

**THE STATE OF TEXAS
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS**

On this 5th day of December 2011 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 1st day of December 2011 at 3:38 p.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 10:00 a.m.

INVOCATION

Mike Towery, Treasurer

ITEM 2. ESTABLISH A QUORUM

Judge Creta Carter II stated a quorum has been established.

ITEM 3. PUBLIC FORUM

Richard Glaser, Criminal District Attorney stated his office has been flooded again and asks the Court to be advised.

Judge Carter stated it is Commissioner Barker's birthday and wished him a Happy Birthday.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

Minutes presented from 7/11/2011 Regular Meeting.

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

Minutes presented from 7/25/2011 Regular Meeting.

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

ITEM 5. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE PRENATAL DNA TEST AT APPROXIMATE COST OF \$1,700.00, TO ASSIST IN ONGOING CRIMINAL INVESTIGATION—CRIMINAL DISTRICT ATTY.

Judge Carter stated he has a conflict of interest with this item and will abstain from discussion and voting.

Richard Glaser stated the testing is new beneficial for expediency and possibly to prevent the loss of evidence.

Commissioner Barker asked why the City of Bonham does not pay for the testing. Mr. Glaser stated the City's budget for this item is only \$400.00.

Judge Carter stated there would be no action taken at this time since there is money available in the Criminal District Attorney's budget.

ITEM 6. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE SHREDDING OF OLD FILES IN STORAGE AT WINDOM LOCATION, TO MAKE ROOM FOR NEW FILES. COST TO BE DETERMINED BY PURCHASING AGENT AND TO BE TAKEN OUT OF CONTINGENCY FUND – CRIMINAL DISTRICT ATTORNEY

Richard Glaser stated there are 30-40 file cabinets that contain documents in need of shredding.

Jill Edwards stated the estimate is \$110.00 for the job.

Judge Carter stated Record Management retention policies should be reviewed.

Commissioner Barker moved to table the item until HB 1559 could be considered.

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

ITEM 7. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE DONATION OF A 53 FOOT TRAILER FROM LINCOLN AMERICA, FOR TAX RECEIPT – PCT. 4 COMMISSIONER

Commissioner Strong stated the Agenda Item is misprinted and should be "Link" America; the trailer was spilled on Hwy 82, the owner offered to donate the trailer which could be used as a ramp into the recycling trailer.

Commissioner Strong stated he did not have the tags, but would check for liens on the trailer.

Commissioner Strickland moved to have the trailer checked for liens and to authenticate ownership, allowing Judge Carter to sign the tax receipt.

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

ITEM 8. CONSIDERATION AND ACTION TO APPROVE PURCHASE OF PRE-OWNED MORBARK MR15 WOOD CHIPPER FOR PRECINCT FOUR – PCT. 4 COMMISSIONER

Commissioner Strong stated the current chipper has a clutch and pressure plate not working, the repair would exceed the value of the equipment; the Morbark chipper is priced at \$28,000.

Motion by: Commissioner Joe Strong
Second by: Commissioner Stan Barker
Vote: 5-0 Passed

ITEM 9. CONSIDERATION AND ACTION TO APPROVE AWARD OF ANNUAL JANITORIAL SUPPLY BID – PURCHASING AGENT

Jill Edwards stated 4 vendors responded to the request for bid; Reinert Paper and Chemical has been used in the past and was the low bidder; and recommended their acceptance.

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

ITEM 10. DISCUSSION AND POSSIBLE ACTION REGARDING (TCEQ) TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PILOT GROVE CREEK SITE 45 DAM (TX00400) AND PILOT GROVE CREEK SITE 46 DAM (TX00396) – COUNTY JUDGE

Judge Carter stated he received several letters regarding Precinct 2 Site Dam 45 and that Site Dam 46 is in excellent condition.

Commissioner Barker stated the work specified for Dam 45 has been done, NRCS will provide a written plan of action (Emergency Action Plan) for both dam sites, as well as a breach assessment to TCEQ.

Judge Carter stated no action is required.

ITEM 11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING DECLARATION OF LOCAL DISASTER INCLUDING ADDITIONAL AUTHORITY REGARDING REGULATION OF FIREWORKS IN UNINCORPORATED AREAS OF FANNIN COUNTY – COUNTY JUDGE

Judge Carter asked for comment from the Commissioners regarding a possible ban; further stating no action is required at this time.

ITEM 12. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS – AUDITOR

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

ITEM 13. EXECUTIVE SESSION PURSUANT TO SEC. 551.074 OF GOVERNMENT CODE TO DISCUSS PERSONNEL MATTER(S)

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

Judge Carter stated the time at 10:29 a.m.

Judge Carter stated the time at 10:56 a.m.

Commissioner Strickland moved to reconvene into Regular Session.

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

ITEM 14. ACTION WITH REGARD TO PERSONNEL MATTER(S) DISCUSSED DURING EXECUTIVE SESSION

Judge Carter stated there will be no action taken.

ITEM 15. ADJOURN

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

Adjourned at 10:49 a.m.

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 5th day of December 2011.

(LGC 81.003)

ATTEST:



Tammy Biggar, Fannin County Clerk

