

**COMMISSIONERS COURT
AUGUST 24, 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 COMMISSIONER BAILEY.

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

JUDGE FLORANCE RECOGNIZED MR. ROBERT HILL AND ALLOWED HIM TO
ADDRESS THE COURT. MR. HILL EXPRESSED HIS CONCERN OVER THE
COMMISSIONERS COURT PROPOSED PROPERTY TAX INCREASE.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY
COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING DR. CARL K. MCKENNEY, D.O., LOCAL HEALTH AUTHORITY FOR
ROCKWALL COUNTY TO ATTEND THE THA (TEXAS HEALTH AUTHORITY)
NETWORKING AND PLANNING FORUM/CONFERENCE SEPTEMBER 16-17, 2010,

IN GALVESTON, TEXAS INCLUDING REIMBURSEMENT FOR ALL RELATED EXPENSES.

ITEM #3

FINANCIAL MARKETING CONCEPTS, INC. REPRESENTATIVE RICHARD ROSIER GAVE THE COURT A PRESENTATION REGARDING A DISCOUNT PRESCRIPTION DRUG CARD PROGRAM FOR COUNTY RESIDENTS.

ITEM #4

NO ACTION TAKEN REGARDING SETTING THE COMPENSATION FOR ELECTED OFFICIALS.

ITEM #5

NO ACTION TAKEN REGARDING ADOPTING THE CURRENT DRAFT BUDGET FOR THE FISCAL YEAR 2010-2011.

ITEM #6

NO ACTION TAKEN REGARDING SETTING THE ROCKWALL COUNTY TAX RATE FOR 2010.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE PERFORMANCE SALARY PLAN FOR CIVILIAN AND LAW ENFORCEMENT OFFICERS. THERE WERE NO CHANGES.

ITEM #8

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

DESIGNATING THE 2ND AND 4TH TUESDAY EACH MONTH AT 9:00 A.M. AS THE DAY OF THE WEEK ON WHICH THE COUNTY COMMISSIONERS COURT SHALL CONVENE IN A REGULAR TERM DURING THE NEXT FISCAL YEAR.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING COUNTY HOLIDAYS FOR THE CALENDAR YEAR 2011 AS UNCHANGED FROM THE PREVIOUS YEAR.

ITEM #10

NO ACTION TAKEN REGARDING APPROVING THE DISTRICT COURT RECORDS ARCHIVE FEE.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A REQUEST BY FARMERS ELECTRIC COOPERATIVE, INC. TO CONSTRUCT A ELECTRICAL POWER DISTRIBUTION FACILITY ALONG AND ACROSS WHITEHEAD ROAD (COUNTY ROAD 2434/630 SOUTHEAST OF MUNSON ROAD) IN ROCKWALL COUNTY. COMMISSIONER MAGNESS ABSTAINED.

ITEM #12

THIS WAS A DISCUSSION ITEM ONLY. COMMISSIONER GRINNAN GAVE THE COURT AN UPDATE ON THE ARCHITECT MEETINGS REGARDING THE CONSTRUCTION OF THE ROCKWALL COUNTY VETERANS MEMORIAL.

ITEM #13

THIS WAS A DISCUSSION ITEM ONLY. COMMISSIONER MAGNESS ANNOUNCED TO THE COURT THE VARIOUS MEETINGS THAT WILL BE HELD IN REGARDS TO ROADS AND ROAD BOND ISSUES.

COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT THE 2010 ROCKWALL COUNTY BICYCLE PLAN SUBMITTED FOR COUNTY USE BY I.T.S. COMMISSIONER GRINNAN GAVE THE COURT AN UPDATE ON THE FM740 TASK FORCE COMMITTEE MEETING.

ITEM #1

ASSISTANT JAIL ADMINISTRATOR LT. CAULKINS RECOGNIZED DETENTION OFFICER LARRY FITZGERALD'S MANY ACCOMPLISHMENTS AND MEDALS DURING THE 2010 POLICE GAMES.

ITEM #14

NO ACTION TAKEN REGARDING THE 2010 CENSUS.

ITEM #15

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN REGARDING COUNTY SPACE ISSUES.

ITEM #16

MANHATTAN CONSTRUCTION REPRESENTATIVES NICK LINK AND JIM CUDDY GAVE THE COURT AN UPDATE ON THE CONSTRUCTION OF THE NEW COURTHOUSE.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF CONTINUING THE DAILY REIMBURSEMENT OF EXPENSES FOR JURORS DURING FISCAL YEAR 2011 AT \$10.00 FOR THE FIRST DAY AND \$40.00 FOR EACH SUBSEQUENT DAY.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING THE INTERLOCAL AGREEMENT WITH THE CITY OF ROYSE CITY REGARDING SEPTIC SYSTEM INSPECTIONS FOR AN ADDITIONAL ONE-YEAR TERM.

ITEMS #19, 20 AND 21

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH THE CITIES OF ROCKWALL, MCLENDON CHISHOLM, AND ROYSE CITY REGARDING MUNICIPAL JUDGE SERVICES FOR LABOR DAY WEEKEND AT A MAXIMUM COST OF \$2,500.00. SEE ATTACHED_____.

ITEM #22

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING A TWO-YEAR ADDENDUM TO THE INTERLOCAL AGREEMENT WITH LIMESTONE COUNTY FOR HOUSING ROCKWALL COUNTY INMATES, IF NEEDED,

EFFECTIVE OCTOBER 1, 2010 AT A COST OF \$44.00 PER DAY PER INMATE. SEE ATTACHED_____.

ITEM #23

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING AN AMENDMENT TO CONTINUE LEASING FOR ONE-YEAR THE DEPARTMENT OF PUBLIC SAFETY'S OFFICE FROM THE BENBROKE RIDGE PARTNERS, L.P. LOCATED AT 1111 RIDGE ROAD EFFECTIVE OCTOBER 1, 2010, IN THE AMOUNT OF \$27,337.68.

ITEM #24

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING A TWO-YEAR CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE ONLINE BIRTH CERTIFICATES FOR THE COUNTY CLERK'S OFFICE EFFECTIVE SEPTEMBER 1, 2010, AT A FEE OF \$1.83 FOR EACH CERTIFICATION OF VITAL RECORD PRINTED. SEE ATTACHED_____.

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH ROCKWALL ISD ALLOWING EACH ENTITY TO SHARE BIDS AND PROPOSALS FOR PURCHASES.

ITEM #26

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL INTERLOCAL AGREEMENT WITH NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) FOR 9-1-1 SERVICES, EQUIPMENT, ADDRESSING AND DATABASE MAINTENANCE. SEE ATTACHED_____.

ITEM #27

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL SUBSCRIPTION AGREEMENT WITH PROQUEST LLC TO PROVIDE ANCESTRY LIBRARY DATABASE FOR THE ROCKWALL COUNTY LIBRARY PATRONS AT \$1,005.00 EFFECTIVE NOVEMBER 1, 2010. SEE ATTACHED_____.

ITEM #28

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN AGREEMENT WITH GOVERNMENT RECORDS SERVICES, INC. (ACS), TO PROVIDE RECORDS MANAGEMENT SYSTEM IN THE COUNTY CLERK'S OFFICE. SEE ATTACHED_____.

ITEM #29

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

APPROVING A NON-BINDING GRANT CONTINGENCY AGREEMENT WITH
COPSYNC, INC.

ITEM #30

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY
COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING A WARRANTY EXTENSION FOR A TWO-YEAR PERIOD, AUGUST 23,
2010 – AUGUST 23, 2010, WITH TRUE AUTOMATION, INC. FOR THE DELL POWER
EDGE 2950 AT THE TAX OFFICE AT A COST OF \$1,098.00.

ITEM #31

EXECUTIVE SESSION 9:54 A.M. – 10:30 A.M.

- **DISCUSSION OF PERSONNEL ISSUES REGARDING PROMOTION/SALARY
IN THE SHERIFF'S OFFICE;**

ITEM #32

ACTION OF EXECUTIVE SESSION

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE
FLORANCE TO APPROVE THE PROMOTION OF SHERIFF'S OFFICER BURKS TO
LEVEL 10 DETECTIVE WITH THE COURT VOTING 3-2 AGAINST. COMMISSIONER
GRINNAN, COMMISSIONER MAGNESS AND COMMISSIONER BAILEY VOTED
AGAINST. SEE ATTACHED_____.

ITEM #33

JUDGE FLORANCE STATED THAT ITEM (i) WILL BE REMOVED FROM THE
CONSENT AGENDA LIST DUE TO IT BEING A DUPLICATE OF ITEM H. THE
MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY

COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) District Clerk, Jul-10 monthly fee report(s);
- c) J.P. Pct. 1, Jul-10 monthly judicial activity report(s);
- d) J.P. Pct. 2, Jul-10 monthly judicial activity report(s);
- e) Co. Librarian, Jul-10 activity monthly report(s);
- f) Indigent Health, Jul-10 expenditure/case report(s);
- g) Co. Clerk, Jun-10 fee report(s);
- h) Co. Treasurer, Receive Treasurer's authorization to American National Bank to release a portion of pledge collateral;
- j) Co. Auditor, Approve payment to Manhattan Construction Company for preconstruction services on the new Rockwall County Courthouse in the amount of \$3,792.11;
- k) Co. Auditor, Approve payment to Halff Associates, Inc. for engineering services rendered during July 2010 at SH66 from SH205 to FM1777 in the amount of \$68,605.33;
- l) Co. Auditor, Approve payment to Brinkley Sargent Architects for July 2010 architectural services on the new Rockwall County Courthouse in the amount of \$89,664.71;
- m) Co. Auditor, Acknowledge for the record District Court Orders setting the County Auditor's office budget and compensation for the County Auditor, Assistant Auditors, and Official Court Reporter of the 382nd District Court for Fiscal Year 2011;
- n) Co. Auditor, Jun-10 monthly report(s);

ITEM #34

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING TREASURERS MONTHLY REPORTS FOR THE MONTHS OF APRIL,
MAY, JUNE, JULY, 2010. SEE ATTACHED_____.

ITEM #35

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

- A. Information Technology to purchase from Information Technology General Fund:
(8) Acronis backup & recovery server licenses including shipping @ a quoted cost of
\$5,200.00.

- B. Information Technology to purchase from Information Technology General Fund: (30) TDK LTO Ultrium 3 400/800GB data cartridge including delivery @ a quoted cost of \$750.00.
- C. County Treasurer to purchase from Capital Purchases FY2007 Fund: Computer CPU and Microsoft Office 2010 STD License including shipping @ an estimated cost of \$1,000.00.
- D. County Treasurer to purchase from Capital Purchases FY2007 Fund: Fax machine including shipping @ an estimated cost of \$600.00.

ITEM #36

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

2010-31 - Transfer \$9,200 of funds within the District Clerks General Fund Budget **TO** Maintenance Agreements **FROM** Group Insurance resulting from miscalculation during FY2010 budget process.

2010-32 - Transfer \$775 of funds within the Debt Service Fund **TO** Various Administrative Fees **FROM** Various Administrative Fees resulting from bond refunding expenses.

ITEM #37

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 \$300,924.26. 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 \$453,641.56. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF

APPROVING PAYROLL IN THE AMOUNT OF \$492,998.07 FOR THE PAY PERIOD
ENDING AUGUST 7, 2010.

ITEM #38

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE
FLORANCE ADJOURNED THE MEETING AT 10:44 A.M.

LEA CARLSON, CHIEF DEPUTY
ROCKWALL COUNTY CLERK