THE STATE OF TEXAS
COUNTY OF FANNIN

IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS

On this 11th day of March, 2013 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 8th day of March 2013 at 8:15 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
Joe Strong	Commissioner, Precinct 4

The following business was transacted to-wit:

CALL TO ORDER

Judge Carter called the meeting to order at 9:02 a.m.

INVOCATION

Mike Towery, Treasurer

ITEM 2. ESTABLISH A QUORUM

Judge Carter declared a quorum has been established.

ITEM 3. PUBLIC FORUM

None

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

Minutes were presented from March 4th and 6th, 2013. Commissioner Barker moved to approve.

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

ITEM 5. CONSIDERATION AND ACTION TO APPROVE APPOINTMENT(S)/RE-APPOINTMENT(S) TO THE FANNIN COUNTY HISTORICAL COMMISSION – COUNTY JUDGE

Commissioner Barker moved to approve the list as submitted.

Motion By: Commissioner Stan Barker
Second By: Commissioner Jerry Magness
Vote: 5-0   Passed

ITEM 6. CONSIDERATION AND ACTION TO APPROVE REPLACEMENT OF COMPUTER, NOT TO EXCEED $1,300 – CRIMINAL DISTRICT ATTORNEY

Richard Glaser, Criminal District Attorney stated the computer in need of replacement is used for felony work, it is over 5 years old and is not performing at required levels of efficiency needed; Dustin Morrow, IT Technologist recommends the computer be replaced.

Commissioner Barker stated the funds could come from the County Contingency fund, the County Records Management fund or the District Attorney Forfeiture fund.

Commissioner Barker asked what the balance is of the Contingency fund. Scott Dyer, Auditor stated $90,662.00.

Commissioner Barker moved to approve the purchase of computer equipment from the [County] Record Management fund.

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

ITEM 7. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE THE PURCHASE OF BERMUDA SEED AND ALL OTHER NECESSARY ITEMS TO RESEED THE COURTHOUSE LAWN, TO BE TAKEN OUT OF #10-510-450 – PURCHASING AGENT

Jill Holmes, Purchasing Agent stated money is available in the Repair and Maintenance fund; Fannin Ag recommends Princess Improved Turf Bermuda which is used for golf courses; the grass is not a tall grass, drought resistant and takes less mowing; the cost is $779.50.

Commissioner Barker moved to approve.

Motion By: Commissioner Stan Barker
Second By: Commissioner Jerry Magness
Vote: 4-0   Passed (Judge Carter abstained)

ITEM 8. CONSIDERATION AND ACTION TO APPROVE A PROCLAMATION (ON BEHALF OF NORTH TEXAS POISON CENTER), PROCLAIMING THE WEEK OF

MARCH 17-23, 2013 AS POISON PREVENTION WEEK AND AUTHORIZE COUNTY JUDGE TO SIGN PROCLAMATION ON BEHALF OF FANNIN COUNTY – COUNTY JUDGE

Commissioner Magness moved to approve.

Motion By: Commissioner Jerry Magness
Second By: Commissioner Gary Whitlock
Vote: 4-0   Passed (Judge Carter abstained)

ITEM 9. CONSIDERATION AND ACTION TO APPROVE TERMINATION OF ADVANCED FUNDING AGREEMENT TXDOT PROJECT #0901-32-042 – COUNTY JUDGE

Commissioner Magness moved to approve termination of the Advanced Funding Agreement.

Motion By: Commissioner Jerry Magness
Second By: Commissioner Gary Whitlock
Vote: 4-0   Passed (Judge Carter abstained)

ITEM 10. CONSIDERATION AND ACTION TO APPROVE BUDGET AMENDMENT FROM #10-509-475 CONTINGENCY TO #10-475-438 DISTRICT ATTORNEY COURT REPORTER – TRANSCRIPTS – CRIMINAL DISTRICT ATTORNEY / AUDITOR

Richard Glaser, Criminal District Attorney stated there are typically three events in which a transcript may be needed; a presentation to the grand jury, a hung jury or in cases involving a trial with Children's Protective Services wherein the case is not tried here but is tied to a capital case that will be tried in Fannin County, the latter of which has transpired depleted the transcript line item.

Commissioner Barker moved to amend the budget to reflect a $1,500 transfer from Contingency to the Reporter Transcripts fund.

Motion By: Commissioner Stan Barker
Second By: Commissioner Joe Strong
Vote: 4-0   Passed (Judge Carter abstained)

ITEM 11. CONSIDERATION AND ACTION TO APPROVE FANNIN COUNTY AUDITOR'S MONTHLY REPORTS FOR FEBRUARY 2013 – AUDITOR

Commissioner Barker moved to approve.

Motion By: Commissioner Stan Barker
Second By: Commissioner Jerry Magness
Vote: 4-0   Passed (Judge Carter abstained)

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

Motion By: Commissioner Joe Strong
Second By: Commissioner Gary Whitlock
Vote: 4-0   Passed (Judge Carter abstained)

Judge Carter stated Items 13 & 14 will be taken together.

Commissioner Strong moved to convene into Executive Session.

Motion By: Commissioner Joe Strong
Second By: Commissioner Jerry Magness
Vote: 4-0   Passed (Judge Carter abstained)

Judge Carter declared the time to be at 9:38 a.m.

ITEM 13. EXECUTIVE SESSION PURSUANT TO SEC. 551.071 OF GOVERNMENT CODE TO DISCUSS LITIGATION MATTER(S)

ITEM 14. EXECUTIVE SESSION PURSUANT TO SEC. 551.074 OF GOVERNMENT CODE TO DISCUSS PERSONNEL MATTERS(S)

Commissioner Barker moved to reconvene into Regular Session.

Motion By: Commissioner Stan Barker
Second By: Commissioner Jerry Magness
Vote: 4-0   Passed (Judge Carter abstained)

ITEM 15. ACTION WITH REGARD TO LITIGATION MATTER(S) DISCUSSED DURING EXECUTIVE SESSION

No action.

ITEM 16. ACTION WITH REGARD TO PERSONNEL MATTER(S) DISCUSSED DURING EXECUTIVE SESSION

No action.

ITEM 17. ADJOURN

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

Adjourned at 10:31 a.m.

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 4th day of March, 2013.

(LGC 81.003)
ATTEST:
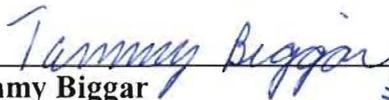
Tammy Biggar
Tammy Biggar
Fannin County Clerk