

**COMMISSIONERS COURT
AUGUST 10, 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 9:00 AM.

THE INVOCATION WAS GIVEN BY JUDGE FLORANCE.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND
TO THE TEXAS FLAG WERE LED BY COMMISSIONER BAILEY.

NO GUESTS WERE PRESENT THAT WISHED TO ADDRESS THE COURT.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY
COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF
SENDING AN APPROPRIATE LETTER OF SUPPORT TO RAILAMERICA'S DALLAS
GARLAND AND NORTHEASTERN RAILROAD (DGNO) FOR THEIR TIGER GRANT
REQUEST. JUDGE FLORANCE VOTED AGAINST.

ITEM #2

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

APPROVING ELECTION, ALTERNATE AND EARLY VOTING JUDGES FOR THE GENERAL ELECTION AS PRESENTED BY ELECTION ADMINISTRATOR GLENDA DENTON.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF CALLING THE GENERAL ELECTION ON NOVEMBER 2, 2010.

ITEM #4

NO ACTION TAKEN REGARDING ROADS AND ROAD BOND ISSUES.

ITEM #5

NO ACTION TAKEN REGARDING THE ROCKWALL COUNTY VETERANS MEMORIAL.

ITEM #6

MANHATTAN CONSTRUCTION REPRESENTATIVE NICK LINK GAVE THE COURT AN UPDATE ON THE CONSTRUCTION OF THE NEW COURTHOUSE.

ITEM #7

NO ACTION TAKEN REGARDING THE 2010 CENSUS.

ITEM #8

NO ACTION TAKEN REGARDING COUNTY SPACE ISSUES.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING THE INTERLOCAL AGREEMENT WITH KAUFMAN AREA RURAL

TRANSPORTATION (KART) FOR AN ADDITIONAL ONE-YEAR TERM (YEAR 3 OF 3) EFFECTIVE OCTOBER 1, 2010 AT A CONTRIBUTION OF \$10,000.00.

ITEM #10

THE MOTION WAS BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING A CERTIFICATION OF GRANT MONEY FROM THE DEPARTMENT OF ENERGY'S ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT AND ADOPTING A SPECIAL BUDGET OF GRANT MONEY IN THE AMOUNT OF \$115,153.00 PURSUANT TO SECTION 111.0106 OF THE TEXAS LOCAL GOVERNMENT CODE.

ITEM #11

CHIEF ASSISTANT PROSECUTOR CRAIG STODDART GAVE THE COURT AN OVERVIEW OF A GRANT PROGRAM OFFERED BY SOUTHERN METHODIST UNIVERSITY IN THE AMOUNT OF \$3,500.00 WHICH ALLOWS GRADUATED LAW STUDENTS, WHO ARE WAITING ON THEIR RESULTS OF THE BAR EXAMINATION, THE OPPORTUNITY TO GAIN ON THE JOB EXPERIENCE AT NO COST TO THE COUNTY. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING A CERTIFICATION OF REVENUE FROM THE SMU TEST DRIVE PROGRAM AND ADOPTING A SPECIAL BUDGET OF REVENUE IN THE AMOUNT OF \$3,500.00 PURSUANT TO SECITON 111.0108 OF THE TEXAS LOCAL GOVERNMENT CODE.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF INCREASING MONTHLY TELECOMMUNICATION ALLOWANCE FOR THE MAINTENANCE DIRECTOR LUIS GUZMAN FROM \$35.00 TO \$60.00. THE INCREASE IS TO BEGIN THIS FISCAL YEAR AS OF THE DATE OF THIS ORDER.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE TO APPROVE FUNDING COMMITMENT TO PARTICIPATE IN THE FY2011 REGIONAL PUBLIC WORKS PROGRAM IN THE AMOUNT OF \$3,353.00. COMMISSIONER GRINNAN AMENDED HER MOTION, SECONDED BY COMMISSIONER WIMPEE TO INCLUDE THAT THE AUTHORIZING OFFICIAL AND PRIMARY CONTACT PERSON BE THE COUNTY JUDGE. THE COURT VOTED 5-0 IN FAVOR OF APPROVAL.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL LICENSE AGREEMENT WITH INFOUSA TO PROVIDE INFORMATION DATABASES TO THE ROCKWALL COUNTY LIBRARY PATRONS AT \$2,280.00 EFFECTIVE OCTOBER 1, 2010. JUDGE FLORANCE VOTED AGAINST.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AMENDMENT NUMBER 03 TO THE INTER-GOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR THE LIRAP LOCAL INITIATIVE PROJECTS.

ITEM #16

EXECUTIVE SESSION 9:40 A.M.-10:25 A.M.

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

ITEM #17

ACTION OF EXECUTIVE SESSION;

NO ACTION TAKEN.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY TO APPROVE THE FOLLOWING CONSENT AGENDA

ITEMS:

- a) Minutes of previous meeting(s);
- b) Constable, Pct. 1 and 4, Approve Adam Honea as Reserve Deputy Constable for Precinct 1 and 4;
- c) Environmental Health Coordinator, July-10 monthly activity report(s);
- d) Co. Tax Assessor-Collector, July-10 monthly activity/expense report(s);
- e) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services rendered during May 2010 at the FM549/I30 interchange in the amount of \$49,162.95;
- f) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services rendered during June 2010 at the FM549/I30 interchange in the amount of \$10,011.43;

g) Co. Auditor, Approve payment to Brinkley Sargent Architects for June 2010 architectural services on the new Rockwall County Courthouse in the amount of \$272,882.29;

h) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$729,988.00;

i) Co. Auditor, Approve payment to Half Associates, Inc. for engineering services rendered during June 2010 at SH66 from SH205 to FM1777 in the amount of \$72,777.31;

JUDGE FLORANCE DISCUSSED WITH THE COURT ITEM B AND THE POSSIBLE CONFLICT OF INTEREST THERE MIGHT BE IN APPROVING ADAM HONEA AS RESERVE DEPUTY CONSTABLE FOR PRECINCT 1 AND 4 DUE TO MR. HONEA PROVIDING WORK FOR THE COUNTY THROUGH HIS AIR CONDITION REPAIR COMPANY. ASSISTANT DISTRICT ATTORNEY BRIAN WILLIAMS REQUESTED THAT HE BE ALLOWED TO RESEARCH THE SITUATION FURTHER BEFORE GIVING AN OFFICIAL LEGAL OPINION. COMMISSIONER WIMPEE AMENDED HIS MOTION, SECONDED BY COMMISSIONER BAILEY TO REMOVE ITEM B BEFORE APPROVING THE CONSENT AGENDA ITEMS A AND C-I. THE COURT VOTED 5-0 IN FAVOR OF APPROVING THE MOTION.

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF ACKNOWLEDGING THE RECEIPT OF THE TREASURER'S MONTHLY REPORTS FOR THE MONTHS OF JANUARY, FEBRUARY, AND MARCH, 2010.

ITEM #20

PROPERTY ACQUISITIONS/DISPOSITIONS;

NONE.

ITEM #21

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

2010-27 - Transfer \$525 of funds within the Justice of the Peace #1 General Fund Budget **TO** Travel & Training **FROM** Bonds @ \$150 and Juror @ \$375 resulting from expenditures during FY2010 exceeding budgeted funds.

2010-28 – Transfer \$54,656 of funds **TO** General Fund/District Attorney/ Assist D.A. Salaries @ \$18,319 & D.A. Investigators @ 31,835 & Social Security Taxes @ \$2,027 & Retirement @ \$2,385 & Worker’s Comp Insurance @ \$31 & Unemployment @ \$59 **FROM** General Fund/ District Attorney/ Victim Assistance Coordinator @ \$23,654 & Group Insurance @ \$23,496 & Investigation Cases @ \$1,189 & General Government/ Contingency @ \$6,317 resulting from the Commissioners Court approving personnel changes to realign staff in the District Attorney’s Office.

2010-29 - Transfer \$499,000.00 of funds within the General Fund **TO** Transfer to Veterans Memorial **FROM** Veterans Memorial resulting from the Commissioners Court authorization to set up a special fund for the Veterans Memorial project.

2010-30 - Transfer \$147,500 of funds **TO** Debt Service Fund/Principal Payment (Courthouse) **FROM** Debt Service Fund/Interest payment (Courthouse) @ \$25,000.00 & General Government/Contingency @ \$122,500.00 resulting from bond refunding expenses.

ITEM #22

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$1,045,347.21. COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$1,443,009.88. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF

APPROVING PAYROLL IN THE AMOUNT OF \$484,947.24 FOR THE PAY PERIOD
ENDING JULY 24, 2010.

ITEM #23

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE
FLORANCE ADJOURNED THE MEETING AT 10:33 A.M.

LEA CARLSON, CHIEF DEPUTY
ROCKWALL COUNTY CLERK