

**COMMISSIONERS COURT
DECEMBER 8, 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:**

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

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

THE INVOCATION WAS GIVEN BY COMMISSIONER GRINNAN.

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 ADDRESS
THE COURT.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING JUDGE FLORANCE TO ATTEND THE NATIONAL ASSOCIATION OF
COUNTIES (NACO) LEGISLATIVE CONFERENCE IN WASHINGTON, DC ON
MARCH 6-10, 2010 AND THE ANNUAL CONFERENCE IN RENO/WASHOE COUNTY,
NEVADA, ON JULY 16-20, 2010, TO SERVE ON THE NACO TRANSPORTATION
STEERING COMMITTEE.

ITEM #2

THIS ITEM WAS A DISCUSSION ITEM ONLY. COMMISSIONER GRINNAN STATED THAT THE CONTEST DESIGNS WERE DUE AT 5:00 P.M. TODAY FOR THE DESIGN OF THE ROCKWALL COUNTY VETERANS MEMORIAL AND THAT A DESIGN JURY HAS BEEN FORMULATED TO BRING A DESIGN TO THE COURT IN JANUARY.

ITEM #3

THIS ITEM WAS A DISCUSSION ITEM ONLY. COMMISSIONER GRINNAN STATED THAT THE GROUNDBREAKING CEREMONY FOR THE FM 740 ROAD PROJECT WAS WELL RECEIVED. COMMISSIONER MAGNESS STATED THAT JUDGE FLORANCE AND HE ARE MEETING TOMORROW WITH A REPRESENTATIVE FROM COLLIN COUNTY AND DENTON COUNTY TO DISCUSS THE OUTER LOOP AND THAT THEY WILL GIVE A REPORT TO THE COMMISSIONERS COURT AT THE NEXT WORKSHOP MEETING. COMMISSIONER GRINNAN STATED THAT THERE IS A PARTNERING MEETING DECEMBER 17, 2009 FOR THE JOHN KING INTERCHANGE AT THE ROCKWALL COUNTY LIBRARY.

ITEM #4

NO ACTION WAS TAKEN REGARDING THE 2010 CENSUS.

ITEM #5

THIS ITEM WAS A DISCUSSION ITEM ONLY. COMMISSIONER MAGNESS STATED THAT HE IS STILL GATHERING INFORMATION REGARDING THE STORAGE ISSUE AT THE COUNTY SERVICES BUILDING. COMMISSIONER MAGNESS COMPLIMENTED THE DISTRICT ATTORNEY'S OFFICE FOR THE WORK THEY

ARE DOING AT THE ROAD AND BRIDGE BUILDING TO ASSEMBLE THEIR RECORDS.

ITEM #6

THIS ITEM WAS A DISCUSSION ITEM ONLY. COMMISSIONER BAILEY STATED THAT A REPRESENTATIVE FROM MANHATTAN CONSTRUCTION AND BRINKLEY SARGENT ARE PRESENT AND WILL BE SPEAKING TO THE COURT AT THE WORKSHOP TODAY AT 9:30 A.M.

ITEM #7

ROCKWALL COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT THE DISPOSAL OF THE SURPLUS ITEMS AT THE COUNTY SERVICES BUILDING. MS. CONSTANT STATED THAT MOST OF THE ITEMS WOULD ONLY REQUIRE A DUMPSTER TO DISPOSE OF THEM, AND THAT THE I.T. ADMINISTRATOR BRIAN CRENSHAW FOUND A COMPANY TO DISPOSE OF THE SURPLUS COMPUTER ITEMS IN AN ENVIRONMENTALLY SAFE WAY. BRIAN CRENSHAW STATED HE WOULD ESTIMATE THE COST TO HAVE THE COMPUTER EQUIPMENT DISPOSED OF. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE AUDITOR TO DISPOSE OF THE SURPLUS ITEMS AT THE COUNTY SERVICES BUILDING BY THE APPROPRIATE MEANS AND TO APPROVE THE FUNDING NECESSARY TO SECURE A DUMPSTER TO HAUL THE ITEMS AWAY.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A MAINTENANCE AGREEMENT WITH 3M LIBRARY SYSTEMS FOR A RADIO FREQUENCY IDENTIFICATION SYSTEM BARCODE SCANNER AT THE COUNTY LIBRARY AT A TOTAL COST OF \$1,202.05.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A PROPOSAL WITH GALLAGHER BENEFIT SERVICES, INC. TO PROVIDE A ROLL FORWARD OF THE 2007-08 ACTUARIAL VALUATION OF ROCKWALL COUNTY'S OTHER POST-EMPLOYMENT BENEFITS (OPEB) IN ACCORDANCE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD NO. 45 AT A FEE OF \$4,500.00.

ITEM #10

COMMISSIONER BAILEY REQUESTED ASSISTANT DISTRICT ATTORNEY BRIAN WILLIAMS GIVE THE COURT AN OVERVIEW OF THE SELECTION COMMITTEE'S PROCESS IN DETERMINING THE ENGINEERING COMPANIES SELECTED TO COMPLETE ROAD ENGINEERING PROJECTS 1-8. THE SELECTION COMMITTEE MEMBERS WERE ROCKWALL COUNTY AUDITOR LISA CONSTANT, ASSISTANT DISTRICT ATTORNEY BRIAN WILLIAMS, AND TXDOT ENGINEER BRENDA CALLAWAY. BRIAN WILLIAMS STATED THAT THERE WERE 54 SUBMISSIONS THAT WERE REVIEWED AND SCORED SEPARATELY BY EACH COMMITTEE

MEMBER. THE COMMITTEE MET, TOTALED THEIR SCORES TOGETHER AND REVIEWED EACH FIRM'S RANKING TO DETERMINE THE ENGINEERING FIRM THAT BEST FIT EACH OF THE PROJECTS. COMMISSIONER MAGNESS QUESTIONED BRIAN WILLIAMS ON WHETHER OR NOT THE MATERIAL THAT WAS GIVEN TO THE APPLICANTS ALLOWED THEM TO ADDRESS THE PROJECTS PROPERLY SO THAT WHEN THE COMMITTEE REVIEWED THE APPLICANTS THEY HAD THE INFORMATION THAT WAS NEEDED TO MAKE A DECISION. BRIAN WILLIAMS STATED THAT YES, THE RFQ REQUIRED THE FIRMS TO GIVE THEIR UNDERSTANDING OF THE PROJECTS AND THAT EACH PROPOSAL WENT INTO DETAIL ABOUT WHAT ROAD PROJECT IT WAS, WHAT THE HISTORICAL BASIS FOR THE PROJECT WAS, WHAT THE FUTURE NEEDS WERE, AND THE SPECIFIC PROBLEMS THAT WOULD BE HIGHLIGHTED ENGINEERING WISE IN THOSE PROJECTS. COMMISSIONER MAGNESS QUESTIONED BRIAN WILLIAMS ON WHETHER OR NOT THE CRITERIA THAT THE COMMITTEE USED TO MAKE A SELECTION BASED ON THE INFORMATION IN EACH PROPOSAL WAS ADEQUATE SO THAT THE COMMITTEE WAS ABLE TO JUDGE THE QUALIFICATIONS, EXPERIENCE, AND THE FIRMS KNOWLEDGE AND ABILITY SO THAT THE COMMITTEE COULD MAKE A CONFIDENT DECISION. MR. WILLIAMS STATED THAT THE SCORING SYSTEM USED WAS SET UP SPECIFICALLY SO THAT IF THE FIRMS MET CERTAIN REQUIREMENTS THEY WERE SCORED AT A CERTAIN LEVEL AND THAT ALMOST ALL THE FIRMS MET THOSE REQUIREMENTS WHICH MADE IT DIFFICULT TO MAKE A FINAL SELECTION BECAUSE ALL THE FIRMS WERE VERY QUALIFIED AND THAT THEY

ALL HAD THE EXPERIENCE WITH JOBS THAT WERE EQUAL TO OR GREATER THAN THE PROJECTS THE COUNTY PUT FORWARD. COMMISSIONER MAGNESS QUESTIONED BRIAN WILLIAMS ON WHETHER OR NOT ANYONE ON THE SELECTION COMMITTEE WAS INFLUENCED AT ALL BY ANYONE OUTSIDE THE COMMITTEE DURING THEIR SELECTION PROCESS. MR. WILLIAMS STATED NO, NOT AT ALL. JUDGE FLORANCE STATED THAT THE REASON FOR THE SELECTION COMMITTEE WAS TO KEEP THE SELECTION PROCESS COMPLETELY SEPARATE FROM ANY TYPE OF INFLUENCE FROM THE COMMISSIONER COURT OR ANY CONSULTANT OR ANY ONE ELSE. THEREBY ALLOWING THE COMMITTEE TO FREELY MAKE AN ACURATE DECISION. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF SELECTING CH2MHILL TO COMPLETE PROJECT #1 (SH 276 FROM SH 205 TO FM 549); BWR TO COMPLETE PROJECT #2 (FM 740 FROM FM 1140 TO FM 549) ; PARSONS TO COMPLETE PROJECT #3 (IH 30 AT FM 551); HALFF ASSOCIATES, INC. TO COMPLETE PROJECT #4 (SH 66 FROM SH 205 TO FM 1777); PBS&J TO COMPLETE PROJECT #5 (FM 549 FROM SH 66 TO IH 30); DANNENBAUM ENGINEERING CO. TO COMPLETE PROJECT #6 (FM 549 FROM SH 276 TO SH 205); HNTB TO COMPLETE PROJECT #7 (FM 552 FROM SH 205 TO SH 66). THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF PREQUALIFYING THE FOLLOWING FIRMS TO PROVIDE SERVICES FOR PROJECT #8 (UNSPECIFIED PROJECTS) IN RANK ORDER AS FOLLOWS:

HNTB
PBS&J
HALFF ASSOCIATES, INC.
DANNENBAUM ENGINEERING
HUITT-ZOLLARS
BWR
BRIDEFARMERS & ASSOCIATES, INC.
CH2MHILL
CP&Y
CRIADO & ASSOCIATES, INC.
FREESE AND NICHOLS
HDR
URS
CIVIL ASSOCIATES, INC.
LOCKWOOD, ANDREWS & NEWMAN, INC.
PATE ENGINEERS
TEAGUE NALL AND PERKINS
SCHAUMBURG & POLK, INC.
BROWN & GAY
LAMB-STAR ENGINEERING, LP
PACHECO KOCH
TRANS SYSTEMS
LTRA

ITEM #11

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

- a) Minutes of previous meeting(s);
- b) Co. Agent, Oct-09 activity expense report(s);
- c) Environmental Health Coordinator, Nov-09 monthly activity report(s);
- d) Co. Tax Assessor-Collector, Oct/Nov-09 monthly activity/expense report(s);
- e) Co. Auditor, Approve payment to Brinkley Sargent Architects for October 2009 architectural services on the new Rockwall County Courthouse in the amount of \$171,424.79;
- f) Co. Auditor, Aug-09 monthly report;

ITEM #12

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

- A. Road & Bridge purchased from Road & Bridge Fund: Water Pump and discharge hose @ a cost of \$499.98. **(Emergency Purchase)**
- B. Road & Bridge to purchase from FY2003 Capital Purchases Fund: Caterpillar asphalt roller including shipping @ a quoted cost of \$49,380.00.

ITEM #13

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

2009-38 --Transfer \$360 of budgeted funds for County Agent **TO** Capital Outlay **FROM** Equipment resulting from the purchase of a lighted marquee sign including delivery which was approved in Commissioners Court on October 27, 2009.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$8,561.99. COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$354,284.84. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL FOR THE PAY PERIOD ENDING NOVEMBER 28, 2009 IN THE AMOUNT OF \$509,205.85.

ITEM #15

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE FLORANCE ADJOURNED THE MEETING AT 9:30 A.M.

LEA CARLSON, CHIEF DEPUTY
ROCKWALL COUNTY CLERK