

**THE STATE OF TEXAS
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS**

On Monday, December 15, 2014 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on 11th day of December, 2014 at 4:31 p.m with the following members being present:

Creta L. Carter II
Gary Whitlock
Stan Barker
Jerry Magness
Dean Lackey

County Judge
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

The following business was transacted to-wit:

AGENDA

ITEM 1. INVOCATION

Mike Towery, Treasurer

ITEM 2. ESTABLISH QUORUM

Judge Carter stated all commissioners are present.

ITEM 3. PUBLIC FORUM

Mike Towery, Treasurer, Human Resources stated the week of the 29th will be a short week; timesheets should be turned in Monday the 22nd if possible.

Judge Carter stated there will be a swearing in ceremony for office holders and newly elected officials at the South Annex, County Court at Law on January 1, 2015 at 9:00 a.m.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S) - COUNTY CLERK

Minutes were presented for December 8, 2014.

Commissioner Barker moved to approve.

[Attachment]

VOTING

Motion by: Commissioner, Pct. 2 Stan Barker
Second by: Commissioner, Pct. 1 Gary Whitlock

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

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

Chief Brad Nichols presented the monthly report.

ITEM 6. DISCUSSION REGARDING PRESENTATION OF TEXAS ASSOCIATION OF COUNTIES PLAQUE RECOGNIZING 40 YEARS OF PARTICIPATION IN THE TAC RISK MANAGEMENT POOL - TAC REPRESENTATIVE

Isaac Garcia, Rick Control Consultant for Texas Association of Counties (TAC) presented a stone plaque. Mr. Garcia stated appreciation to the County for 40 years of participation; the funds are used for training, site inspections and education; Fannin County has done well with very few losses over the years. Judge Carter accepted the plaque.

ITEM 7. DISCUSSION, CONSIDERATION AND ACTION REGARDING WHISKY RIVER LOCATED AT 1216 N CR 273, BONHAM, TX STAYING OPEN UNTIL 2AM - CITIZEN

Mr. J. C. Renfro stated his request for approval to extend his licensing permit to stay open until 2:00 a.m. for Friday and Saturday nights.

Judge Carter stated the permit would allow late hours for all days of the week; the longer hours could potentially keep patrons from getting on the road and traveling to another club out of county which is a potential hazard.

Commissioner Barker stated a county ordinance would permit any county establishment to stay open until 2:00 a.m.; the Order cannot be rescinded unless all establishments closed down; two liquor elections were passed recently by cities in the county; the court represents all the people and the people’s interest.

Darrel Brewer stated opposition to the extension of hours due to the noise; it is recommended the item be passed until other citizens could come and make comments.

Commissioner Magness moved to approve Whiskey River and other clubs to remain open until 2:00 a.m.

VOTING

Motion by: Commissioner, Pct. 3 Jerry Magness
Second by: Commissioner, Pct. 1 Gary Whitlock

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			X	
Barker, Stan			X	
Lackey, Dean	X			
Magness, Jerry	X			
Whitlock, Gary	X			

ITEM 8. DISCUSSION, CONSIDERATION AND ACTION REGARDING CLASSIFICATION OF CR 2750. SEC. 251.007. (B) A COUNTY MAY NOT REDUCE A FIRST-CLASS OR SECOND-CLASS ROAD TO A LOWER CLASS - CITIZEN

Commissioner Magness stated he spoke with Sandra Loscke and an agreement has been reached to remove the tishomingo from the road top during the coming year.

Commissioner Barker stated the transportation code provided deals with road classification regarding road width and not surface material.

No action was taken.

ITEM 9. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE THE REPLAT OF THE BROWNFIELD ADDITION - UNDERWOOD DRAFTING AND SURVEYING, INC.

Mr. Bobby Brownfield stated he owns 23 acres and would like to sell 12.2 acres on the east end and presented a re-plat to the Court for that purpose; the 12.2 acres to be used as a residence.

[Attachment]

Commissioner Barker moved to approve the re-plat.

VOTING

Motion by: Commissioner, Pct. 2 Stan Barker
Second by: Commissioner, Pct. 1 Gary Whitlock

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 10. CONSIDERATION AND ACTION TO APPROVE REPAIR OF OUTSIDE OUTLET ON NORTH SIDE OF COURTHOUSE - PURCHASING AGENT

Jill Holmes, Purchasing Agent stated the outlet is broken with exposed wires; McClure Electric had done the original work, another company refused to offer a bid since they were not familiar with the layout of the lines; to fix one outlet and relocate it is \$300; to fix all in need of repair and stake for better support or relocation would be \$935 and would provide for the larger boxes. Ms. Holmes stated the funding would come from Repair and Maintenance Fund unless otherwise stated.

Scott Dyer, Auditor stated there is currently \$28,000 in the R & M Fund.

Commissioner Barker moved to approve the repair and update of all three outlets.

VOTING

Motion by: Commissioner, Pct. 2 Stan Barker
Second by: Commissioner, Pct. 3 Jerry Magness

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 11. CONSIDERATION AND ACTION TO APPROVE REPLACEMENT OF LIGHT FIXTURES IN THE HOLDING CELL OF THE 336TH DISTRICT COURT AND APPROVE FUNDING SOURCE - PURCHASING AGENT

Jill Holmes, Purchasing Agent stated she was approached by Judge Blake, 336th District Court and the Bailiff of the Court with regard to replacing the hanging light fixture with recessed lighting.

Commissioner Barker stated there is currently one deputy required to sit with prisoners now, once the new contract takes effect, there will be two deputies to keep watch at all times on prisoners in the holding cell; replacement is not needed.

Commissioner Barker moved to not make the improvement.

VOTING

Motion by: Commissioner, Pct. 2 Stan Barker

Second by: Commissioner, Pct. 3 Jerry Magness

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 12. CONSIDERATION AND ACTION TO APPROVE PROCUREMENT OF JUDICIAL ROBES FOR FANNIN COUNTY PRECINCT ONE JUSTICE OF PEACE AND PRECINCT THREE JUSTICE OF THE PEACE AND APPROVE FUNDING SOURCE - PURCHASING AGENT

Jill Holmes, Purchasing Agent stated robes have been requested for Justice of the Peace, Precincts 1 and 3; the costs are generally \$400 each depending on options selected.

Commissioner Barker stated robes are a personal item, Judges Dale, Hale, Hall, Henderson and Cox purchased their own. Judge Carter stated he uses Judge Moss' robe.

Commissioner Barker moved to disallow procurement of the JP 1 and JP 3 robes.

VOTING

Motion by: Commissioner, Pct. 2 Stan Barker

Second by: Commissioner, Pct. 3 Jerry Magness

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 13. CONSIDERATION AND ACTION TO APPROVE THE AWARD, SCOPE, SPECIFICATIONS AND REQUIREMENTS OF THE PARKING LOT SECURITY LIGHT PROJECT AT THE DERRELL HALL EDUCATION CENTER - PURCHASING AGENT AND COMMISSIONER, PCT. 4

Jill Holmes, Purchasing Agent stated funds were budgeted for security lighting, Commissioner Lackey has evaluated what the needs are and will be setting poles and do trenching; two electrical contractors responded to requests for bid, McClure bid \$1,800 and Sherer Electric bid \$762; LED flood lighting can be purchased cheaper through the State contract for \$744.32.

Commissioner Lackey stated \$4,000 was set aside for the lighting; Dealers Electric provided consultation on lighting and poles needed; the entire job should come in under \$2,000.

Commissioner Lackey moved to approve the bid by Sherer Electric for \$762.00 and lighting for \$744.32.

VOTING

Motion by: Commissioner, Pct. 4 Dean Lackey

Second by: Commissioner, Pct. 2 Stan Barker

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 14. CONSIDERATION AND ACTION TO APPROVE LEASE/PURCHASE EXECUTING DOCUMENTS AND RESOLUTION FOR THE 2014 VOLVO G930B MOTOR GRADER FROM ROMCO EQUIPMENT COMPANY FOR PRECINCT FOUR AND AUTHORIZE COUNTY JUDGE TO SIGN LEASE/PURCHASE AND RESOLUTION ON BEHALF OF FANNIN COUNTY - PURCHASING AGENT AND COMMISSIONER, PCT. 4

Jill Holmes, Purchasing Agent stated the purchase was approved August 25, 2014, the final paperwork requires signatures and a Resolution.

[Attachments]

Commissioner Lackey moved to approve the Resolution and paperwork.

VOTING

Motion by: Commissioner, Pct. 4 Dean Lackey
 Second by: Commissioner, Pct. 1 Gary Whitlock

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 15. CONSIDERATION AND ACTION TO APPROVE COUNTY TREASURER'S FINANCIAL REPORT FOR NOVEMBER 2014- TREASURER

Mike Towery, Treasurer presented the report.

Commissioner Barker moved to approve the report.

[Attachment]

VOTING

Motion by: Commissioner, Pct. 2 Stan Barker
 Second by: Commissioner, Pct. 3 Jerry Magness

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 16. CONSIDERATION AND ACTION TO APPROVE THE APPOINTMENT OF CONSTABLE, PCT. 1 POSITION - COMMISSIONERS

Commissioner Whitlock stated Craig Nichols is resigning as of December 31st; interviewing was conducted by he and Commissioner Lackey, Paul Holt is recommended.

Commissioner Whitlock moved to approve Paul Holt.

VOTING

Motion by: Commissioner, Pct. 1 Gary Whitlock
 Second by: Commissioner, Pct. 4 Dean Lackey

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

ITEM 17. CONSIDERATION AND ACTION TO APPROVE RESPONDING TO TXDOT'S LETTER, REGARDING ASSISTANCE OF MATERIALS FOR REPAIR AND MAINTENANCE OF FANNIN COUNTY ROADS – COUNTY JUDGE

Commissioner Magness stated he and Commissioner Lackey worked to negotiate a better rate and were unsuccessful.

Commissioner Barker stated the material was purchased two years ago for \$10 per yard and now it is \$20 per yard; it can be purchased in Melissa for \$8 per yard; however the rate is set at State level.

Commissioner Barker moved to approve a letter requesting assistance on the materials.

VOTING

Motion by: Commissioner, Pct. 2 Stan Barker
 Second by: Commissioner, Pct. 4 Dean Lackey

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			X	
Barker, Stan	X			
Lackey, Dean	X			
Magness, Jerry	X			
Whitlock, Gary	X			

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

Scott Dyer, Auditor submitted bills for payment.

[Attachment]

Commissioner Whitlock moved to pay the bills.

VOTING

Motion by: Commissioner, Pct. 1 Gary Whitlock
 Second by: Commissioner, Pct. 3 Jerry Magness

Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			X	
Barker, Stan	X			
Lackey, Dean	X			
Magness, Jerry	X			
Whitlock, Gary	X			

ITEM 19. ADJOURN

Commissioner Magness moved to adjourn.

VOTING

Motion by: Commissioner, Pct. 3 Jerry Magness

Second by: Commissioner, Pct. 2 Stan Barker

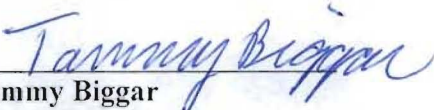
Court	YES	NO	ABSTAIN	RECUSE
Carter II, Creta L.			x	
Barker, Stan	x			
Lackey, Dean	x			
Magness, Jerry	x			
Whitlock, Gary	x			

Adjourned at 9:50 a.m.

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 15th day of December, 2014

(LGC 81.003)

ATTEST:



Tammy Biggar
Fannin County Clerk

