

**COMMISSIONERS COURT  
DECEMBER 16, 2009**

**STATE OF TEXAS  
COUNTY OF ROCKWALL**

**BE IT REMEMBERED THERE WAS HELD A SPECIAL 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

JUDGE FLORANCE CALLED THE SPECIAL MEETING TO ORDER AT 1:00 P.M.

**ITEM #1**

COMMISSIONER BAILEY COMMENTED ON THE GOALS AND OBJECTIVES OF THE COURT AND THE HARD DECISIONS AHEAD FOR THE COURT REGARDING THE CONSTRUCTION OF THE NEW ROCKWALL COUNTY COURTHOUSE.

COMMISSIONER BAILEY COMMENTED ON TIMING CONCERNS STATING THAT THE PREVIOUS COURT HIRED THE ARCHITECT FIRM BRINKLEY SARGENT TO DESIGN THE NEW COURTHOUSE BACK IN 2008 AND THAT THE CURRENT COURT HAS BEEN WORKING ON A DESIGN FOR ABOUT EIGHTEEN MONTHS.

COMMISSIONER BAILEY FURTHER STATED THAT CONSTRUCTION COSTS FOR THE NEW COURTHOUSE APPEAR TO BE READY TO ADJUST AND THAT HE DID NOT WANT THE COURT TO MISS AN OPPORTUNITY WHEN WE ARE SITTING ON A TIME THAT MANY WOULD SAY IS THE BEST BUILDING MARKET IN YEARS. HE

CONTINUED THAT THE COURT NEEDED TO LOOK CAREFULLY AT THE COSTS AND OPTIONS PRESENTED AND THAT HE FELT CONFIDENT THAT THE COUNTY HAS A GOOD CONSTRUCTION TEAM TO HANDLE ANY CONCERNS THAT THE COURT MAY HAVE. COMMISSIONER BAILEY FURTHER STATED HE FELT EVERYONE WAS NERVOUS ABOUT THIS BUILDING FOR SEVERAL REASONS, THE FIRST BEING THAT THIS IS A BUILDING THAT WILL LAST AND REPRESENT THIS COUNTY FOR SOME SEVENTY-FIVE YEARS AND THAT THIS WILL ONLY BE THE THIRD COURTHOUSE BUILT IN THIS COUNTY AND IT NEEDS TO BE DONE RIGHT. COMMISSIONER BAILEY REMINDED THE COURT THAT EACH OF ITS MEMBERS HAS SHOWN THEIR CONSERVATISM IN THE PAST YEARS AND THAT IT IS EVIDENT BY THE FISCAL CONDITION OF THE COUNTY TODAY.

COMMISSIONER BAILEY EXPLAINED THAT THE FIRST DECISION TO BE MADE AT THIS MEETING WILL BE CHOOSING A BUILDING SITE PLAN FOR THE NEW COURTHOUSE. HAL SARGENT WITH BRINKLEY SARGENT ARCHITECT FIRM PRESENTED TWO MASTER SITE PLAN OPTIONS FOR THE NEW ROCKWALL COUNTY COURTHOUSE TITLED SITE PLAN A AND SITE PLAN B. THE COURT DISCUSSED BOTH SITE PLANS WITH MR. SARGENT. CITY ENGINEER FOR THE CITY OF ROCKWALL CHUCK TODD WAS ALSO PRESENT TO ANSWER QUESTIONS AND CONCERNS ABOUT BOTH SITE PLAN OPTIONS.

COMMISSIONER WIMPEE STATED THAT HE FELT THAT THE COURT NEEDED TO VOTE ON A MASTER SITE PLAN BECAUSE THAT WOULD SAVE TIME AND SOLVE SOME OF THE ISSUES THAT THE COURT HAS BEEN DISCUSSING. THE COURT CONTINUED TO DISCUSS THE TWO SITE PLAN OPTIONS WITH THE MOST

EMPHASIS BEING ON THE LOCATION OF THE RETENTION POND.

COMMISSIONER GRINNAN FELT THAT SITE PLAN B WAS NOT A GOOD CHOICE BECAUSE IT REQUIRED ADDITIONAL LAND AND PLACED THE RETENTION POND ON A PRIME CORNER OF THE PROPERTY. COMMISSIONER WIMPEE MADE THE MOTION, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-2 IN FAVOR OF APPROVING SITE PLAN B; PLACING THE RETENTION POND ON THE LOWLYING CORNER OF THE PROPERTY. COMMISSIONER BAILEY AND COMMISSIONER GRINNAN VOTED AGAINST. COMMISSIONER WIMPEE RESTATED THAT THE COURT'S POSITION SHOULD BE TO MASTER PLAN THE SITE NOT TO JUST BUILD THE SITE, NOR TO PUT ALL THE DETAILS IN THIS PHASE OR EXPANSION AREA BUT TO RECOGNIZE THAT THERE IS AN EXPANSION AREA FOR FUTURE NEEDS SUCH AS, SPACE FOR APPROXIMATELY 1200 TO 1500 CARS WHEN ALL THE COURTS ARE ACTIVE AT BUILD OUT. COMMISSIONER GRINNAN ADDRESSED THE NUMBER OF CARS; SHE STATED THAT AT NO POINT HAD SHE SEEN THE NEED FOR 1500 PARKING SPACES AT EITHER THIS COURTHOUSE OR EVEN AN AUXILLARY BUILDING. COMMISSIONER WIMPEE QUESTIONED COMMISSIONER GRINNAN ON WHAT THE NUMBER OF PARKING SPACES NEEDED IS AND WHERE DID SHE GET HER INFORMATION. COMMISSIONER GRINNAN STATED THAT THE SITE PLAN ALLOTTED FOR 550 PARKING SPACES AND THAT BY JUST ADDING ANOTHER COURT FLOOR WOULD NOT REQUIRE DOUBLING THE AMOUNT OF PARKING SPACES AND THAT THE NUMBER WAS MORE AT AROUND 1100 SPACES NOT 1500 SPACES. COMMISSIONER WIMPEE CLARIFIED WITH HAL SARGENT THAT

AT A BUILDOUT POPULATION OF 250,000 TO 300,000 WITH 8 WORKING COURTS THAT THIS BUILDING WILL ONLY NEED 1100 PARKING SPACES. HAL SARGANT STATED THAT HE WOULD HAVE TO CHECK THE NUMBER BUT THAT HE DIDN'T FEEL THAT THE NUMBER WOULD HAVE TO BE DOUBLED BECAUSE THERE WOULD BE ANOTHER COURT LEVEL. MR. SARGENT FURTHER EXPLAINED THE PARKING LAYOUT ON THE SITE PLAN. HAL SARGENT GAVE THE COURT AN OVERVIEW ON THE PROPOSED DESIGN AND DEVELOPMENT BUDGET. THE COURT DISCUSSED THE PROPOSED DESIGN AND DEVELOPMENT BUDGET IN DETAIL WITH MR. SARGENT.

\*JUDGE FLORANCE RECESSED THE MEETING AT 2:45 P.M. FOR A FIVE MINUTE BREAK.

\*JUDGE FLORANCE RECALLED THE MEETING TO ORDER AT 2:58 P.M. THE COURT CONTINUED TO DISCUSS THE PROPOSED DESIGN AND DEVELOPMENT BUDGET WITH HAL SARGENT. COMMISSIONER WIMPEE STATED THAT HE FELT IT MADE MORE SENSE TO CUT COSTS ON THE INSIDE OF THE BUILDING RATHER THAN THE OUTSIDE OF THE BUILDING AND THAT THE COURT SHOULD PROBABLY DECIDE ON EXACTLY HOW THE OUTSIDE OF THE BUILDING SHOULD LOOK AND THEN CUT BUDGET COSTS ON THE INSIDE OF THE BUILDING. COMMISSIONER GRINNAN STATED THAT SHE FELT THE COUNTY COULD NOT AFFORD TO BUILD A 37 MILLION DOLLAR BUILDING AND THAT THE SCOPE OF THE BUILDING SHOULD BE CUT BACK BEFORE THE COURT MOVES FORWARD ON MAKING A DECISION ABOUT THE BUDGET FOR THE BUILDING. COMMISSIONER BAILEY ASKED MANHATTAN CONSTRUCTION

REPRESENTATIVE BRUCE FIELDS TO GIVE THE COURT AN OVERVIEW OF PROPOSED CONSTRUCTION COSTS. MR. FIELDS STATED THAT THE THINGS HE NEEDED FROM THE COURT IN ORDER TO MOVE FORWARD ARE APPROVAL OF THE SITE PLAN WHICH WAS APPROVED EARLIER TODAY, APPROVAL OF A DESIGN AND DEVELOPMENT BUDGET WHICH ALLOWS BRINKLEY-SARGENT TO MOVE FORWARD WITH THEIR BUILDING PACKAGES, AND LASTLY THE MAJOR BUILDING PACKAGE FROM BRINKLEY-SARGENT FOR THE ENVELOPE WHICH INCLUDES THE GLASS, BRICK, ROOFING, ELEVATORS, MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS. MR. FIELDS FURTHER STATED THAT THE DATE SCHEDULED FOR THEM TO RECEIVE THE MAJOR PACKAGE FROM BRINKLEY-SARGENT IS MARCH 1, 2010 AND THAT THAT PACKAGE IS NEEDED IN ORDER TO MOVE FORWARD AND BID THE PROJECTS. THE COURT DISCUSSED THE OVERALL PROPOSED BUDGET AND THE VARIOUS WAYS TO BRING DOWN THE TOTAL COST TO BUILD THE BUILDING AND THE VARIOUS FUNDS AVAILABLE TO OFFSET THOSE COSTS.

\*JUDGE FLORANCE RECESSED THE MEETING AT 4:30P.M. FOR A FIFTEEN MINUTE BREAK.

\*JUDGE FLORANCE RECALLED THE MEETING TO ORDER AT 4:45P.M. BRUCE FIELDS GAVE THE COURT AN OVERVIEW OF THE APPROXIMATE PRICE PER SQUARE FOOT ON CONSTRUCTION COSTS. THE COURT CONTINUED TO DISCUSS THE VARIOUS MONIES AVAILABLE WHICH COULD OFFSET THE COSTS OF BUILDING THE NEW COURTHOUSE. ROCKWALL COUNTY AUDITOR LISA CONSTANT GAVE THE COURT AN OVERVIEW OF THE BALANCE ON THE

PUBLIC SAFETY FUND. COUNTY TREASURER BILL SINCLAIR GAVE THE COURT AN OVERVIEW OF THE GENERAL RESERVE FUND BALANCE WITH THE UNAUDITED NUMBER AT THE END OF FISCAL YEAR 2009 BEING 19.7 MILLION DOLLARS. COMMISSIONER BAILEY QUESTIONED COUNTY TREASURER BILL SINCLAIR AS THE CIO (CERTIFIED INVESTMENT OFFICER) OF THE COUNTY ON WHETHER HE WOULD BE COMFORTABLE WITH HOLDING A SIX MONTH RESERVE AT AN AMOUNT OF 13.5 MILLION DOLLARS KNOWING THAT EXPENSES ARE GOING TO GO UP, REVENUE IS GOING TO GO DOWN, AND THAT THE COUNTY MAY RUN A DEFICIT BUDGET. MR. SINCLAIR STATED THAT EVEN IF THE COUNTY IS LOOKING AT A DEFICIT BUDGET FOR THE NEXT TWO YEARS AND NOT INCREASING TAX REVENUE THAT THE COUNTY IS STILL FINANCIALLY SAFE HAVING A 13.5 MILLION DOLLAR RESERVE.

COMMISSIONER BAILEY STATED THAT IT WAS NOT MR. SINCLAIR'S DECISION TO MAKE ON HOW MUCH MONEY TO PULL OUT OF THE RESERVE FUND TO USE ON BUILDING THE NEW COURTHOUSE BUT THAT COMMISSIONER BAILEY WAS MERELY ASKING MR. SINCLAIR FROM A TREASURER'S STANDPOINT UNDER THOSE SCENARIOS WOULD MR. SINCLAIR BE COMFORTABLE WITH THE NUMBER OF 13.5 MILLION DOLLARS IN RESERVE FOR THE COUNTY. MR. SINCLAIR RESPONDED THAT THE PURPOSE FOR THE RESERVE IS TO HELP MITIGATE THE EXACT SCENARIOS THAT COMMISSIONER BAILEY OUTLINED, SO YES AT 13.5 MILLION IN RESERVE HE FELT THE COUNTY COULD WITHSTAND THAT. COMMISSIONER BAILEY ASKED FOR COMMENTS FROM THE OTHER COURT MEMBERS. COMMISSIONER MAGNESS STATED THAT HE

WAS COMFORTABLE WITH THE DIRECTION OF THE COURT. COMMISSIONER GRINNAN DISCUSSED WITH THE COURT ADDITIONAL OPERATING AND PERSONNEL COSTS OF THE NEW COURTHOUSE THAT WOULD BE IN ADDITION TO THE SCENARIOS OUTLINED BY COMMISSIONER BAILEY. COMMISSIONER MAGNESS MADE THE MOTION, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1 IN FAVOR OF SETTING THE DESIGN AND DEVELOPMENT BUDGET AMOUNT AT 37.2 MILLION DOLLARS. COMMISSIONER GRINNAN VOTED AGAINST.

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LEA CARLSON  
CHIEF DEPUTY ROCKWALL COUNTY CLERK