for County Judge to attend TAC 2011 Post Legislative Conference – County Judge

Judge Carter stated the conference had not been budgeted, but has made the decision to attend the conference, the total cost of which is \$492.96 plus registration fee of \$230.00.

Commissioner Barker stated using the Contingency Fund was not an emergency and stated he would donate \$178.05 toward the trip from his Pct. 2 budget.

Commissioner's Strong and Whitlock offered to assist with costs. Commissioner Strickland moved to take \$544.91 from the Contingency Fund with the rest taken from Precincts 1, 2 and 4 Out of County Travel Expense;

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Gary Whitlock
Vote: 4-1 Passed (Nay: Commissioner Barker)

ITEM 19. Consideration and action to approve Order Adopting Redistricting Plan for Commissioners Court Precincts – County Judge

Judge Carter stated an Order to adopt the plan was needed at this time.

Motion by: Commissioner Stan Barker
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed

ITEM 20. Consideration and action to approve a Traffic Control Order for Precinct 2 – Pct. 2 Commissioner

Commissioner Barker stated the Federal Government has mandated new legislative guidelines on road signs; an Order is required after a Public Hearing.

Commissioner Barker moved to set a Public Hearing on the Traffic Control Order for all Precincts with the hearing being conducted 8/22/2011 at 8:30a.m.

Motion by: Commissioner Stan Barker
Second by: Commissioner Dewayne Strickland
Vote: 5-0 Passed

ITEM 21. Consideration and action to approve Treasurers Financial Report for June 2011 - Treasurer

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed

ITEM 22. Consideration and action to approve Service Agreement Renewal through August 31, 2012 with regard to VINE program and appoint County Judge to sign on behalf of Fannin County - Auditor

Scott Dyer, Auditor stated the Victim Information and Notification Everyday program is paid for initially by the County and reimbursed by the State; the amount is \$18,283.00.

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Stan Barker
Vote: 5-0 Passed

ITEM 23. Consideration and action to approve payment of bills - Auditor

Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Joe Strong
Vote: 5-0 Passed

ITEM 24. ADJOURN

Commissioner Strickland moved to adjourn.


Motion by: Commissioner Dewayne Strickland
Second by: Commissioner Gary Whitlock
Vote: 5-0 Passed

Adjourned at 10:39 a.m.

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 25th day of July 2011.

(LGC 81.003)

ATTEST:



Tammy Biggar, Fannin County Clerk

