

**THE STATE OF TEXAS  
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT  
FANNIN COUNTY, TEXAS**

On this 17th day of June, 2013 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 14th day of June 2013 at 8:25 a.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>Commissioner, Precinct 4</b>

The following business was transacted to-wit:

**CALL TO ORDER**

Judge Carter called the meeting to order at 9:03 a.m.

**INVOCATION**

Mike Towery, Treasurer

**ITEM 2. ESTABLISH A QUORUM**

Judge Carter declared a quorum has been established; Commissioner Joe Strong, Precinct 4 has passed away [6/12/2013].

**ITEM 3. PUBLIC FORUM**

Commissioner Barker stated Wounded Warrior Bike Rally was held here Saturday and raised over \$500 for Wounded Warriors.

Judge Carter stated a letter was received from Warden Ray Thompson at CEC (Community Education Center/Jail) which stated in part, the work on the kitchen floor has been completed and is much safer now, approval of the project has been appreciated.

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

Minutes were presented for:

June 10, 2013	October 25, 2012	October 8, 2012
May 28, 2013	October 22, 2012	
October 29, 2012	October 15, 2012	

Commissioner Barker moved to approve the Minutes.

Motion By: Commissioner Stan Barker  
Second By: Commissioner Gary Whitlock  
Vote: 3-0 Passed

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

Capt. Hughes of the Bonham Fire Department provided the report and stated Chief Nichols would be available for questions later in the day.

**ITEM 6. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE FANNIN  
COUNTY WOMEN'S CONFERENCE SIGNS TO BE PLACED ON THE COURTHOUSE  
LAWN THROUGH 2<sup>ND</sup> WEEKEND OF JULY, 2013 –  
FANNIN COUNTY WOMEN'S CONFERENCE**

Sarah Richardson, Publicity Committee for the Fannin County Women's Conference requested permission to post signs on the courthouse lawn, to be removed after the conference; the conference is held at the Boyd Baptist Church and is non-denominational.

Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Jerry Magness  
Vote: 3-0 Passed

**ITEM 7. CONSIDERATION AND ACTION TO APPROVE MONEY FROM JUSTICE OF  
PEACE, PCT. 2 TECHNOLOGY FUND, TO BE USED FOR LEGISLATIVE UPDATE  
SCHOOL FOR JP AND CLERK – JUSTICE OF PEACE, PCT. 2**

Judge Alan Hale stated funds are needed to attend the Texas Justice of the Peace and Constables Association conference the cost of which will be less than \$500; typically the conference is for one day this year it will be a 2-day event; the expense does not qualify to come out of the technology fund.

Scott Dyer, Auditor recommended approval up to \$450.

Commissioner Barker moved to approve with the funds coming from Contingency Fund, in the amount not to exceed \$450.

Motion By: Commissioner Stan Barker  
Second By: Commissioner Gary Whitlock  
Vote: 3-0 Passed

**ITEM 8. CONSIDERATION AND ACTION TO APPROVE INSTALLATION OF TINT ON EXTERIOR GLASS OF COURTHOUSE DOORS, DUE TO GLARE ON FIRST FLOOR SURVEILLANCE CAMERAS DURING DAYTIME AND TO BE PAID OUT OF COURTHOUSE SECURITY FUND – PURCHASING AGENT**

Jill Holmes, Purchasing Agent stated the glare from the four outside doors is interfering with the new cameras in the 1st floor hallway; Tri-County Glass has provided a quote of \$1,400 to tint the four doors.

Commissioner Whitlock recommended obtaining several other quotes. Judge Carter stated he would like to see a sample of a window with the tint. Tammy Biggar, County Clerk asked if posted notices would be visible from outside the doors.

Judge Carter stated this item will be passed until further information can be gathered.

**ITEM 9. CONSIDERATION AND ACTION TO APPROVE AGREEMENT FOR CONSULTING SERVICES WITH ARMKO INDUSTRIES, INC., FOR COURTHOUSE ROOF AND GUTTERING SYSTEM AND COUNTY OFFICE BUILDING ROOF AND AUTHORIZE COUNTY JUDGE TO SIGN ON BEHALF OF FANNIN COUNTY – PURCHASING AGENT**

Jill Holmes, Purchasing Agent stated Armko Industries, Inc. is the consultant the County used for work done on the jail at County Road 4200, Grayson County has used their services as well; Armko provides specifications for the roof and guttering of the courthouse and County office building; Armko will guarantee the specifications and drawings, the material manufacturer provides guarantee on the materials used; 6% of the bid price will be the cost for Armko services; payment is not due until October 1st and 80% is required prior to commencement of construction.

Ms. Holmes stated it is expected the guttering will need approval of the Texas State Historical Association Commission.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Stan Barker  
Vote: 3-0 Passed

**ITEM 10. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE NON-FINANCIAL COOPERATIVE AGREEMENT BETWEEN WORKSITE AND WORKFORCE SOLUTIONS OF TEXOMA (WORKFARE, COMMUNITY SERVICE AND WORK EXPERIENCE) AND AUTHORIZE COUNTY JUDGE TO SIGN ON BEHALF OF FANNIN COUNTY – WORKFORCE SOLUTIONS**

Kenneth Karl, Site Manager –Workforce Solutions of Texoma stated not-for-profit employers are sought to accept temporary, part-time workers to work at no cost to the employer to assist current full-time employees with their work load and acclimate applicants who have been out of the work force back into a work environment to gain skills; Workforce Solutions provide Worker's Compensation and liability insurance.

Commissioner Baker stated the individual department heads of the County would most likely be the person to sign the agreement upon approval of the Court.

Judge Carter stated the Court could approve the program in advance and leave it up to department heads to participate if they choose.

Commissioner Magness moved to approve the agreement as written.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Gary Whitlock  
Vote: 3-0 Passed

**ITEM 11. CONSIDERATION AND ACTION TO APPROVE COUNTY TREASURER'S FINANCIAL REPORT FOR MAY 2013 – TREASURER**

Motion By: Commissioner Stan Barker  
Second By: Commissioner Gary Whitlock  
Vote: 3-0 Passed

**ITEM 12. CONSIDERATION AND ACTION TO APPROVE INTERLOCAL COOPERATION CONTRACT(S) FOR CITY OF SAVOY, TOWN OF RAVENNA, ECTOR ISD, SAVOY ISD AND AUTHORIZE COUNTY JUDGE TO SIGN ON BEHALF OF FANNIN COUNTY – COMMISSIONER, PCT. 1**

Commissioner Whitlock stated the contract permits the precinct to assist cities and schools.

Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Jerry Magness  
Vote: 3-0 Passed

**ITEM 13. CONSIDERATION AND ACTION TO APPROVE INTERLOCAL COOPERATION CONTRACT(S) FOR CITY OF LADONIA, CITY OF HONEY GROVE, HONEY GROVE ISD, FANNINDEL ISD, SAM RAYBURN ISD AND AUTHORIZE COUNTY JUDGE TO SIGN ON BEHALF OF FANNIN COUNTY–COMMISSIONER, PCT 3**

Commissioner Magness stated a contract is needed for Precinct 3 to assist cities and schools.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Gary Whitlock  
Vote: 3-0 Passed

**ITEM 14. CONSIDERATION AND ACTION TO APPROVE ROAD REPORTS FOR ALL ROAD AND BRIDGE PRECINCTS – COMMISSIONER, PCT. 2**

Commissioner Barker stated annual Road Reports are due stating the conditions of the roads, bridges and culverts in the precincts.

Commissioner Whitlock stated there are 2,924 culverts in fair/good condition in Precinct 1; 23 bridges in good condition and open to traffic; 192 miles of road open to traffic; \$724,000 is required to maintain the current conditions; no road signs are in need of replacement, no new roads scheduled to be opened; \$5,000 is needed for improvements to replace the wooden bridge on CR 1202 with concrete.

Commissioner Barker stated there are 3,050 culverts in fair/good condition in Precinct 2; 58 bridges in good condition and open to traffic and 1 closed for replacement; 223.91 miles of road open to traffic; \$725,000 is required to maintain the current conditions; there are 25 signs in need of replacement, no new roads scheduled to be opened; \$40,000 is needed for improvements to rebuild the bridge on CR 4850; TxDot is replacing bridges at CR 4860, 4800 and 5005.

Commissioner Magness stated there are 1,500 culverts in fair/good condition in Precinct 3; 49 bridges; 335.5 miles of road, about 6 miles of which is shared with other precincts; \$1,140,567.24 (in addition to any increase permitted), is required to maintain the current conditions; 50 signs are in need of replacement, CR 2272 needs to be opened to emergency vehicles; \$36,000 is needed for improvements to replace drop structure at CR 2725 and CR 3331.

Commissioner Barker stated Commissioner Strong had completed the report but it is unavailable at this time and will be presented at a later date.

Commissioner Barker moved to approve reports presented.

Motion By: Commissioner Stan Barker  
Second By: Commissioner Jerry Magness  
Vote: 3-0 Passed

**ITEM 15. DISCUSSION REGARDING PROCEDURE FOR THE APPOINTMENT OF THE VACANT SEAT OF COMMISSIONER, PCT. 4 – COUNTY JUDGE**

Judge Carter stated Local Government Code §87.042 states it is the duty of the county judge to appoint a replacement. Judge Carter read the code, “If a vacancy occurs in the office of county commissioner, the county judge shall appoint a suitable resident of the precinct in which the vacancy exists to fill the vacancy until the next general election.”

Judge Carter stated the appointment would last from August 2013 through December 31, 2014; the candidate chosen in the election (November 2014) will take office the following January; resumes/applications will be accepted for the next several weeks; the circumstances are unfortunate but citizens of Precinct 4 are encouraged to consider serving the County.

**ITEM 16. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS – AUDITOR**

Motion By: Commissioner Stan Barker  
Second By: Commissioner Gary Whitlock  
Vote: 3-0 Passed

Judge Carter stated Items 17 and 18 will be passed.

**ITEM 17. EXECUTIVE SESSION PURSUANT TO SEC. 551.071 OF GOVERNMENT CODE TO DISCUSS LITIGATION MATTER(S)**

**ITEM 18. ACTION WITH REGARD TO LITIGATION MATTER(S) DISCUSSED DURING EXECUTIVE SESSION**

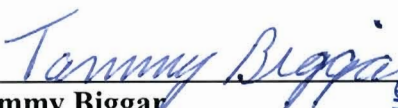
**ITEM 19. ADJOURN**

Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Jerry Magness  
Vote: 3-0 Passed

**Adjourned at 9:51 a.m.**

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 17th day of June, 2013.

(LGC 81.003)  
ATTEST:

  
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Tammy Biggar  
Fannin County Clerk

