

**THE STATE OF TEXAS  
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT  
FANNIN COUNTY, TEXAS**

On this 14th day of January, 2013 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 10th day of January 2013 at 3:25 p.m. with the following members being present:

<b>Creta L. Carter II</b>	<b>County Judge</b>
<b>Gary Whitlock</b>	<b>Commissioner, Precinct 1</b>
<b>Stan Barker</b>	<b>Commissioner, Precinct 2</b>
<b>Jerry Magness</b>	<b>Commissioner, Precinct 3</b>
<b>Joe Strong</b>	<b>Commissioner, Precinct 4</b>

The following business was transacted to-wit:

**CALL TO ORDER**

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

**INVOCATION**

Commissioner Mike Towery, Treasurer.

**ITEM 2. ESTABLISH A QUORUM**

Judge Carter declared a quorum has been established.

**ITEM 3. PUBLIC FORUM**

Darrell Brewer, EMS Coordinator stated this past year the CERT (Community Emergency Response Team) volunteers contributed 1,178 hour through 18 events with 60 participants; according to the U.S. Financial Accounting Standards Board, the hours in Texas are worth \$21.35 per hour which means Fannin County volunteers donated \$25,150 worth of their time. Mr. Brewer stated Texas has received the Individual and Community Awareness Award for outstanding service; Fannin County volunteers were in large part a contributing factor in Texas receiving that award.

Gail Young, Tax Assessor Collector stated the Step up Scale Down program starts tomorrow and there are currently 17 employees signed up to participate.

Judge Carter stated Mr. Venable who was honored with a proclamation this past year for 65 years of marriage has passed away.

Commissioner Strong stated the signage for the James E. Taylor section of Highway 56 was installed this past Friday and the memorial service will be on the 19th of January.

**ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)**

Judge Carter stated Minutes have been submitted for December 10, 2012. Tammy Biggar, County Clerk stated January 7th was also sent for review; since both items had not been reviewed by everyone, it is recommended those items be addressed next week.

**ITEM 5. CONSIDERATION AND POSSIBLE ACTION REGARDING FANNIN COUNTY FAIR BOARD AND SHERIFF'S DEPARTMENT – CITIZEN**

Judge Carter stated this item will be passed.

**ITEM 6. CONSIDERATION AND ACTION TO APPROVE FANNIN COUNTY PCT. 4 WAREHOUSE FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION, ON APRIL 20, 2013 AND AUTHORIZE COUNTY JUDGE TO SIGN LETTER ON BEHALF OF FANNIN COUNTY – TCOG**

David Trout, Municipal Solid Waste Manager for Texas Council of Governments stated Texas Commission of Environmental Quality requires an approval letter to use a sight for the collection of hazardous waste; a request is hereby made for such a letter to be signed by the judge.

Commissioner Strong moved to approve Precinct 4 collecting waste and approve the letter with the county judge to sign.

Motion By: Commissioner Joe Strong  
Second By: Commissioner Gary Whitlock  
Vote: 5-0 Passed

**ITEM 7. CONSIDERATION AND ACTION TO APPROVE RESOLUTION AND GRANT APPLICATION FOR HOG OUT COUNTY GRANTS PROGRAM WITH TEXAS DEPARTMENT OF AGRICULTURE AND AUTHORIZE COUNTY JUDGE TO SIGN RESOLUTION AND APPLICATION ON BEHALF OF FANNIN COUNTY – AGRILIFE EXTENSION AGENT**

Roger Skipper, Agricultural Extension Agent stated the Hog Out Program was concluded on December 31st; there were 124 attendees and 177 hogs killed; a request is made to complete the grant program.

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

Motion By: Commissioner Stan Barker  
Second By: Commissioner Jerry Magness  
Vote: 5-0 Passed

**ITEM 8. CONSIDERATION AND ACTION TO APPROVE AND RECOGNIZE WINNERS OF HOG OUT COUNTY GRANTS PROGRAM WITH TEXAS DEPARTMENT OF AGRICULTURE – AGRILIFE EXTENSION AGENT**

Roger Skipper, Agricultural Extension Agent stated his appreciation to the court for hosting the program; 1st place of \$750 is awarded to Mr. Benny Caffee from Windom; Mr. Caffee killed 97 hogs; 2nd place is award to the team of Self and Bradley from Trenton, the team killed 72 hogs.

Commissioner Barker moved to approve the payment of the awards/prize money.

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

**ITEM 9. CONSIDERATION AND ACTION TO APPROVE CONTRACT FOR HIGH SPEED WIRELESS INTERNET SERVICE WITH KOYOTE COMMUNICATIONS ENET INTERNET SERVICES FOR PRECINCT 3 BARN AND AUTHORIZE COUNTY JUDGE TO SIGN CONTRACT ON BEHALF OF FANNIN COUNTY – PURCHASING AGENT**

Jill Holmes, Purchasing Agent stated Precinct 3 is currently using Wild Blue internet service which the Precinct advises is too slow; there are two companies that are available; Enet is \$39.95 per month after \$199.95 installation and Zulu which is \$149 per month after \$250 installation costs; Enet is recommended as the most economical.

Commissioner Magness moved to approve Koyote Communications as the Precinct 3 internet provider.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Gary Whitlock  
Vote: 5-0 Passed

**ITEM 10. CONSIDERATION AND ACTION TO APPROVE EXTENSION OF STATZER LAND LEASE FOR 2013 PER TERMS AND CONDITIONS OF 2011 LEASE AND AUTHORIZE COUNTY JUDGE TO SIGN LEASE ON BEHALF OF FANNINCOUNTY – PURCHASING AGENT**

Jill Holmes, Purchasing Agent stated the agreement from 2011 permits 4 additional extensions at \$560 per year to the current lease-holder and it is recommended the lease be continued.

Motion By: Commissioner Stan Barker  
Second By: Commissioner Jerry Magness  
Vote: 5-0 Passed

**ITEM 11. CONSIDERATION AND ACTION TO APPROVE FANNIN COUNTY TREASURER'S FINANCIAL REPORT FOR DECEMBER 2012 - TREASURER**

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

**ITEM 12. CONSIDERATION AND ACTION TO APPROVE RENEWAL OF AUTO INSURANCE WITH TEXAS ASSOCIATION OF COUNTIES AND AUTHORIZE COUNTY JUDGE TO SIGN RENEWAL ON BEHALF OF FANNIN COUNTY - AUDITOR**

Scott Dyer, Auditor stated the annual renewal for auto insurance is due; changes include drivers, physical damage to vehicles or removal of sold vehicles.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Gary Whitlock  
Vote: 5-0 Passed

**ITEM 13. CONSIDERATION AND ACTION TO APPROVE AMENDMENT TO INCREASE GENERAL FUND BUDGET BY \$52,662 FOR FUNDS RECEIVED FROM UNEXPECTED HEALTH INSURANCE SURPLUS DISTRIBUTION AND APPROVE INCREASE TO JAIL OPERATIONS AND PRISONER MEDICAL - AUDITOR**

Scott Dyer, Auditor stated there has been an unusually high level of medical bills this year; there is also a medical surplus distribution from the County Health insurance; it is recommended the budget be amended to reflect an increase of \$52,662 which would then be added to the Inmate health care line item 10-565-405.

Commissioner Barker moved to approve.

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

**ITEM 14. CONSIDERATION AND ACTION TO APPROVE BUDGET AMENDMENT FROM CONTINGENCY 10-509-475 TO PRISONER MEDICAL 10-565-405 – AUDITOR**

Scott Dyer, Auditor stated funds are requested in the amount of \$15,338 from Contingency to go into Prisoner medical; this will lower the Contingency fund to \$90,662; the funds will cover future costs for the rest of the year; the total between Agenda Items 13 and 14 will be \$68,000.

Commissioner Barker asked if the inmates requiring extraordinary medical care were still in the jail. Mr. Dyer stated no, both inmates had been released.

Motion By: Commissioner Stan Barker  
Second By: Commissioner Jerry Magness  
Vote: 5-0 Passed

**ITEM 15. CONSIDERATION AND ACTION TO APPROVE FANNIN COUNTY AUDITOR'S MONTHLY REPORTS FOR DECEMBER 2012 – AUDITOR**

Scott Dyer, Auditor stated the monthly income is up \$657,000 over last year at this time due to property taxes being paid earlier; expenses are up \$393,000 due to the purchase of the AgriLife

building and jail operations from an increase in jail population.

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

**ITEM 16. CONSIDERATION AND ACTION TO DISCONTINUE PARTICIPATION IN THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM GRANT - AUDITOR**

Scott Dyer, Auditor stated the grant has been beneficial in the past but the qualifications have dwindled resulting in an income of only \$75 last year 22% of which went to Justice Benefits; the amount received does not support the cost of labor to keep the grant operating; it is recommended the County discontinue the grant program.

Commissioner Barker moved to discontinue participation in the grant program.

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

**ITEM 17. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS - AUDITOR**

Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Joe Strong  
Vote: 5-0 Passed

Judge Carter stated items 18 and 19 will be passed.

**ITEM 18. EXECUTIVE SESSION PURSUANT TO SEC. 551.071 OF GOVERNMENT CODE TO DISCUSS LITIGATION MATTER(S)**

**ITEM 19. ACTION WITH REGARD TO LITIGATION MATTER(S) DISCUSSED DURING EXECUTIVE SESSION**

**ITEM 20. ADJOURN**

Motion By: Commissioner Joes Strong  
Second By: Commissioner Jerry Magness  
Vote: 5-0 Passed

Judge Carter convened the Court into Executive Session at 9:25 a.m.

**The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 14th day of January, 2013.**

(LGC 81.003)  
ATTEST:

*Tammy Biggar*  
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Tammy Biggar  
Fannin County Clerk

