

**THE STATE OF TEXAS
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS**

On this 23rd day of September, 2013 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 19th day of September 2013 at 4:08 p.m. with the following members being present:

Creta L. Carter II	County Judge
Gary Whitlock	Commissioner, Precinct 1
Stan Barker	Commissioner, Precinct 2
Jerry Magness	Commissioner, Precinct 3
Dean Lackey	Commissioner, Precinct 4

The following business was transacted to-wit:

CALL TO ORDER

Judge Carter called the meeting to order at 9:02 a.m.

INVOCATION

Mike Towery, Treasurer

ITEM 2. ESTABLISH A QUORUM

Judge Carter declared a quorum has been established.

ITEM 3. PUBLIC FORUM

Commissioner Magness stated thanks for cards and visitations last week.

David Keene of the Bonham Chamber of Commerce stated Autumn in Bonham will be October 26, 2013, 400-500 riders are expected, if the public sees any obvious road dangers along the route please notify the Chamber ahead of time.

Judge Carter stated TCEQ will conduct a hearing on Lake Ralph Hall tomorrow regarding issuance of a water rights permit; a report will be given to the Court next Monday.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

Minutes were presented for September 16, 2013.

Motion By: Commissioner Stan Barker
Second By: Commissioner Gary Whitlock
Vote: 4-0 Passed
[Attachment]

ITEM 5. CONSIDERATION AND ACTION TO APPROVE THE USE OF ANY REMAINING FUNDS FROM JUVENILE DETENTION OPERATING COSTS #10-575-408, TO BE USED TO PAY THE INVOICE OF LIBERTY RESOURCES – CHIEF JUVENILE PROBATION OFFICER / JUVENILE BOARD

Brandon Caffey, Chief Juvenile Probation Officer stated a shortfall has resulted from a lack of grant funding for the Liberty Resources program; request is made to use the remaining funds available from detention costs line item.

Judge Charles Butler, County Court at Law stated the Liberty Resource program is working and is why there are reduced costs this year for detention due to not as many juveniles needing placement.

Judge Lauri Blake, 336th District Court stated the State takes a disciplinary stance if the County sends too many juveniles to the detention facility; there is an emphasis on promoting a program and giving grant funding and then expecting the county to see the value and find funding on their own.

Scott Dyer, Auditor stated the detention center has cost \$96,695 through July and is estimated by the facilitator to have a final billing of \$112,000 for the year; at the current rate of usage the funds remaining could be as much as \$15,720 or as little as under \$7,000.

Commissioner Barker moved to approve the use of the remaining Juvenile Detention Operating funds once the account is settled, to apply to the Liberty Resources bill.

Motion By: Commissioner Stan Barker
Second By: Commissioner Dean Lackey
Vote: 4-0 Passed

ITEM 6. DISCUSSION, CONSIDERATION AND ACTION TO USE FIRST FLOOR AND OUTSIDE GROUNDS OF COURTHOUSE FOR THE FALL 2013 ANTIQUE CAR SHOW ON SATURDAY, OCTOBER 19, 2013 – CITIZEN

Brett Stone with the Red River Valley Car Club stated request is made to use the 1st floor of the courthouse and restrooms for the car show.

Commissioner Whitlock stated he would be available to stay on the premises during the show.

Motion By: Commissioner Gary Whitlock
Second By: Commissioner Jerry Magness
Vote: 4-0 Passed

ITEM 7. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE DONATION OF “WIDEBAND” REPEATER (USED PREVIOUSLY FOR COMMISSIONERS RADIO SYSTEM) TO THE FANNIN AMATEUR RADIO CLUB – EMERGENCY MANAGEMENT COORDINATOR

Darrell Brewer, Emergency Management Coordinator stated due to new Federal legislation the commissioner’s radio system was required to be updated and the old equipment cannot be used; government code permits the donation of the equipment to a civic or charitable organization; the Fannin Amateur Radio Club has an MOU (Memorandum of Understanding) which states the Club will provide services to the County in the event of an emergency; it is recommended the equipment be donated to the Club.

Commissioner Barker stated the legislation states the usage must be to “fulfill a public purpose” which this donation would qualify for and moved to approve.

Motion By: Commissioner Stan Barker
Second By: Commissioner Dean Lackey
Vote: 4-0 Passed

ITEM 8. CONSIDERATION AND ACTION TO APPROVE COUNTY COPIER CONTRACT FOR THE NEXT FIVE (5) YEARS – PURCHASING AGENT

Jill Holmes, Purchasing Agent stated two vendors responded to a request for bids, Toshiba and Xerox; Xerox is recommended, the pricing is very close and Xerox has provided good service in the past 5 years; new machines will be provided, the contract will include one machine each for the Auditor’s office, Criminal District Attorney, County Clerk, [Land] Records Clerk, District Clerk, Extension office, Juvenile Probation, Tax Office, Environmental Development and County Court at Law.

Commissioner Barker asked about the \$992.48 per month; Ms. Holmes stated the machines are \$91.90 each per month and .0096¢ per copy for 6 machines; \$19.80 per month and .0299¢ per copy for four machines.

Commissioner Magness moved to approve and authorize the County Judge to sign the contract.

Motion By: Commissioner Jerry Magness
Second By: Commissioner Stan Barker
Vote: 4-0 Passed

[Attachment]

ITEM 9. CONSIDERATION AND ACTION TO APPROVE REPLACEMENT OF LOCK ON COURTHOUSE SERVER CLOSET AND APPROVE EXPENDITURE OUT OF COURTHOUSE SECURITY FUND #11-510-571 – PURCHASING AGENT

Jill Holmes, Purchasing Agent stated Information Technologies has requested a more secure lock

for the server closet; Tri-County Glass provided a bid for \$175 to replace the lock.

Motion By: Commissioner Stan Barker
Second By: Commissioner Gary Whitlock
Vote: 4-0 Passed

ITEM 10. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE TRANSFER OF NO MORE THAN \$700 FROM COUNTY CLERK OFFICE SUPPLIES #10-403-310 TO OFFICE EQUIPMENT #10-403-572, FOR THE PURCHASE OF THREE (3) NEW CHAIRS – COUNTY CLERK

Tammy Biggar, County Clerk requests funds be moved to pay for 3 chairs with the intent of replacing all the chairs over several years with good quality chairs designed to last; it has been recommended the funds be requested during budget talks and the money allocated to Office Equipment next year, that was not done this summer so a request will be made next summer for the year end purchase, from next year forward requests will be made through the budget process.

Motion By: Commissioner Stan Barker
Second By: Commissioner Jerry Whitlock
Vote: 4-0 Passed

ITEM 11. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE NOTICE OF CONSOLIDATED PRECINCT ELECTION DAY TO CONSOLIDATE FROM SIXTEEN (16) POLLING LOCATIONS TO SEVEN (7) POLLING LOCATIONS FOR NOVEMBER 5, 2013 CONSTITUTIONAL AMENDMENT ELECTION AND AUTHORIZE COUNTY JUDGE TO SIGN NOTICE ON BEHALF OF FANNIN COUNTY – COUNTY CLERK

Tammy Biggar, County Clerk stated the County Election Board consisting of the County Judge, Sheriff, Deputy Voter Registrar and County Clerk recommends consolidation of the voting precincts to 5 polling sites for the November election; Commissioner Barker reviewed the recommendations and suggested using the City of Leonard polling site rather than the Trenton Senior Center due to the greater population size of Voter Precinct 11 as well as moving the Bailey Voting Precinct 8 to Leonard for a closer commute rather than sending them to Bonham.

Commissioner Barker stated the access getting into and out of Trenton is somewhat problematic with the freeway structure versus Leonard's three main accesses to the City.

Commissioner Magness moved to approve the consolidation and accept the recommendation that the City of Leonard be used rather than the Senior Center in Trenton; Precinct 8 (Bailey) be consolidated with Leonard rather than Bonham; authorize the county judge to sign.

Motion By: Commissioner Jerry Magness
Second By: Commissioner Dean Lackey
Vote: 4-0 Passed

[Attachment]

ITEM 12. CONSIDERATION AND ACTION REGARDING BURN BAN FOR FANNIN COUNTY – COUNTY JUDGE

Commissioner Magness stated requests to remove the burn ban have been made. Commissioner Lackey stated he has received requests as well. Commissioner Barker stated the County is divided between 600 and 700 on the index; it is recommended the ban stay in place.

ITEM 13. CONSIDERATION AND ACTION TO APPROVE BUDGET AMENDMENT FROM COUNTY SHERIFF SALARIES DEPUTIES # 10-560-104 TO COUNTY SHERIFF AUTO EXPENSE GAS & OIL #10-560-330 – AUDITOR

Scott Dyer, Auditor stated the usage has increased; a \$21,000 amendment is needed and funds are available from the Salaries line item since the department has been understaffed;

Commissioner Barker stated the cost of goods has gone up for most of the year as well.

Motion By: Commissioner Stan Barker
Second By: Commissioner Gary Whitlock
Vote: 4-0 Passed

ITEM 14. CONSIDERATION AND ACTION TO APPROVE ENGAGEMENT LETTER OF RUTLEDGE CRAIN & COMPANY AS OUTSIDE AUDITORS FOR THE AUDIT FOR FISCAL YEAR 2012-2013 AND AUTHORIZE COUNTY JUDGE TO SIGN LETTER ON BEHALF OF FANNIN COUNTY – AUDITOR

Scott Dyer, Auditor stated the fee has increased 1.4% which is \$450 for a total cost of \$27,775.00; the service covers consultations during the year, audit and audit preparation.

Commissioner Barker moved to approve and authorize the county judge to sign.

Motion By: Commissioner Stan Barker
Second By: Commissioner Jerry Magness
Vote: 4-0 Passed

ITEM 15. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS – AUDITOR

Motion By: Commissioner Jerry Magness
Second By: Commissioner Dean Lackey
Vote: 4-0 Passed

ITEM 16. ADJOURN


Motion By: Commissioner Gary Whitlock
Second By: Commissioner Jerry Magness
Vote: 4-0 Passed

Adjourned at 9:39 a.m.

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 23rd day of September, 2013.

(LGC 81.003)

ATTEST:



Tammy Biggar
Fannin County Clerk

