

**THE STATE OF TEXAS
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS**

On this 19th day of November, 2012 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 15th day of November 2012 at 2:58 p.m. with the following members being present:

Creta L. Carter II	County Judge
Gary Whitlock	Commissioner, Precinct 1
Stan Barker	Commissioner, Precinct 2
Dewayne Strickland	Commissioner, Precinct 3
Joe Strong	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

Mike Towery, Treasurer

ITEM 2. ESTABLISH A QUORUM

Judge Carter declared a quorum has been established.

ITEM 3. PUBLIC FORUM

Judge Carter stated a thank you card has been received from Virginia Point Baptist Church for the 175th Anniversary Proclamation.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

Judge Carter stated Minutes have been presented for November 15, 2012. Commissioner Barker stated a correction needs to be made replacing the word "Regular" with "Called Special" in reference to the type of meeting.

Commissioner Barker moved to approve the Minutes with correction.

Motion By: Commissioner Stan Barker

Second By: Commissioner Joe Strong

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.

Motion By: Commissioner Dewayne Strickland
Second By: Commissioner Gary Whitlock
Vote: 5-0 Passed

ITEM 6. CONSIDERATION AND ACTION FOR AUDIT AND APPROVAL OF FY 2012 CHAPTER 59 ASSET FORFEITURE REPORT BY ATTORNEY REPRESENTING THE STATE – CRIMINAL DISTRICT ATTORNEY

Richard Glaser, Criminal District Attorney stated the report has been reviewed by the Auditor and just needs Court certification.

Motion By: Commissioner Dewayne Strickland
Second By: Commissioner Gary Whitlock
Vote: 5-0 Passed

ITEM 7. CONSIDERATION AND ACTION REGARDING BURN BAN FOR FANNIN COUNTY – COUNTY JUDGE

Judge Carter stated the burn ban will remain in place.

ITEM 8. DISCUSSION REGARDING BURN BAN ENFORCEMENT – COMMISSIONER, PRECINCT 1

Commissioner Whitlock stated calls have been received advising some residents are burning regardless of the burn ban and there have been discrepancies of others advising it was permissible to burn.

Donnie Foster, Sheriff stated conflicts arise when adjoining counties may not have a ban at the same time as Fannin County; most residents are simply not aware of the ban, in some cases a person may determine to burn regardless of the ban and do not heed warnings.

Commissioner Barker stated the only time an exemption can be made for an agricultural burn is in cooperation and compliance with NRCS (Natural Resources Conservation Service) which requires a burn coordinator; a Disaster Declaration would be a different matter.

Jill Holmes, Purchasing Agent recommended ordering 4 more Burn Ban signs to go on each precinct barn.

ITEM 9. CONSIDERATION AND ACTION TO APPROVE TREASURER'S FINANCIAL REPORT FOR OCTOBER 2012 – TREASURER

Motion By: Commissioner Stan Barker
Second By: Commissioner Dewayne Strickland
Vote: 5-0 Passed

ITEM 10. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS - AUDITOR

Motion By: Commissioner Dewayne Strickland
Second By: Commissioner Gary Whitlock
Vote: 5-0 Passed

Commissioner Strickland moved to go into Executive Session.

Motion By: Commissioner Dewayne Strickland
Second By: Commissioner Gary Whitlock
Vote: 5-0 Passed

Commissioner Barker requested Jerry Magness, Commissioner Pct. 3-Elect be permitted to sit in; Judge Carter approved and requested Scott Dyer, Auditor attend as well.

Judge Carter declared the time to be 9:23 a.m.

ITEM 11. EXECUTIVE SESSION PURSUANT TO SEC. 551.072 OF GOVERNMENT CODE TO DISCUSS REAL ESTATE MATTER(S)

ITEM 12. EXECUTIVE SESSION PURSUANT TO SEC. 551.071 OF GOVERNMENT CODE TO DISCUSS LITIGATION MATTER(S)

Passed.

Commissioner Barker moved to reconvene into Regular Session.

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

Judge Carter declared the time to be 9:50 a.m.

ITEM 13. ACTION WITH REGARD TO REAL ESTATE MATTER(S) DISCUSSED DURING EXECUTIVE SESSION

Judge Carter stated he has a commercial contract of an improved property sold by _____, LLC the location being 2505 N. Center Street, Bonham for a sell price of \$225,000 for 4.262 acres of land; the building will be for the use of the ArgiLife Extension office.

Commissioner Strickland moved to approve the contract with \$26,000 to come from the Contingency Fund as well as funds coming from the Appraisal District; \$1,000 to be utilized to pay for the inspection of the building.

Motion By: Commissioner Dewayne Strickland
Second By: Commissioner Stan Barker
Vote: 5-0 Passed

Judge Carter stated for clarification, \$200,000 had been budgeted for the purchase of the building so additional funds are being allocated to meet the purchase price.

ITEM 14. ACTION WITH REGARD TO LITIGATION MATTER(S) DISCUSSED DURING EXECUTIVE SESSION

Passed

ITEM 15. ADJOURN

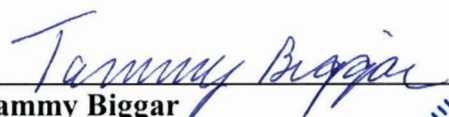
Motion By: Commissioner Dewayne Strickland
Second By: Commissioner Stan Barker
Vote: 5-0 Passed

Adjourned at 9:54 a.m.

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 19th November, 2012.

(LGC 81.003)

ATTEST:



Tammy Biggar
Fannin County Clerk

