

**THE STATE OF TEXAS
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS**

On this 30th day of September, 2013 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 27th day of September 2013 at 8:37 a.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 9:00 a.m.

INVOCATION

Dean Lackey, Commissioner Precinct 4

ITEM 2. ESTABLISH A QUORUM

Judge Carter declared a quorum has been established.

ITEM 3. PUBLIC FORUM

Judge Carter stated the TCEQ hearing was held last week wherein the application for a water permit was approved on behalf of the Upper Trinity Regional Water District to construct and maintain a damn for Lake Ralph Hall; it is expected the Lower Bois' Arc Lake will receive the same consideration.

Judge Carter stated a new board member will be needed by October 14th for the Appraisal District; it is recommended one of the commissioners fill the position.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

Minutes were presented for September 23, 2013. Commissioner Barker moved to approve with corrections.

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

ITEM 5. CONSIDERATION AND ACTION TO APPROVE PROCLAMATION ACKNOWLEDGING OCTOBER AS “DOMESTIC VIOLENCE AWARENESS MONTH” AND AUTHORIZE COUNTY JUDGE TO SIGN PROCLAMATION ON BEHALF OF FANNIN COUNTY – FANNIN COUNTY FAMILY CRISIS CENTER

Trena Campbell of the Fannin County Family Crises Center requested the Court approve the proclamation to be signed by the county judge.

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

[Attachment]

ITEM 6. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE CONTRACT/BID FROM AMERICAN MEMORIAL RESTORATION TO RESTORE THE STATUE OF GENERAL JAMES BUTLER BONHAM AND AUTHORIZE COUNTY JUDGE TO SIGN CONTRACT/BID ON BEHALF OF FANNIN COUNTY – HISTORICAL COMMISSION

Mr. Tom Thornton of the Historical Society requested the bid approval.

Commissioner Barker moved to approve.

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

ITEM 7. CONSIDERATION AND ACTION TO APPROVE USE OF COURTHOUSE GROUNDS FOR HALLOWEEN ON THE SQUARE, ON OCTOBER 31, 2013 – BONHAM CHAMBER OF COMMERCE

Dale McQueen, Executive Director of the Bonham Chamber of Commerce requested the use of the courthouse square for children to walk around; the event commences at 5:30 p.m.

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

ITEM 8. CONSIDERATION AND ACTION TO APPROVE USE OF COURTHOUSE GROUNDS FOR ANNUAL BONHAM CHRISTMAS PARADE ON DECEMBER 7, 2013 - BONHAM CHAMBER OF COMMERCE

Dale McQueen, Executive Director of the Bonham Chamber of Commerce stated the event will be all day from 2:00 pm – 9:00 pm; request is made for the use of the courthouse square.

Commissioner Barker asked if there would be parking within the square; Mr. McQueen stated there would not be.

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

ITEM 9. DISCUSSION/PRESENTATION REGARDING 9/11 EVENT THAT WAS HELD ON FANNIN COUNTY COURTHOUSE GROUNDS ON SEPTEMBER 11, 2013 - BONHAM CHAMBER OF COMMERCE

Dale McQueen, Executive Director of the Bonham Chamber of Commerce thanked the Court for the use of the south lawn at the courthouse for the event and presented a brief video of the event.

ITEM 10. DISCUSSION, CONSIDERATION AND ACTION REGARDING INSTALLATION OF NETWORK DROP FOR MAIN PRINTER/SCANNER VS. INDIVIDUAL SCANNERS AT FIVE WORKSTATIONS TO COMPLY WITH NEW DISCOVERY REQUIREMENTS – CRIMINAL DISTRICT ATTORNEY

Richard Glaser, Criminal District Attorney stated the \$90 network drop would not work well with the new Xerox printers that will be ordered; new legislation on Discovery procedures require far more detailed receipts than have been issued in the past resulting in a need for a more efficient way to input case data into electronic format; previously scanners had been requested for all department employees, alternatively a minimum of 5 scanners is essential.

Commissioner Lackey asked the cost. Mr. Glaser stated the preferred equipment is the Fujitsu 6130z at a cost of \$912.21 each.

Jill Holmes, Purchasing Agent stated there is a smaller capacity scanner available for \$680.11 each.

Scott Dyer, Auditor stated \$9,705 is left in the Contingency Fund.

Commissioner Whitlock moved to approve the purchase of (5) 6150z Fujitsu scanners at \$912.21 each from the Contingency Fund.

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

ITEM 11. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE WASTE DISPOSAL SERVICE FOR ROLL OFF CONTAINERS FOR ALL PRECINCT BARNES AND TWO YARD FRONTLOAD CONTAINER SERVICE FOR PRECINCT ONE AND PRECINCT THREE – PURCHASING AGENT

Jill Holmes, Purchasing Agent stated she had been approached by Commissioner Magness requesting a roll off container; Precincts 2 and 4 currently use Sanitation Solutions and it is

recommended all 4 precincts use the same service for better rates

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

ITEM 12. CONSIDERATION AND ACTION REGARDING A SUB-DIVISION WAIVER IN PRECINCT TWO – COMMISSIONER, PCT. 2

Commissioner Barker stated the land owner would like to sell a section consisting of less than 5 acres of land which requires a waiver by Commissioners Court; should the land owner decided to section off and sell another parcel less than 5 acres, a plat will be required for the land.

Mr. Jim Bunch stated he purchased 15.77 acres of land from a neighbor; approval is requested for a waiver to sell 3 acres; there is no intention to subdivide.

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

ITEM 13. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE 2014 SHERIFF'S AND CONSTABLE'S FEES – COUNTY JUDGE

Judge Carter stated the fees prepared by Constable Craig Nichols remain the same with no change and is recommended. Commissioner Barker stated the fees have not changed since 2011.

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

ITEM 14. CONSIDERATION AND ACTION TO APPROVE RESOLUTION BY THE COMMISSIONERS COURT OF FANNIN COUNTY, TEXAS CALLING FOR REDEMPTION CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS DESIGNATED AS "FANNIN COUNTY, TEXAS GENERAL OBLIGATION BONDS, SERIES 1998"; DIRECTING THAT THE COUNTY CLERK, OR HER DESIGNEE, EFFECTUATE THE REDEMPTION OF THESE OBLIGATIONS; AND OTHER MATTERS IN CONNECTION THEREWITH AND AUTHORIZE COUNTY JUDGE TO SIGN RESOLUTION ON BEHALF OF FANNIN COUNTY – COUNTY JUDGE

Commissioner Barker stated the bond is to pay off the old jail at County Road 4200.

Motion By: Commissioner Stan Barker
Second By: Commissioner Gary Whitlock
Vote: 5-0 Passed [Vote includes Judge Carter]

ITEM 15. CONSIDERATION AND ACTION REGARDING BURN BAN FOR FANNIN COUNTY – COUNTY JUDGE

Commissioner Barker moved to approve the lifting of the burn ban and be reviewed weekly.

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

ITEM 16. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE DR. VIJAYA NANDI, M.D. AS FANNIN COUNTY'S LOCAL HEALTH AUTHORITY PHYSICIAN AND AUTHORIZE COUNTY JUDGE TO SIGN CONTRACT ON BEHALF OF FANNIN COUNTY – COUNTY JUDGE

Judge Carter stated the contract is up for renewal; the contract has not changed.

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

[Attachment]

ITEM 17. CONSIDERATION AND ACTION TO APPROVE BUDGET AMENDMENTS FROM FANNIN COUNTY AUDITOR'S OFFICE FOR FISCAL YEAR 2012-2013 – AUDITOR

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

[Attachment]

ITEM 18. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS – AUDITOR

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

[Attachment]

ITEM 3. PUBLIC FORUM

Judge Carter stated the standing rule for putting an item on the agenda requires all documentation to be submitted to the judge's office by the deadline on Thursday; the policy has not been strictly enforced; however, from here forward, any documentation not submitted as required will not be admitted in Court; this will give the Court ample time to review and research the agenda item.

ITEM 19. ADJOURN

Motion By: Commissioner Gary Whitlock
Second By: Commissioner Dean Lackey
Vote: 4-0 Passed

Adjourned at 9:48 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

