

**THE STATE OF TEXAS
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS**

On this 15th day of September, 2014 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 12th day of September 2014 at 9:00 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

Mike Towery, Treasurer

ITEM 2. ESTABLISH A QUORUM

Judge Carter stated all commissioners are present.

ITEM 3. PUBLIC FORUM

Commissioner Barker stated thank you to the Bonham Chamber of Commerce for the 9/11 Memorial Service that was held on the courthouse lawn.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

None

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

Chief Brad Nichols presented the report.

[Attachment]

ITEM 6. CONSIDERATION AND ACTION TO APPROVE 2014 / 2015 RESOLUTION AUTHORIZING COUNTY GRANT FOR MEALS ON WHEELS AND AUTHORIZE COUNTY JUDGE TO SIGN RESOLUTION ON BEHALF OF FANNIN COUNTY – MEALS ON WHEELS

Judge Carter stated the resolution is the same as last year with the same grant amount as last year.

Motion By: Commissioner Stan Barker
Second By: Commissioner Jerry Magness
Vote: 4 – 0 Approved

[Attachment]

ITEM 7. DISCUSSION OF LOCATION WHERE JUSTICE OF PEACE, PCT. 3 WILL CONDUCT BUSINESS BEGINNING JANUARY 2015 – KENNETH KARL

Kenneth Karl, Justice of the Peace, Precinct 3 - Elect stated a building is sought for the JP-3 office, the Windom bank building would require some funding to set up the internet and for heating and air; the Honey Grove Chamber of Commerce has a small room that would be available for a limited time at no cost; the Honey Grove City Hall does not have a room.

Commissioner Barker stated there is no room at the Windom bank building; it is currently being used for records.

Mr. Karl stated the position may be considered part time by the Court but will be worked full time.

Judge Carter stated he may go with Commissioner Magness to review the area for options.

ITEM 8. DISCUSSION ON DISPARANCY OF JUSTICE OF PEACE, PCT. 3 SALARY – KENNETH KARL

Kenneth Karl, Justice of the Peace, Precinct 3 - Elect stated the responsibilities and duties are the same [as in other precincts] but there is a significant discrepancy between the JP 1 and JP 2 salaries versus the JP 3 salary; information is sought on what the difference is based upon.

Commissioner Barker stated the current JP has a full time job and the position has been a part time position.

Scott Dyer, Auditor stated LGC 152.013 addresses elected officials, raises and notice requirements; any provision to change during the year is not known.

Mr. Karl stated intent to demonstrate the position can be done at a full time capacity.

ITEM 9. CONSIDERATION AND ACTION TO APPROVE FANNIN COUNTY TREASURER'S FINANCIAL REPORT FOR AUGUST, 2014 – TREASURER

Mike Towery, Treasurer presented the report.

Motion By: Commissioner Dean Lackey
Second By: Commissioner Jerry Magness
Vote: 4 – 0 Approved

[Attachment]

ITEM 10. CONSIDERATION AND ACTION TO APPROVE PURCHASE OF EQUIPMENT FROM GSA SURPLUS UP TO \$8,000, TO BE PAID OUT OF PCT. 2 CAPITAL PURCHASE OF EQUIPMENT – COMMISSIONER, PCT. 2

Commissioner Barker stated the price is \$6,500.

Motion By: Commissioner Stan Barker
Second By: Commissioner Gary Whitlock
Vote: 4 – 0 Approved

ITEM 11. CONSIDERATION AND ACTION TO APPROVE CONTINUATION OF TEXAS ASSOCIATION OF COUNTIES' RETIREE MEDICAL BENEFITS PROGRAM, COUNTYCHOICE SILVER AND AUTHORIZE COUNTY JUDGE TO SIGN REQUIRED FORMS ON BEHALF OF FANNIN COUNTY – AUDITOR

Scott Dyer, Auditor stated the County does not pay for insurance for retired employees but does support the program for those that wish to participate.

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

[Attachment]

ITEM 12. CONSIDERATION AND ACTION TO APPROVE ENGAGEMENT LETTER OF RUTLEDGE CRAIN & COMPANY AS OUTSIDE AUDITORS FOR FISCAL YEAR 2013 / 2014 AND AUTHORIZE COUNTY JUDGE TO SIGN LETTER ON BEHALF OF FANNIN COUNTY – AUDITOR

Scott Dyer, Auditor stated the price is not to exceed \$28,200.

Motion By: Commissioner Jerry Magness
Second By: Commissioner Dean Lackey
Vote: 4 – 0 Approved

[Attachment]

ITEM 13. DISCUSSION, CONSIDERATION AND ACTION REGARDING ENGAGEMENT LETTER BETWEEN PARK DIETZ & ASSOCIATES, INC. AND FANNIN COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE – COUNTY JUDGE

Judge Carter received a copy of an engagement letter signed on June 27, 2014 by Mr. Richard Glaser, and explanation is requested.

Richard Glaser, Criminal District Attorney stated there was an urgency involved in retaining a psychiatrist for a high profile murder trial; a request was sent June 27, 2014 to Judge Carter's office via facsimile and to Commissioner Barker for review and authorization; confirmation of the fax receipt was received, Commissioner Barker responded that day.

Judge Carter stated he had not seen that fax; the County policy is for the county judge to sign engagement letters. Mr. Glaser stated he attempted to get the judge's signature and when he was unable to do so, he went ahead and signed it.

ITEM 14. DISCUSSION, CONSIDERATION AND ACTION REGARDING BILL RECEIVED FROM PARK DIETZ & ASSOCIATES, INC. – COUNTY JUDGE

Judge Carter stated a bill was received for \$25,500.76, a second bill was received for \$8,475; will there be another bill?

Richard Glaser, Criminal District Attorney stated there is one more bill anticipated; at this time it is unknown what the current charges are for; service was terminated on August 4, 2014.

Scott Dyer, Auditor stated it is recommended both Mr. Glaser and Judge Carter negotiate the price. Commissioner Barker stated the bill should not be paid until discussions are held.

Judge Carter stated the County has not entered into the contract.

Commissioner Barker moved to have Mr. Glaser and Judge Carter enter into discussions to reduce the bill.

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

ITEM 15. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS - AUDITOR

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

ITEM 16. EXECUTIVE SESSION PURSUANT TO SEC. 551.074 OF THE GOVERNMENT CODE TO DISCUSS PERSONNEL MATTER(S) REGARDING FANNIN COUNTY EMPLOYEE – CRIMINAL DISTRICT ATTORNEY

Commissioner Whitlock moved to convene into Executive Session.

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

Judge Carter declared the time is 9:57 a.m.

Commissioner Barker moved to reconvene into Regular Session.

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

The time is 10:37 a.m.

ITEM 17. ACTION WITH REGARD TO PERSONNEL MATTER(S) REGARDING FANNIN COUNTY EMPLOYEE DISCUSSED DURING EXECUTIVE SESSION – CRIMINAL DISTRICT ATTORNEY

Judge Carter stated no action will be taken.

ITEM 16. ADJOURN


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

Adjourned at 10:37 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 September, 2014.

(LGC 81.003)

ATTEST:



Tammy Biggar
Fannin County Clerk

