

**COMMISSIONERS COURT
FEBRUARY 23, 2010**

**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-ABSENT
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

CRIMINAL DISTRICT ATTORNEY KENDA CULPEPPER DISCUSSED WITH THE
COURT THE NEED FOR THE COUNTY TO PROVIDE IDENTITY THEFT AND
TRAINING TO COUNTY EMPLOYEES. COMMISSIONER MAGNESS STATED THAT
HE WOULD LIKE TO SEE THE TRAINING MATTER GO THROUGH THE HUMAN
RESOURCES DEPARTMENT AND HAVE HUMAN RESOURCES AND THE
CRIMINAL DISTRICT ATTORNEY'S OFFICE COME BACK TO THE COURT WITH A
RECOMMENDATION. MS. CULPEPPER STATED THAT AFTER RESEARCHING

THE MATTER SHE FELT THAT THE COUNTY WAS AT RISK TO CIVIL LIABILITY BECAUSE THE COUNTY HAS NOT PROVIDED THIS TRAINING. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF AUTHORIZING THE CRIMINAL DISTRICT ATTORNEY AND HUMAN RESOURCES DIRECTOR TO PURSUE THE IDENTITY THEFT PREVENTION TRAINING AND BRING BACK TO THE COURT A RECOMMENDATION.

ITEM #2

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING COUNTY AUDITOR LISA CONSTANT AS SIGNATORY ON THE COUNTY'S LOCAL GOVERNMENT INVESTMENT POOLS (LGIPS) AND OTHER INVESTMENT ACCOUNTS AS APPLICABLE.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE LIBRARY MEETING ROOM POLICY.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE LIBRARY EXAMINATION PROCTORING POLICY.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A MAINTENANCE AGREEMENT ENDING 9/30/11 WITH TFE CONNECT FOR ADDITIONAL ROUTERS FOR THE COUNTY NETWORKING SYSTEM AT A COST OF \$4,481.06.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN INSURED CASH SHELTER ACCOUNT (ICSA) THROUGH FIRST FINANCIAL EQUITY CORPORATION FOR THE PURPOSE OF IMPROVING THE YIELD AND FINANCIAL SECURITY OF INVESTED FUNDS.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF RENEWING A MAINTENANCE AGREEMENT FOR A SIX MONTH PERIOD, MARCH 1, 2010-AUGUST 31, 2010, WITH AVIAN FLYAWAY, INC. FOR MIGRATORY BIRD REMOVAL SERVICES AT THE HISTORIC COURTHOUSE AT A COST OF \$7,900.00.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF ROCKWALL FOR MAINTENANCE CONSISTING OF THE TRIMMING OF OVER-HANGING TREE

LIMBS AND SHRUBS TO CITY OWNED RIGHT-OF-WAYS WHEN NEEDED TO BE PERFORMED BY THE COUNTY ROAD AND BRIDGE DEPARTMENT AT AN AGREED UPON COST AND AVAILABLE SCHEDULE.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY, FOR DISCUSSION, TO APPROVE AN AGREEMENT WITH NATIONAL CINEMEDIA FOR A PUBLIC SERVICE ANNOUNCEMENT FOR THE ROCKWALL COUNTY EMERGENCY MANAGEMENT DEPARTMENT IN THE AMOUNT OF \$3,905.00 TO BE PAID FROM THE CRI GRANT. COMMISSIONER MAGNESS QUESTIONED EMERGENCY MANAGEMENT COORDINATOR JOE DELANE ABOUT A PART OF THE AGREEMENT CONCERNING THE ADVERTISER OBTAINING GENERAL LIABILITY INSURANCE OF NOT LESS THAN \$1,000,000.00 PER OCCURANCE AND IF THAT WOULD BE A COST TO THE COUNTY. MR. DELANE STATED THAT ASSISTANT DISTRICT ATTORNEY BRIAN WILLIAMS REVIEWED THE DOCUMENT AND HAD NO ISSUES WITH IT. JUDGE FLORANCE SET THIS ITEM ASIDE UNTIL MR. WILLIAMS COULD BE CONTACTED.

ITEM #10

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN REGARDING THE ROCKWALL COUNTY VETERANS MEMORIAL.

ITEM #11

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN REGARDING ROADS AND ROAD BOND ISSUES. COMMISSIONER MAGNESS ANNOUNCED THAT THE CONSORTIUM MEETING WILL BE TOMORROW NIGHT AT 6:00 P.M.

ITEM #12

NO ACTION TAKEN REGARDING THE 2010 CENSUS.

ITEM #13

NO ACTION TAKEN REGARDING COUNTY SPACE ISSUES.

ITEM #14

NO ACTION TAKEN REGARDING THE NEW COURTHOUSE ARCHITECTURAL/
CONSTRUCTION MANAGEMENT/ CHANGE ORDER.

*JUDGE FLORANCE RECESSED THE MEETING FOR A TEN MINUTE BREAK AT
9:30 A.M.

ITEM #9 RE-ADDRESSED

EMERGENCY MANAGEMENT COORDINATOR JOE DELANE STATED THAT HE
HAD SPOKEN WITH ASSISTANT DISTRICT ATTORNEY BRIAN WILLIAMS DURING
THE BREAK CONCERNING THE AGREEMENT TERMS AND MR. WILLIAMS
BELIEVES THAT THE COUNTY'S GENERAL INSURANCE SHOULD BE SUFFICIENT
BUT THAT IT WAS AN ISSUE FOR THE AUDITOR'S OFFICE AND THE HUMAN
RESOURCES OFFICE. COMMISSIONER MAGNESS STATED THAT HE WAS
CONVINCED THAT IT WAS OK TO GO AHEAD WITH THE MOTION. THE COURT
VOTED 4-0 IN FAVOR OF APPROVING THE AGREEMENT WITH NATIONAL
CINEMEDIA FOR A PUBLIC SERVICE ANNOUNCEMENT FOR THE ROCKWALL
COUNTY EMERGENCY MANAGEMENT DEPARTMENT IN THE AMOUNT OF
\$3,905.00 TO THE PAID FROM THE CRI GRANT.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) Co. Sheriff-2009 Annual Racial Profiling Report;
- c) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services rendered during December 2009 at the FM549/I30 interchange in the amount of \$14,876.10;
- d) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services rendered during January 2010 at the FM549/I30 interchange in the amount of \$15,115.40;
- e) Co. Auditor, Approve final payment to Hill & Wilkinson Construction Group, Ltd, for renovation services rendered relating to the County Services Building Project in the amount of \$23,650.00;

ITEM #16

NO ACTION TAKEN REGARDING PROPERTY ACQUISITIONS/DISPOSITIONS.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER(S):

2010-14 - Transfer \$21,500 of funds **TO** General Fund/County Sheriff/Capital Outlay **FROM** General Government/Contingency resulting from the purchase of a 2010 Dodge Charger vehicle including associated equipment and delivery to replace a vehicle which was totaled approved by the Commissioners Court on November 24, 2009.

2010-15 –Withdrawn by Auditor Lisa Constant.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$362,151.58. COMMISSIONER

BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$356,932.60. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$490,169.60 FOR THE PAY PERIOD ENDING FEBRUARY 6, 2010.

LEA CARLSON, CHIEF DEPUTY
ROCKWALL COUNTY CLERK