

**COMMISSIONERS COURT  
OCTOBER 13, 2009**

**STATE OF TEXAS  
COUNTY OF ROCKWALL**

**BE IT REMEMBERED THERE WAS HELD A REGULAR MEETING OF  
THE COMMISSIONERS COURT ON THE ABOVE DATE WITH THE FOLLOWING  
MEMBERS OF THE COURT PRESENT:**

<b>CHRIS FLORANCE</b>	<b>COUNTY JUDGE</b>
<b>JERRY WIMPEE</b>	<b>COMMISSIONER PCT #1</b>
<b>LORIE GRINNAN</b>	<b>COMMISSIONER PCT #2</b>
<b>DENNIS BAILEY</b>	<b>COMMISSIONER PCT #3</b>
<b>DAVID MAGNESS</b>	<b>COMMISSIONER PCT #4</b>
<b>LEA CARLSON</b>	<b>CHIEF DEPUTY COUNTY CLERK</b>

THE MEETING WAS CALLED TO ORDER BY JUDGE FLORANCE AT 9:00AM.

THE INVOCATION WAS GIVEN BY JUDGE FLORANCE.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND  
TO THE TEXAS FLAG WERE LED BY JUDGE FLORANCE.

NO GUESTS WERE PRESENT THAT WISHED TO BE RECOGNIZED OR TO  
ADDRESS THE COURT.

**ITEM #1**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY  
COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF  
APPROVING THE FOLLOWING SUGGESTED MOTIONS FOR THE 2010 BENEFIT  
PLANS/PREMIUMS (A,B,C,D,F AND G) WITH ITEM E TO BE ADDRESSED  
SEPARATELY:

- A. Employee Contributions for Plan Year 2010:**  
The County adopts the recommendation of the Employee Benefit Committee which keeps  
employee health plan contributions at Plan Year 2009 levels.

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**B. Partial HIPAA Opt-out:**

The County adopts the recommendations of the Employee Benefit Committee which provides for the continuation of a policy whereby new-hires may enroll in either the Limited Medical Plan or the Comprehensive Medical Plan after serving an initial 90-day probation period. Enrollment effective date will be the first of the following month.

For the first twelve months of insurance coverage, both plans will contain a \$5,000 individual limit on benefit payments for new-hires for any medical condition that existed during the twelve months prior to the effective date of their coverage.

For the 2010 benefits year and beyond, employees who have been enrolled in the Limited Medical Plan who seek to upgrade to the Comprehensive Medical Plan will be allowed to make application for upgraded coverage subject to medical underwriting during the re-enrollment period.

Employees who have been enrolled in the Comprehensive Medical Plan may downgrade to the Limited Medical Plan without medical underwriting during the re-enrollment period.

**C. Partial HIPAA Opt-out Letter:**

The County adopts the recommendations of the Employee Benefit Committee to send a HIPAA Opt-out letter to CMS.

**D. Davis Vision and TruHearing**

The County adopts the recommendation of the Employee Benefit committee to end the agreements with Davis Vision for vision and TruHearing for hearing aids.

**F. Flexible Spending Account for Dependant Care**

The County adopts the recommendation of the Employee Benefit Committee to adopt Dependant Care Flexible Spending Account plan provisions for each regular full-time employee to be able to set up a plan year election for dependent care up to the IRS allowable limits.

**G. Life Insurance**

The County adopts the recommendation of the Employee Benefit Committee

- To allow open enrollment for employee paid life insurance to be effective January 1, 2010,
- To increase the employee paid maximum benefit to \$300,000 and guaranteed issue amount to \$150,000 for employees, and
- To increase the employee paid maximum benefit to \$150,000 and guaranteed issue amount to \$25,000 for the employee's spouse.

Exceptions are those employees and dependants who have been previously rejected for additional coverage.

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY  
COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF  
APPROVING THE FOLLOWING SUGGESTED MOTION FOR THE 2010  
PLANS/PREMIUMS STRIKING THE WORDS TO CHANGE TO A FIVE YEAR  
VESTING PLAN:

**E. Retirement Plan Provisions**

The County adopts the recommendation of the Employee Benefit Committee with respect to participation in the Texas County & District Retirement System

- To maintain the elected contribution rate of 9%
- To adopt no cost of living (COLA) increase.

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**ITEM #2**

NO ACTION WAS TAKEN REGARDING THE ROCKWALL COUNTY VETERAN'S MEMORIAL. COMMISSIONER GRINNAN GAVE AN UPDATE ON THE ACTIVATION OF THE CONTEST FOR DESIGN CONCEPT LAST FRIDAY ON OCTOBER 9, 2009. COMMISSIONER GRINNAN STATED THE DESIGNS FOR THE CONTEST ARE DUE DECEMBER 8, 2009. COMMISSIONER GRINNAN INFORMED THE COURT OF THE WEBSITE LINK REGARDING THE CONTEST.

**ITEM #3**

NO ACTION REGARDING THE NEW COURTHOUSE ARCHITECTURAL/CONSTRUCTION MANAGEMENT/CHANGE ORDERS. COMMISSIONER BAILEY INFORMED THE COURT THAT THE ARCHITECT FIRM BRINKLEY SARGENT WILL GIVE A PRESENTATION TO THE COURT AT 1:00 P.M. TODAY.

**ITEM #4**

NO ACTION REGARDING ROAD BOND ISSUES. COMMISSIONER MAGNESS INFORMED THE COURT OF THE CONSORTIUM MEETING TO BE HELD NEXT WEDNESDAY NIGHT WITH ONE OF THE DISCUSSION ITEMS TO BE THE GROUNDBREAKING CEREMONIES FOR JOHN KING AND FM 740. COMMISSIONER GRINNAN GAVE AN UPDATE REGARDING THE 740 TASK FORCE MEETING.

**ITEM #5**

NO ACTION REGARDING COUNTY SPACE ISSUES.

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**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RESOLUTION WITH THE ROCKWALL COUNTY COMMITTEE ON AGING TO CONTINUE PROVIDING HOME-DELIVERED MEAL SERVICES FOR HOMEBOUND PERSONS IN THE COUNTY WHO ARE ELDERLY AND/OR HAVE A DISABILITY, EFFECTIVE OCTOBER 1, 2009, IN THE AMOUNT OF \$20,000. COMMISSIONER BAILEY QUESTIONED COMMISSIONER MAGNESS ON WHETHER OR NOT THE COURT HAS APPROVED SECTION 3 OF THE RESOLUTION WHICH STATES THE COUNTY HEREBY CERTIFIES THAT IT HAS APPROVED THE ORGANIZATION'S ACCOUNTING SYSTEM OR FISCAL AGENT. COMMISSIONER MAGNESS STATED HE SPOKE WITH THE CHAIRMAN OF THE BOARD FOR THE COMMITTEE ON AGING AND THAT THEY USE QUICKBOOKS AS THEIR ACCOUNTING SOFTWARE AND THAT THEY HAVE AN ACCOUNTANT WHO SITS ON THEIR BOARD OF DIRECTORS WHO OVERSEES THAT ON A MONTHLY BASIS TO MAKE SURE ALL THE ACCOUNTING IS DONE PROPERLY. COMMISSIONER MAGNESS STATED THAT THE IRS REQUIRES AN EXAMINATION WHICH IS DONE LOCALLY BY PAT TURNER. THE COURT DISCUSSED REQUESTING A COPY OF THE IRS EXAMINATION BE SENT TO THE COURT ON AN ANNUAL BASIS.

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**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL LICENSE AGREEMENT WITH INFOUSA TO PROVIDE INFORMATION DATABASES FOR THE ROCKWALL COUNTY LIBRARY AT \$2,171.00 EFFECTIVE OCTOBER 1, 2009. ROCKWALL COUNTY LIBRARY DIRECTOR MARCINE MCCULLEY GAVE AN OVERVIEW OF THE DATABASE AND EXPLAINED ITS USEFULNESS TO THE PATRONS OF THE ROCKWALL COUNTY LIBRARY.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A THREE-YEAR MAINTENANCE AGREEMENT WITH NETDATA CORPORATION THAT COVERS THE HARDWARE AND SOFTWARE ON THE IBM AS400 FOR THE COUNTY AUDITOR AND TREASURER EFFECTIVE OCTOBER 25, 2009 AT AN ANNUAL COST OF \$2,643.82.

**ITEM #9**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A RESOLUTION AUTHORIZING THE APPLICATION FOR THE FISCAL YEAR 2010 INDIGENT DEFENSE GRANT, ESTIMATED TO BE \$37,845.00, PURSUANT TO THE TEXAS FAIR DEFENSE ACT. THE COURT DISCUSSED THAT THE AMOUNT IN THE DOCUMENT WAS DIFFERENT FROM THE AMOUNT IN THE

LETTER, ALSO WITHIN THE DOCUMENT, RECEIVED FROM THE TEXAS TASK FORCE ON INDIGENT DEFENSE. ROCKWALL COUNTY AUDITOR LISA CONSTANT CONFIRMED THE AMOUNT OF \$37,845.00. COMMISSIONER BAILEY STATED THAT THE NAME OF THE COUNTY AUDITOR JOHN BLACKWOOD ON THE 2010 ROCKWALL COUNTY FORMULA GRANT PROGRAM APPLICATION CONFIRMATION NEEDED TO BE CHANGED TO THE NEW ROCKWALL COUNTY AUDITOR LISA CONSTANT.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF AMENDING THE ROCKWALL COUNTY TRAVEL POLICY PER DIEM RATE FOR HOTEL ADVANCES TO \$100 FROM THE PREVIOUS AMOUNT OF \$75.

**ITEM #11**

**EXECUTIVE SESSION: 9:18 A.M.-10:05 A.M.**

- DISCUSSION OF PERSONNEL MATTERS IN THE ROCKWALL COUNTY CLERK'S DEPARTMENT, AND ALL RELATED ISSUES;
- DISCUSSION OF SECURITY SYSTEM FOR THE IT DEPARTMENT, AND ALL RELATED ISSUES;

**ITEM #12**

**ACTION OF EXECUTIVE SESSION;**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF INCREASING THE SALARY OF THE CHIEF DEPUTY COUNTY CLERK TO THE

AMOUNT OF THE BASE SALARY RATE OF \$68,147.00 ANNUALLY UNTIL THE POSITION OF COUNTY CLERK IS FILLED.

**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting (s);
- b) Environmental Health Coordinator, Sept-09 monthly activity report(s);
- c) J.P. Pct. 1, Sept-09 monthly judicial activity report(s);
- d) Co. Librarian, Aug-Sept-09 activity expense report(s);
- e) Co. Agent, Aug-09 activity expense report(s);
- f) Indigent Health, Sept-09 expenditure/case report(s);
- g) District Clerk, Sept-09 monthly fee report(s);
- h) Co. Auditor, Approve payment to Brinkley Sargent Architects for August 2009 architectural services on the new Rockwall County Courthouse in the amount of \$74,659.53;
- i) Co. Auditor, Approve payment to CMJ Engineering, INC. for geotechnical engineering services on the new Rockwall County Courthouse in the amount of \$9,300.00;
- j) Acknowledge the resignation of County Clerk Lisa Constant;
- k) District Judge, Acknowledge for the record Court Order appointing Lisa Constant as the Rockwall County Auditor;

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS:

- A. Information Services transfer to County Treasurer: 1120E IP Telephone @ an original cost of \$222.00
- B. Information Services transfer to Emergency Management: (3) 1120E IP Telephones @ an original cost of \$666.00.
- C. County Auditor transfer to County Sheriff: Konica 7135 copier.

**ITEM #15**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER(S);

**2009-31**- Transfer \$100 of budgeted funds for County Judge **TO** Travel & Training **FROM** Copier Expense resulting from expenditures during FY2009 that exceeded budgeted funds approved and allowed.

**2009-32**- Transfer \$8,200 of budgeted funds for County Auditor **TO** Assistant salaries @ \$1,268 & Part Time Salary @ \$5,932 & Telephone Communication @ \$1,000 **FROM** Capital Outlay resulting from expenditures during FY2009 that exceeded budgeted funds approved and allowed.

**2009-33**- Transfer \$160 of budgeted funds for CJD Gardening Grant **TO** Group Insurance @ \$150 & Travel & Training @ \$10 **FROM** Equipment resulting from the reallocation of grant funds.

**2009-34**- Transfer \$74 of budgeted funds for Juvenile Probation State Grant A **TO** Non-Residential Services **FROM** Workers Comp resulting from the reallocation of grant funds.

**ITEM #16**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$29,526.86, COMMISSIONER BAILEY ABSTAINED;

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$1,047,571.20;

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL ENDING SEPTEMBER 19, 2009 IN THE AMOUNT OF \$494,597.45;

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF

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APPROVING PAYROLL ENDING OCTOBER 3, 2009 IN THE AMOUNT OF  
\$495,497.86.

**ITEM #17**

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE  
FLORANCE ADJOURNED THE MEETING AT 10:10 A.M.

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LEA CARLSON, CHIEF DEPUTY  
ROCKWALL COUNTY CLERK

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