

**COMMISSIONERS COURT
FEBRUARY 8, 2011**

**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:**

JERRY HOGAN	COUNTY JUDGE
JERRY WIMPEE	COMMISSIONER PCT #1 - ABSENT
LORIE GRINNAN	COMMISSIONER PCT #2 - ABSENT
DENNIS BAILEY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4
SHELLI MILLER	COUNTY CLERK

THE MEETING WAS CALLED TO ORDER BY AT 9:00 A.M.

THE INVOCATION WAS GIVEN BY COMMISSIONER MAGNESS.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND
TO THE TEXAS FLAG WERE LED BY JUDGE HOGAN.

NO GUESTS WERE PRESENT THAT WISHED TO ADDRESS THE COURT.

ITEM #1

CERTIFICATES OF CITIZEN APPRECIATION WERE PRESENTED BY SHERIFF
EAVENSON TO SHERRY GOELDEN AND DARLENE BLANKENSHIP FOR
OUTSTANDING ASSISTANCE TO THE ROCKWALL COUNTY SHERIFF'S OFFICE.
SHERIFF EAVENSON COMMENDED THEM FOR THEIR WILLING ASSISTANCE TO
THE SHERIFF DEPARTMENT'S EFFORTS IN AN ONGOING INVESTIGATION.

ITEM #2

JUDGE HOGAN PRESENTED TO THE EMERGENCY MANAGEMENT
COORDINATOR JOE DELANE A PROCLAMATION PROCLAIMING THE WEEK OF

FEBRUARY 20TH THROUGH FEBRUARY 26TH, 2011 AS SEVERE WEATHER AWARENESS WEEK.

ITEM #3

ROCKWALL COUNTY EXTENTION AGENT LOXIE MCGRANE PRESENTED TO THE COURT THE WALK ACROSS TEXAS PROGRAM. WALK ACROSS TEXAS IS RECOGNIZED AS A BEST PRACTICE PHYSICAL ACTIVITY PROGRAM BY THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES. MS. MCGRANE PROPOSED THAT THE COURT CONSIDER ADOPTING WALK ACROSS TEXAS AS A WELLNESS PROGRAM FOR ROCKWALL COUNTY EMPLOYEES.

ITEM #4

JUDGE HOGAN BRIEFLY DESCRIBED SPACE PLANNING FOR ALL COUNTY FACILITIES TO THE COURT. NO ACTION WAS TAKEN DUE TO THE LACK OF A FULL COMMISSIONERS COURT BEING PRESENT. JUDGE HOGAN STATED HE FELT IT APPROPRIATE THAT A FULL COURT BE PRESENT TO DISCUSS AND ACT ON THIS ITEM.

ITEM #5

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER BAILEY FOR DISCUSSION THAT THE COMMISSIONERS COURT WILL MEET ONCE EACH QUARTER FOR THE REMAINDER OF THIS FISCAL YEAR DURING THE EVENING HOURS, STARTING AT 7:00 P.M. CENTRAL TIME. THE FIRST SUCH MEETING WILL BE SCHEDULED ON TUESDAY, MARCH 8, 2011. AFTER DISCUSSION JUDGE HOGAN AMENDED HIS MOTION TO THE COMMISSIONERS COURT TO MEET ONCE EACH QUARTER FOR THE REMAINDER OF THIS FISCAL

YEAR DURING THE EVENING HOURS STARTING AT 7:00 P.M. CENTRAL TIME. THE FIRST SUCH MEETING WILL BE ON TUESDAY MARCH 8TH. THE SECOND WILL BE JUNE 28TH AND THE THIRD SEPTEMBER 27TH. THE MOTION WAS SECONDED BY COMMISSIONER BAILEY WITH A VOTE OF 3-0 IN FAVOR OF SCHEDULING THE STATED NIGHT COMMISSIONERS COURT MEETINGS.

ITEM #6

THIS ITEM REGARDING THE VETERANS MEMORIAL CURRENT STATUS AND GROUNDBREAKING WAS SET ASIDE UNTIL THE NEXT COMMISSIONERS COURT.

ITEM # 7

THIS ITEM REGARDING THE NEW COURT HOUSE AND VETERANS MEMORIAL DEDICATION WAS SET ASIDE UNTIL THE NEXT COMMISSIONERS COURT.

ITEM #8

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN REGARDING THE SCHEDULE FOR THE FY2012 BUDGET.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH A 3-0 VOTE IN FAVOR OF ADOPTING A COUNTY ROAD MAP PURSUANT TO CHAPTER 258 OF THE TEXAS TRANSPORTATION CODE. SEE ATTACHED_____.

ITEM # 10

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH A 3-0 VOTE IN FAVOR OF APPROVING A ONE-

YEAR SUBSCRIPTION RENEWAL AGREEMENT WITH MCNAUGHTON FOR SPANISH BOOKS FOR COUNTY LIBRARY PATRONS AT A COST OF \$2,520.00 EFFECTIVE MAY 1, 2011. SEE ATTACHED_____.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE HOGAN WITH A 3-0 VOTE IN FAVOR OF APPROVING AN AGREEMENT, SUBJECT TO THE AUDITOR'S APPROVAL, WITH DESIGN CONSULTANT DAVID MEIS OF GKLG723 DESIGN FOR THE AMOUNT OF \$3,100.00 AND FOR MISCELLANEOUS REIMBURSABLE EXPENSES NOT TO EXCEED \$600.00 TO PERFORM COUNTY LIBRARY IMPROVEMENTS AND PROVIDE DESIGN RECOMMENDATIONS. SEE ATTACHED_____.

*JUDGE HOGAN RECESSED THE MEETING AT 9:30 A.M. TO RECONVENE AFTER THE EXECUTIVE SESSION TODAY.

ITEM #12

EXECUTIVE SESSION: 9:30 A.M. – 9:40 A.M.

Executive Session, under Texas Government Code Chapter 551, the County Commissioners may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- 1. Consult with legal counsel regarding pending or contemplated litigation, settlement offers and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071);**
- 2. Discussion of personnel matters for County Jail employee (Tex. Gov't Code §551.074);**

The Commissioners further reserve the right to enter into Executive Session at

any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

*JUDGE HOGAN RECALLED THE MEETING TO ORDER AT 9:42 P.M.

ITEM #13

ACTION OF EXECUTIVE SESSION:

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF PAYING PAUL MARTEL THROUGH PAYROLL AN AMOUNT OF \$1,921.55 TO CORRECT HIS PAY TO REFLECT THAT HE HAS BEEN PERFORMING THE DUTIES OF CORPORAL IN THE DETENTION CENTER AND WAS NOT BEING PAID ACCORDINGLY DUE TO A CLERICAL ERROR.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH A 3-0 VOTE IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) Environmental Health Coordinator, Jan-10 monthly activity report(s);
- c) Co. Sheriff-2010 Annual Racial Profiling Report;
- d) Co. Auditor, Approve payment to Brinkley Sargent Architects for December 2010 architectural services on the new Rockwall County Courthouse in the amount of \$50,656.51;
- e) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$2,631,173.00;
- f) Co. Auditor, Approve payment to CH2M HILL, Inc. for engineering services provided during December 2010 at SH 276 from SH 205 to FM 549 in the amount of \$18,045.75;
- g) Co. Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during December 2010 at FM 549 from SH 276 to SH 205 in the amount of \$11,745.41;

h) Co. Auditor, Adopt a Court Order establishing a written procedure for payment of invoices and claims presented to the Commissioners Court for approval as "Unpaid Claims";

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS/ DISPOSITIONS:

- A. County Jail to purchase from County Jail General Fund: materials & labor to repair leaking pipe @ an estimated cost of \$3,500.00. **(Emergency Purchase)**
- B. Tax Assessor-Collector to purchase from FY2006 Capital Purchases Fund: used IBM WW10 Series II typewriter with 90-day warranty including delivery @ a quoted cost of \$395.00.
- C. Information Technology to transfer to Constable #1: HP NX6310 laptop.

ITEM #16

NON-EMERGENCY BUDGET TRANSFER(S);

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH A 3-0 VOTE IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

- 2011-06 -** Transfer \$1,350 of funds within the General Government General Fund Budget **TO** County Judge/Capital Outlay **FROM** Contingency resulting from the purchase of office furniture approved by the Commissioners Court on January 18, 2011.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 2-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$47,540.11; COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF

APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$3,034,452.21. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$507,918.77 FOR THE PAY PERIOD ENDING JANUARY 22, 2011.

ITEM #18

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 9:52 A.M.

SHELLI MILLER,
ROCKWALL COUNTY CLERK