

**THE STATE OF TEXAS  
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT  
FANNIN COUNTY, TEXAS**

On this 22nd day of January, 2013 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 17th day of January 2013 at 2:32 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**

Mike Towery, Treasurer

**ITEM 2. ESTABLISH A QUORUM**

Judge Carter declared a quorum has been established.

**ITEM 3. PUBLIC FORUM**

Commissioner Joe Strong stated the Bonham Fire Department honored Fireman James E. Taylor by renaming a portion of Highway 56 and posting the signage this past weekend, the ceremony was very nicely done.

Judge Carter stated Jill Holmes, Purchasing Agent received a thank you letter from Bob Stoudt, Plant Manager of Winn Computer Recovery for the computer equipment that had been donated; David Woodson, formerly with Adult Probation sent in a thank you letter for the invitation to attend the Award luncheon and special thanks to Mike Towery, Christy Haggard, Sherry Zinder and Debbie Carter for their work in putting together the luncheon; David Conejo, CEO Red River Regional Hospital expressed his gratitude to the commissioners for approving the Hospital Authority.

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

Judge Carter stated Minutes have been submitted for December 10, 2012 and January 7, 2013. Commissioner Barker moved to approve.

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

**ITEM 5. DISCUSSION, CONSIDERATION AND ACTION REGARDING EMS MONTHLY PROFIT/LOSS REPORT –BONHAM FIRE DEPARTMENT CHIEF**

Chief Brad Nichols presented the report and thanked Commissioner Strong for his support in renaming part of Highway 56 for James E. Taylor.

**ITEM 6. CONSIDERATION AND POSSIBLE ACTION REGARDING ABANDONED ANIMALS IN FANNIN COUNTY – CITIZEN**

Ms. Angie Whitley stated she is a resident of Fannin County and asked what policies may be in place in regard to stray or abandoned animals out in the county.

Judge Carter stated the County does not have a specific policy with regard to strays; Commissioner Barker stated the County is restricted by population and cannot pass resolutions with regard to public policy at this time, the limit being any population under 50,000.

Sheriff Donnie Foster stated his department will respond to vicious animals. Judge Carter stated the City of Bonham will take in dogs for \$10 that have been abandoned.

**ITEM 7. DISCUSSION, CONSIDERATION AND ACTION TO APPOINT AMANDA BROOKS OF IVANHOE, TEXAS TO THE FANNIN COUNTY CHILD WELFARE BOARD – NANCY YOUNG**

Nancy Young, District Clerk and board member stated Ms. Brooks has passed clearance through Child Protective Services and requests approval to appoint her.

Commissioner Barker moved to approve the appointment.

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

**ITEM 8. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE EXTENSION OF AVG ANTI-VIRUS BUSINESS EDITION SOFTWARE LICENSING FOR FANNIN COUNTY, WITH THREE (3) YEAR RENEWAL OPTION IN THE AMOUNT OF \$3,189.60 – NETWORK ADMINISTRATOR AND PURCHASING AGENT**

Dustin Morrow, IT Technologist stated AVG is the current anti-virus software used by the County, the software will be up for renewal shortly; pricing for one year is \$1,483.80 and for three years is \$3,189.60; the three year contract is recommended.

Jill Holmes, Purchasing Agent stated AVG is probably the #1 rated anti virus software in the world.

Commissioner Barker moved to approve the three-year contract with AVG.

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

Scott Dyer, Auditor stated there are sufficient funds to pay for this item from Computer Software Maintenance.

**ITEM 9. DISCUSSION REGARDING PLANS TO ADDRESS SAFETY CONCERNS ON FM 896 – COUNTY JUDGE**

Judge Carter stated he had met with Mr. Brad Martin and Brad Ratliff of TxDot last week and would like to address any potential delays.

Mr. Martin stated TxDot views the project as worthwhile and has set aside approximately \$2 1/2 million dollars in State funds to complete the project; there are some complications with regard to utilities, it is the utility owner's responsibility to make adjustments to the utilities so that improvements to the road can be made.

Michael Grandstaff of the Arledge Ridge Water District stated the first bid received was \$834,000 to replace all waterlines; the water lines must be located since the mapping is either out of date and in some cases non existent, some mains have unknown destinations and may be abandoned; there are several options for boring the main line and re-routing and connecting to the residences. Mr. Grandstaff stated a significant cost factor will be drilling through the rock in the area; it will take several more weeks to get a more accurate cost.

Raymond Kluger, President of the Arledge Ridge Water District stated his concern over the cost of moving the water lines with a customer base of 522 members; the cost to find the lines is expected to be \$2,000 and should take 2-3 weeks; an engineer will be required as well.

Pat Hilliard, Dodd City resident and former Precinct 4 Commissioner recommended the District request an extension from TxDot to keep the project moving forward.

Judge Carter stated the project is a high priority and the purpose of the meeting is to coordinate the efforts of all the parties involved; the item should be reviewed again in about three weeks.

Mr. Grandstaff stated the first step is to expose lines and price out the project; the meeting with the engineer has been moved to February 18th at which time the availability of grants should be addressed as well as whether or not the District can qualify for a grant; the District would like to present findings to the Court after the 18th of February.

**ITEM 10. DISCUSSION, CONSIDERATION AND ACTION REGARDING APPRAISAL REVIEW BOARD MEMBER NOMINEES – COUNTY JUDGE**

Judge Carter stated Mike Jones, Chief Appraiser requested the Court nominate a new Review Board member. Commissioner Whitlock recommended Rick Shedly as a good candidate.

Commissioner Barker stated a nominee should be named by January 31st. Judge Carter stated the item should be passed until next week.

**ITEM 11. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE 2011-2012 FISCAL YEAR END AUDITOR'S REPORT FOR SEPTEMBER 2012 - AUDITOR**

Scott Dyer, Auditor stated the Report is presented and is unaudited at this time.

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

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

Commissioner Whitlock moved to pay the bills.

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

Judge Carter stated Items 13 and 14 will be taken together.

Commissioner Barker moved to convene into Executive Session.

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

**Judge Carter convened the Court into Executive Session at 10:08 a.m.**

**ITEM 13. EXECUTIVE SESSION PURSUANT TO SEC. 551.071 OF GOVERNMENT CODE TO DISCUSS LITIGATION MATTER(S)**

**ITEM 14. EXECUTIVE SESSION PURSUANT TO SEC. 551.074 OF GOVERNMENT CODE TO DISCUSS PERSONNEL MATTER(S)**

Commissioner Barker moved to re-convene into Regular Session.

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

Judge Carter re-convened the Court into Executive Session at 10:22 a.m.

**ITEM 15. ACTION WITH REGARD TO LITIGATION MATTER(S) DISCUSSED DURING EXECUTIVE SESSION**

Judge Carter stated no action will be taken.

**ITEM 16. ACTION WITH REGARD TO PERSONNEL MATTER(S) DISCUSSED DURING EXECUTIVE SESSION**

Commissioner Barker moved to waive the re-hire policy for dispatch and re-instated the employee at Grade 3 Level 2.

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

**ITEM 17. ADJOURN**

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

**Adjourned at 10:24 a.m.**

**The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 22nd day of January, 2013.**

(LGC 81.003)

ATTEST:

  
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**Tammy Biggar**  
Fannin County Clerk

