

**THE STATE OF TEXAS  
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT  
FANNIN COUNTY, TEXAS**

On this 22nd day of October, 2012 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 19th day of October 2012 at 8:19 am. 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>Dewayne Strickland</b>	<b>Commissioner, Precinct 3</b>
<b>Joe Strong</b>	<b>Commissioner, Precinct 4</b>

The following business was transacted to-wit:

**CALL TO ORDER**

Judge Carter called the meeting to order at 9:05 a.m.

**INVOCATION**

Mike Towery, Treasurer

**ITEM 2. ESTABLISH A QUORUM**

Judge Carter declared a quorum has been established.

Recess 9:07 a.m.

Back on the record at 9:35.

**ITEM 3. PUBLIC FORUM**

Judge Carter recognized Ms. Joan Schneider, Master Naturalist and Judge Lauri Blake, 336th District Court. Judge Blake stated the modified landscape proposal had been distributed and the modifications included leaving the crepe myrtles in place; placing mulch under the trees and moving the monkey grass. Judge Blake stated since the item was tabled last week it might be timely to discuss the matter although it was not on the agenda. Judge Carter advised the item must be placed on the agenda and would be glad to call a special meeting for Thursday morning.

Judge Carter reported that he attended a meeting in Vernon, Texas last Wednesday for several county judges; nineteen judges, several state senators and representative were present; items discussed were what would be happening in upcoming Legislature regarding Education, Healthcare, Transportation, and water issues in the state.

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

None

#### **ITEM 5. CONSIDERATION AND ACTION REGARDING BOND SUPERVISION – ADULT PROBATION OFFICER**

Mr. Todd Maxey, Adult Probation Officer advised the State has issued a memorandum stating State Probation can no longer spend State funds on county business with regard to offenders who have not been to court but were under bond supervision. Mr. Maxey distributed a Bond Program Budget which had been prepared as a courtesy to the County and stated he will work with the County for a smooth transition.

Commissioner Strickland asked what the time frame is for this change. Mr. Maxey said it should take place as soon as possible.

Ms. Deborah Roberts, Adult Probation Director stated the bond supervision fee collected is based on 60 individuals at a \$40 fee per month at 50% collection rate, but the current number is 76 individuals and the collection rate is between 50% and 75%. Ms. Roberts suggested that the County consider hiring a person who has probation experience and noted the program has the potential of paying for itself.

Commissioner Whitlock asked how many people one employee could supervise. Mr. Maxey stated that the very maximum would be 200 people.

Judge Carter asked Ms. Roberts to review the breakdown by offense, what restrictions are placed on the offender, and the type of supervision and required.

Commissioner Strong asked what would be the pay grade for the position. Mr. Dyer advised it would be Grade 6 to 7.

Commissioner Barker asked if the County employee would be quartered in the Probation building. Ms. Roberts and Mr. Maxey stated the employee could be housed in the Probation building and it would actually be easier for Probation to do so.

Judge Carter advised it may take up to the first of the year to manage this matter.

Judge Lauri Blake, 336th Judicial District compared the cost of offenders being under bond supervision versus being incarcerated in the County jail, noted that having check and balance of the money coming into the program would be very important, and care should be taken in the interview and hiring process.

Scott Dyer, Auditor recommended the funds to establish this new position could be taken out of the Contingency Fund and some of the cost will be offset by fees collected.

Commissioner Barker moved that a committee be formed of five people: Mr. Todd Maxey, Ms. Deborah Roberts, Sheriff Foster, Commissioner Barker and Commissioner Strickland.

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

**ITEM 6. CONSIDERATION AND ACTION TO APPROVE BID PROCESS FOR CATERING SERVICES FOR THE EMPLOYEE AWARDS BANQUET ON DECEMBER 21, 2012 – PURCHASING AGENT**

Jill Holmes, Purchasing Agent stated the County will go out for formal bid on the catering services for the Employee Awards Banquet on December 21, 2012 and post a bid notice in the local paper.

Commissioner Strickland moved go out for bid.

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

**ITEM 7. CONSIDERATION AND ACTION TO APPROVE EXTENSION OF BARE LAND KFYN TOWER SITE LEASE CONTRACT FOR ANOTHER THREE YEARS AND AUTHORIZE FANNIN COUNTY SENIOR COMMISSION TO SIGN ON BEHALF OF FANNIN COUNTY – PURCHASING AGENT**

Judge Carter stated this item involves a lease between KFYN Radio and the County; KFYN owns the tower and the County owns the land; KFYN Radio is owned by Judge Carter; and therefore he will not participate on this item.

Commissioner Strickland noted that the lease agreement is renewed every three years.

Commissioner Barker moved that the agreement be renewed.

Motion By: Commissioner Stan Barker  
Second By: Commissioner Gary Whitlock  
Vote: 4-0 Passed (one abstention by Judge Carter)

**ITEM 8. CONSIDERATION AND ACTION TO APPROVE BURN BAN FOR FANNIN COUNTY – COUNTY JUDGE**

Judge Carter noted the County received a good rain last week, but there was a fire on Hwy 121 on Friday on both sides of the road.

Item passed until next meeting.

**ITEM 9. CONSIDERATION AND ACTION TO APPROVE AMENDMENT OF BUDGET TO GIVE CLERK 3% RAISE, THAT ALL OTHER FANNIN COUNTY EMPLOYEES RECEIVED FY 2012/2013 – JUSTICE OF PEACE, PCT 1**



Judge Dale requested a 3% raise for his new employee who transferred from the Sheriff's Department where she had worked part time and took a full time job with his office at a higher pay rate, but did not receive the County employee 3% raise. Scott Dyer, Auditor stated a 90-day probation applies for newly hired employees.

Commissioner Barker advised that two employees with the Sheriff's Department had also changed positions and they did not receive the 3% raise.

Gail Young, Tax Assessor/Collector asked why an employee who bettered themselves by changing to another position with the County should be penalized for that decision.

Commissioner Strickland asked how much money is involved if all three employees are given the 3% raise. Mr. Dyer advised the raise would involve about \$2,500.

Mr. Dyer asked which fund the money will come from (\$572 plus benefits).

Commissioner Whitlock moved to approve the 3% raise for the Justice of Peace Clerk and take the funds out of Contingency.

Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Joe Strong  
Vote: 4-1 Passed (voting nay – Commissioner Barker)

Mr. Dyer asked which fund the money will come from.

**ITEM 10. DISCUSSION, CONSIDERTION AND ACTION REGARDING PROPOSED HOSPITAL AUTHORITY REQUEST – RED RIVER HOSPITAL CEO**

Passed

**ITEM 11. CONSIDERATION AND ACTION TO APPROVE TAC APPLICATION FOR LAW ENFORCEMENT AND PUBLIC OFFICIALS INSURANCE FOR 2012/2013 – AUDITOR**

Mr. Dyer advised the insurance for law enforcement and public officials had been approved in the budget.

Commissioner Strickland moved to approve insurance renewal.

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

**ITEM 12. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS -- AUDITOR**

Commissioner Strickland moved to approve.

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

Recess at 10:43 AM

Back on record at 12:02 PM.

**ITEM 10. DISCUSSION, CONSIDERATION AND ACTION REGARDING PROPOSED HOSPITAL AUTHORITY REQUEST – RED RIVER HOSPITAL CEO**

Judge Carter noted that the Commissioners have before them the Agreement Between Fannin County, Texas and Attentus Bonham, LP, D/B/A Red River Regional Hospital. Judge Carter read the agreement to the Court which sets forth \$200,000 to be paid annually to Fannin County in quarterly payments of \$50,000 each representing a donation in support of the County's indigent health care needs or other related healthcare services.

David Canejo, CEO Red River Hospital, advised the Hospital Authority would be formed today, October 22, 2012, but it will not take effect until the change of ownership is approved by Medicare which could take 90 days to six months; once Medicare verifies the change of ownership is completed the quarterly payments will begin according to the agreement.

Commissioner Barker asked if the next order of business was to appoint the Hospital Authority Board. Mr. Canejo advised this would need to come up today and all the appointees had been contacted and they have agreed to serve: Tom 'Mac' Holmes, Trenton; Gene Danner, Boyd Community; Wendy Keaton, Telephone; George "Butch" Henderson, Leonard; Clark Sanderson, Bonham; Rick Sheddy, Ravenna; Steven Arthur, Boyd Community.

Commissioner Strong asked about authority to dissolve the Hospital Authority. Judge Carter stated the Commissioners Court will have no authority to dissolve the Authority, but it would be up to the Hospital Authority Board to dissolve it should that need ever arise. Mr. Canejo advised if a member of the Board leaves recommendations will be made to the Court to appoint a replacement and the Court would have authority to approve the appointee.

Commissioner Barker moved to approve the Agreement between Fannin County and Attentus Bonham, LP, D/B/A Red River Regional Hospital and appoint the Board designees list.

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

Mr. Canejo requested the Hospital Authority meeting notice be posted for 1:00 PM Thursday in the Commissioners Court room.

**ITEM 13. ADJOURN**


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

**Adjourned at 12:14 PM.**

**The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 22nd October, 2012.**

(LGC 81.003)

**ATTEST:**

  
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Tammy Biggar  
Fannin County Clerk

