

**COMMISSIONERS COURT
APRIL 27, 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
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 MAGNESS.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND

TO THE TEXAS FLAG WERE LED BY COMMISSIONER WIMPEE.

NO GUESTS WERE PRESENT THAT WISHED TO BE RECOGNIZED OR 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 RE-APPOINTMENT OF GINNY PROGELHOF, PAT CALHOUN,
LINDA GARRETT, AND BEVERLY STIBBENS TO THE ROCKWALL COUNTY
LIBRARY ADVISORY BOARD.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPOINTING CLAUD (BUZZ) ELSOM TO SERVE ON THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTOG) SURFACE TRANSPORTATION TECHNICAL COMMITTEE (STTC).

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 TO SET A PUBLIC HEARING ON JUNE 22, 2010 AT 7:00 P.M. REGARDING THE PROPOSED IMPROVEMENTS TO HIGHTOWER LANE.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 TO APPROVE TAX ABATEMENT POLICY #42710 AS PRESENTED BY COUNTY TREASURER BILL SINCLAIR.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY TO NOT RENEW THE TECHSHARE RESOURCE SHARING ADDENDUM AGREEMENT FOR THE JUVENILE INFORMATION SYSTEM WITH THE TEXAS CONFERENCE OF URBAN COUNTIES AS RECOMMENDED BY THE ROCKWALL COUNTY JUVENILE BOARD. COMMISSIONER WIMPEE STATED SEVERAL CONCERNS HE HAD WITH NOT RENEWING THE ADDENDUM.

COMMISSIONER GRINNAN RESCINDED HER ORIGINAL MOTION AND MADE A NEW MOTION, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF SETTING THIS ITEM ASIDE UNTIL THE NEXT REGULARLY SCHEDULED COMMISSIONERS COURT MEETING.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN TO APPROVE AN AGREEMENT WITH HALFF ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES FOR THE SH 66 FROM SH 205 TO FM 1777 ROAD PROJECT #4 IN THE AMOUNT OF \$1,467,831.00 TO BE PAID OUT OF THE 2008 ROAD BOND ELECTION MONIES.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN AGREEMENT WITH HNTB CORPORATION TO PROVIDE ENGINEERING SERVICES FOR THE FM 552 FROM SH 205 TO SH 66 ROAD PROJECT #7 IN THE AMOUNT OF \$776,741.13 TO BE PAID OUT OF THE 2008 ROAD BOND ELECTION MONIES.

ITEM #9

THIS ITEM WAS A DISCUSSION ITEM ONLY. COUNTY AUDITOR LISA CONSTANT STATED THAT THE PRE-SUBMITTAL CONFERENCE FOR THE INTERESTED CONSTRUCTION COMPANIES FOR THE ROCKWALL COUNTY VETERANS MEMORIAL WILL BE TOMORROW AT 11:00 A.M. AT THE HISTORICAL

COURTHOUSE. COMMISSIONER GRINNAN STATED THAT SHE IS WORKING ON A POLICY TO ACCEPT DONATIONS FROM PRIVATE CITIZENS.

ITEM #10

THIS ITEM WAS A DISCUSSION ITEM ONLY. COMMISSIONER BAILEY GAVE THE COURT AN UPDATE ON THE STATUS OF THE CONSTRUCTION OF THE NEW ROCKWALL COUNTY COURTHOUSE.

ITEM #11

THIS ITEM WAS A DISCUSSION ITEM ONLY. COMMISSIONER MAGNESS GAVE THE COURT AN UPDATE ON THE 2008 ROAD BOND PROJECTS. THE COURT DISCUSSED THE AMENDED PLAN LAID OUT BY THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE GEORGE BUSH TURNPIKE AND ITS IMPACT ON THE ROAD BOND PROJECTS. COMMISSIONER GRINNAN STATED THAT FM 740 IS SCHEDULED TO BEGIN CONSTRUCTION IN MID MAY. THE COURT DISCUSSED THE GROUNDBREAKING CEREMONY FOR JOHN KING BLVD.

ITEM #12

NO ACTION TAKEN REGARDING THE 2010 CENSUS.

ITEM #13

NO ACTION TAKEN REGARDING COUNTY SPACE ISSUES.

ITEM # 14

EXECUTIVE SESSION 9:45 A.M.-10:50 A.M.

- **DISCUSSION OF PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY, AND ALL RELATED ISSUES;**

- **DISCUSSION OF REIMBURSEMENT OR SETTLEMENT OF POTENTIAL LITIGATION, AND ALL RELATED ISSUES;**

ITEM #15

ACTION OF EXECUTIVE SESSION;

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF AUTHORIZING ASSISTANT DISTRICT ATTORNEY BRIAN WILLIAMS UP TO \$700.00 FOR PAYMENT OF REPAIRS TO A CITIZENS VEHICLE.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY TO TABLE THE APPROVAL OF A CONTRACT REGARDING A MUNICIPAL SEPARATE STORM SEWER PERMIT FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND SEEK ADDITIONAL CANDIDATES TO PROVIDE PROFESSIONAL SERVICES. THE COURT VOTED 2-3 AGAINST THE MOTION WITH COMMISSIONER GRINNAN AND COMMISSIONER BAILEY VOTING FOR AND COMMISSIONER MAGNESS, COMMISSIONER WIMPEE AND JUDGE FLORANCE VOTING AGAINST. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE TO APPROVE AN AGREEMENT WITH PATRICK BAUGH TO APPLY FOR A MUNICIPAL SEPARATE STORM SEWER PERMIT FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A FEE OF \$9,000. COMMISSIONER GRINNAN STATED THAT GIVEN THE CHAIN OF EVENTS AND NEW INFORMATION SHE DOESN'T BELIEVE THAT THE BEST INTEREST OF THE COUNTY IS SERVED BY APPROVING THIS

CONTRACT. THE COURT VOTED 3-2 TO APPROVE THE AGREEMENT WITH COMMISSIONER MAGNESS, COMMISSIONER WIMPEE AND JUDGE FLORANCE VOTING FOR AND COMMISSIONER GRINNAN AND COMMISSIONER BAILEY VOTING AGAINST.

ITEM #16

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) J.P. Pct. 2, March-10 monthly judicial activity report(s);
- c) Co. Clerk, Mar-10 monthly fee report(s);
- d) Co. Treasurer, Receive Treasurer's Property Tax Revenue Analysis Report as of 3/31/10;
- e) Co. Treasurer, Receive Treasurer's Quarterly Investment Report for period ending 3/31/10;
- f) Co. Agent, Mar-10 activity expense report(s);
- g) Co. Auditor; Approve payment to Chiang, Patel, & Yerby Inc., for engineering services rendered during February 2010 at the FM549/I30 interchange in the amount of \$23,978.00;

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITION/DISPOSITION:

- A. Road & Bridge to purchase from Capital Purchases FY2007 Fund: 2009 40' Trailer including delivery @ a quoted cost of \$24,775.00.

ITEM #18

THERE WERE NO NON-EMERGENCY BUDGET TRANSFERS SUBMITTED FOR APPROVAL.

ITEM #19

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 \$344,803.56. 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 \$293,812.22. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$495,178.31 FOR THE PAY PERIOD ENDING APRIL 17, 2010.

ITEM #20

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT JUDGE FLORANCE ADJOURNED THE MEETING AT 10:55 A.M.

LEA CARLSON, CHIEF DEPUTY
ROCKWALL COUNTY CLERK