

**THE STATE OF TEXAS  
COUNTY OF FANNIN**

**IN COMMISSIONERS COURT  
FANNIN COUNTY, TEXAS**

On this 5th day of May, 2014 the Fannin County Commissioners Court met in a Regular Meeting after public notice was posted on the 1st day of May 2014 at 3:45 p.m. with the following members being present:

<b>[Absent]</b>	<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>Jerry Magness</b>	<b>Commissioner, Precinct 3</b>
	<b>Dean Lackey</b>	<b>Commissioner, Precinct 4</b>

The following business was transacted to-wit:

**CALL TO ORDER**

Commissioner Stan Barker called the meeting to order at 9:00 a.m.

**INVOCATION**

Mike Towery, Treasurer

**ITEM 2. ESTABLISH A QUORUM**

Commissioner Barker stated a quorum is established; all commissioners are present; the county judge is absent.

**ITEM 3. PUBLIC FORUM**

Commissioner Barker stated the flags have flown half-staffed at the courthouse to honor an Army PFC serviceman from Fannin County who was killed in Afghanistan last week, the flags will again be lowered on the day of his funeral, that date is unknown at this time.

William Carey of the Texoma Silver-Haired Legislators representing Fannin County stated the legislators meet in even numbered years and met last week to draft proposed resolutions regarding seniors 60 and over; the resolutions will be presented to the Governor, Lt. Governor and Speaker of the House this week; of those drafted the highest priorities were: Increasing the Personal Needs-Medicaid from \$60 stipend per month per person to \$75 per month per person, Second – to Reduce Electrical Costs to Seniors and the Third of the top ten resolutions is to have the use of handheld cell phones banned while driving.

Mr. Carey stated he is the statewide Chair for Retirement and Aging Committee; 2 more people are needed in the Texoma Silver-Haired Legislators to adequately represent Fannin County.

Leroy Cirkles of the Fannin County Bees stated the BEEs, TCOG, Fannin County Sheriff's

Department and Fannin County AgriLife Extension Office presented a \$300 check to the Dodd City 5th Grade Elementary Students for winning the poster contest; special thanks to commissioners Gary Whitlock, Jerry Magness and Dean Lackey for their assistance and to Mavis Duncan for press coverage.

Rick Shedly stated the Court is preparing to make a substantial decision regarding water; hopefully the Court will bring the matter before constituents and consult outside experts in the field before making any decision. Mr. Shedly stated North Texas (North Texas Municipal Water District) has said water will be provided by 2020, the concern is the building of the infrastructure and water delivery system and how those things are paid for as well as water rights.

Bill Purcel stated Fannin County created Fannin County Water Supply Agency to oversee the water resource issues discussed [by Mr. Shedly], the Agency was advised no contract would be entered into before the lake was issued permits; it is requested the Court consider reactivating the agency, there was a Memorandum of Understanding under which the Agency operated in compliance with State law and under the guidance of the Commissioners Court, the agency had the same rights as the North Texas Municipal Water District.

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

Commissioner Barker stated Minutes for 4/14/2014 are presented.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Gary Whitlock  
Vote: 3 -0 Approved

[Attachment]

Commissioner Barker stated Item 7 will be taken up at this time.

#### **ITEM 7. CONSIDERATION AND ACTION TO APPROVE PURCHASE OF DELL LAPTOP COMPUTER AND MICROSOFT OFFICE 2013 SOFTWARE, NOT TO EXCEED \$1100 AND A FUJITSU DOCUMENT SCANNER AT A COST OF \$666.15, TOTAL TO BE PAID OUT OF JUSTICE COURT TECHNOLOGY FUND - JUSTICE OF PEACE, PCT. 1**

Judge Joe Dale stated a reception window has been set up to take payments; logistically it would be more efficient to receive payments with a computer at the window with a scanner; the computer is \$743.82, the software is \$241.00 and the scanner is \$666.15.

Commissioner Whitlock moved to approve the purchase with the funds paid for by the Justice Court Technology Fund.

Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Jerry Magness  
Vote: 3 -0 Approved

**ITEM 5. CONSIDERATION AND ACTION TO APPROVE DONATING SHERIFF'S OFFICE DOG CAGE TO THE MOORE/ COLE UNITS OF TEXAS DEPARTMENT OF CORRECTIONS (TDC) – SHERIFF**

Donnie Foster, Sheriff stated a dog cage that was used in a 2002 Expedition is not being used; TDC approached the Department requesting donation of the cage; TDC is of benefit to the County in searches for hunters, lost persons and escapees; the cage would not otherwise be used within the County.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Dean Lackey  
Vote: 3 -0 Approved

**ITEM 6. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE PRELIMINARY PLAT FOR PROPOSED NORTH STAR ESTATES IN LEONARD, TX – CITIZEN**

Cole Dameron proposed the installation of the road within one year, maintenance of the road for one year and then requesting at that time the County take over the road maintenance; once approved the final draft of the plat will be submitted, contracts can be signed and once approved lots may be sold.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Dean Lackey  
Vote: 3 -0 Approved

**ITEM 8. DISCUSSION, CONSIDERATION AND ACTION TO PURCHASE FITNESS EQUIPMENT FOR THE WELLNESS PROGRAM, WITH EMPLOYER REWARDS FUNDS - WELLNESS COORDINATOR/TAX ASSESSOR-COLLECTOR**

Gail Young, Tax Assessor/Collector stated approval is requested to purchase fitness equipment with funds received from the program; the equipment to be purchased is a recumbent bike and mat and A/C adapter to be used at the South Annex.

Commissioner Magness moved to approve the purchase.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Dean Lackey  
Vote: 3 -0 Approved

**ITEM 9. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE MAKING A LARGE PARKING LOT ON COUNTY LOT LOCATED AT 221 E SAM RAYBURN DR, BONHAM, TX - COMMISSIONER, PCT. 3**

Commissioner Magness stated Precinct 3 has been mowing the lot which is a difficulty due to the public using the lot when it is muddy resulting in ruts, rocks can potentially be propelled from the mowers causing damage to parked cars; it is recommended the lot be rocked by contribution of rock from all precincts and Precinct 4 spread the rock, weeds can be sprayed chemically.

Commissioner Whitlock stated the lot discussed is where the old jail used to sit. Commissioner Lackey stated donated material from the Hwy 121 project is available for fill as well.

Commissioner Magness moved to approve the parking lot contingent upon approval of the City of Bonham with the contribution of all four Precincts providing rock.

Commissioner Barker stated the lot had been designated for use by the Master Naturalist but it has not been utilized.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Gary Whitlock  
Vote: 3 -0 Approved

**ITEM 10. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE SPRAYING OF WEEDS ON COUNTY LOT LOCATED AT 301 CHESTNUT, BONHAM, TX - COMMISSIONER, PCT. 3**

Commissioner Magness stated this particular lot is currently being maintained with weed-eaters which have the propensity to propel rocks, it is recommended chemical sprays be used for weed control.

Motion By: Commissioner Jerry Magness  
Second By: Commissioner Dean Lackey  
Vote: 3 -0 Approved

**ITEM 11. DISCUSSION, CONSIDERATION AND ACTION TO APPROVE INTERLOCAL AGREEMENTS WITH THE TOWN OF WINDOM, FANNIN COUNTY MULTI-PURPOSE COMPLEX, CITY OF DODD CITY, FANNIN COUNTY CONSERVATION BOARD, DODD CITY ISD, BONHAM ISD, BARTLEY WOODS WATER SUPPLY, CITY OF BONHAM, BAILEY VFD AND GOBER COMMUNITY CENTER - COMMISSIONER, PCT. 4**

Commissioner Lackey stated the inter-local agreements are up for renewal; in the past year the only work done has been done for Windom, Dodd City and the Multi-purpose complex.

Commissioner Whitlock asked if Bartley Woods Water Supply qualifies as a non-profit.

Commissioner Lackey moved to approve the inter-local agreements with the exception of Bartley Woods at this time.

Motion By: Commissioner Dean Lackey  
Second By: Commissioner Jerry Magness  
Vote: 3 -0 Approved

**ITEM 12. CONSIDERATION AND ACTION TO APPROVE LEGEND BANKS REQUEST TO RELEASE THE FOLLOWING SECURITIES: CUSPIT #667913DN4 NORTHWEST HARRIS CO \$350,000 AND CUSPIT #667913DP9 NORTHWEST HARRIS CO \$375,000 – TREASURER**

Mike Towery, Treasurer stated Legend Bank has requested release of these funds; in consultation with the auditor it has been determined the County is financially secured in the event the funds are released.

Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Jerry Magness  
Vote: 3 -0 Approved

**ITEM 13. CONSIDERATION AND ACTION TO APPROVE PAYMENT OF BILLS – AUDITOR**

Motion By: Commissioner Dean Lackey  
Second By: Commissioner Jerry Magness  
Vote: 3 -0 Approved

**ITEM 14. ADJOURN**

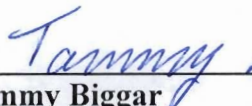
Motion By: Commissioner Gary Whitlock  
Second By: Commissioner Dean Lackey  
Vote: 3 -0 Approved

**Adjourned at 9:47 a.m.**

**The above and foregoing represents true and correct minutes of the Fannin County Commissioner's Court meeting in Regular Session the 5th day of May, 2014.**

(LGC 81.003)

**ATTEST:**

  
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Tammy Biggar  
Fannin County Clerk

