

**THE STATE OF TEXAS
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT
FANNIN COUNTY, TEXAS**

On this 3rd day of February, 2014 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 31st day of January 2014 at 8:18 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 9:02 a.m.

INVOCATION

Mike Towery, Treasurer

ITEM 2. ESTABLISH A QUORUM

Judge Carter stated a quorum is established all commissioners are present.

ITEM 3. PUBLIC FORUM

William Carey of the Silver Haired Legislators for Fannin County stated he attended the North Texas Water Summit this past Friday. Mr. Carey met with Texas Speaker of the House Joe Strauss with the hope of keeping Fannin County at the forefront.

ITEM 4. APPROVE MINUTES OF PREVIOUS MEETING(S)

January 9, 2014 (Special meeting); January 13, 2014 (Regular meeting); January 21, 2014 (Regular meeting) and January 27, 2014 (Regular meeting) were presented.

Commissioner Magness moved to approve.

Motion By: Commissioner Jerry Magness
Second By: Commissioner Gary Whitlock
Vote: 4-0 Approved (Minutes for the 13th, 21st and 27th)

The vote for the January 9th Minutes was Approved 3-0; Abstention was from Commissioner Barker due to his absence on the day of the 1/9/2014 meeting.

[Attachments]

ITEM 5. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE USE OF COURTHOUSE PARKING LOT FOR A CAR SHOW TO BE HELD SUNDAY, FEBRUARY 9, 2014 – CITIZEN

Janie Naylor stated citizens would like to use the courthouse square for a car show.

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

ITEM 6. DISCUSSION, CONSIDERATION AND ACTION REGARDING USE OF E-CIGARETTE(S) INSIDE FANNIN COUNTY BUILDING(S) – DISTRICT CLERK

Nancy Young, District Clerk stated a request is made to change the policy reflecting a prohibition regarding e-cigarettes or any vapor producing devise in the courthouse.

Commissioner Whitlock stated he believed the policy stated the policy says “tobacco free”.

Commissioner Barker moved to modify the existing tobacco free policy to include vaporized cigarettes or e-cigarettes.

Motion By: Commissioner Stan Barker
Second By: Commissioner Dean Lackey
Vote: 4-0 Approved

ITEM 7. CONSIDERATION AND ACTION TO APPROVE PROCLAMATION FOR NATIONAL WEAR RED DAY ON FRIDAY, FEBRUARY 7, 2014 AND AUTHORIZE COUNTY JUDGE TO SIGN PROCLAMATION ON BEHALF OF FANNIN COUNTY – COUNTY JUDGE

Judge Carter stated the proclamation is presented for approval.

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

[Attachment]

ITEM 8. DISCUSSION, CONSIDERATION AND ACTION TO REAFFIRM THAT THE PRESENT FANNIN COUNTY POLICY ON HOLIDAYS APPLIES TO ALL EMPLOYEES OF FANNIN COUNTY – AUDITOR/TREASURER

Judge Carter asked for clarification from Scott Dyer, Auditor.

Mr. Dyer stated it is unclear whether it is intended by the Court for employees to be compensated for 12 hours of Holiday pay, other departments have some employees working 10 hour days and currently use 2 hours of comp time or vacation to get a full day's pay.

Commissioner Lackey stated the Sheriff's deputies do not have an option of what hours they work on a shift.

Commissioner Barker stated if the Sheriff's department maintains holiday pay for the full 12 hours, the department must clarify which employee is eligible.

Sheriff Foster stated dispatch and patrol both work the 12 hour days.

Commissioner Barker moved to maintain the current policy of 8 hours Holiday pay for the courthouse and Road and Bridge; the Sheriff's Department to include a 12 hour Holiday pay with a list provided in advance of who qualifies, in particular dispatch and patrol.

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

ITEM 9. DISCUSSION, CONSIDERATION AND POTENTIAL ACTION REGARDING THE CREATION OF ONE OR MORE COUNTY ENERGY TRANSPORTATION REINVESTMENT ZONE (CETRZ), AS AUTHORIZED BY LAW, TO PROMOTE ONE OR MORE INFRASTRUCTURE PROJECTS TO BE LOCATED WITHIN THE COUNTY TO BE FUNDED BY THE CETRZ, INCLUDING THE POTENTIAL BOUNDARIES AND REQUIREMENTS OF A COUNTY ENERGY TRANSPORTATION REINVESTMENT ZONE (CETRZ), AS AUTHORIZED §222.1071 OF THE TEXAS TRANSPORTATION CODE, APPROVE ORDER AUTHORIZING THE CREATION OF A CETRZ AND AUTHORIZE COUNTY JUDGE TO SIGN ORDER AUTHORIZING THE CREATION OF A CETRZ, ON BEHALF OF FANNIN COUNTY – COUNTY JUDGE

Commissioner Barker stated the boundaries have been submitted to Allison, Bass & Associates, L.L.P.; projects have been submitted; in the event not all counties apply for this program there may be excess funds distributed; all requirements have been met; move to approve and authorize the County Judge to sign.

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

[Attachment]

ITEM 10. DISCUSSION, CONSIDERATION AND POTENTIAL ACTION REGARDING THE SB 1747 PRIORITIZED PROJECT LIST FOR THE COUNTY TRANSPORTATION INFRASTRUCTURE FUND GRANT PROGRAM – COUNTY JUDGE

Commissioner Barker stated the documentation provided is the list of projects submitted.

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

[Attachment]

ITEM 11. CONSIDERATION AND ACTION TO APPROVE SERVICE CONTRACT FOR THE COURTHOUSE HVAC ANNUAL MAINTENANCE AGREEMENT, WATER TREATMENT AGREEMENT, UPGRADES TO THE WATER TREATMENT EQUIPMENT, AND APPROVE BUDGET AMENDMENT TO COVER COSTS FROM CONTINGENCY FUND AND AUTHORIZE COUNTY JUDGE TO SIGN SERVICE CONTRACT ON BEHALF OF FANNIN COUNTY – COUNTY JUDGE

Jill Holmes, Purchasing Agent stated the old contract was for \$4,500 and a new contract would be \$14,635; another bid was sought, ACIS in McKinney offered \$13,527.24; further research showed the water treatment to be the catalyst in the price increase, specifically the chemical used as a scale and corrosion inhibitor; an upgrade for the control center was recommended.

Ms. Holmes recommended ACIS for maintenance only at \$7,428.94, and use JenTek for water treatment costing \$3,900 for an annual cost of \$11,328.94, then follow up with upgrading the water treatment equipment for \$3,436; total costs for all improvements being \$14,764.94 including 12 months of maintenance and water treatment; there is \$841.25 left in the line item used for the current contract; \$9,886.39 would be needed for the rest of this fiscal year which includes eight months of maintenance, seven months of water treatment and upgrade of the water treatment equipment.

Scott Dyer, Auditor stated it is recommended Contingency not be considered but an amendment be made to cover maintenance and water treatment line Item 445 and transfer the costs for that, \$7,227.64 to be used for maintenance and take the upgrade out of normal Repair & Maintenance.

Motion By: Commissioner Stan Barker
Second By: Commissioner Dean Lackey
Vote: 4-0 Approved

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

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

ITEM 13. ADJOURN

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

Adjourned at 9:45 a.m.

The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 3rd day

(LGC 81.003)

ATTEST:

Tammy Biggar

Tammy Biggar
Fannin County Clerk

