

**COMMISSIONERS COURT
JANUARY 25, 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
LORIE GRINNAN	COMMISSIONER PCT #2
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 JUDGE HOGAN.

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

JUDGE HOGAN READ A PROCLAMATION PROCLAIMING THE MONTH OF
JANUARY 2011 AS NATIONAL MENTORING MONTH. JUDGE HOGAN
INTRODUCED BARBARA ALLEN, A REPRESENTATIVE OF THE ROTARY CLUB OF
ROCKWALL TO THE COURT AND PRESENTED HER WITH THE PROCLAMATION.
BARBARA ALLEN INTRODUCED CINDY TAYEM, A PAST PRESIDENT OF ROTARY
CLUB OF ROCKWALL AND HAD HER GIVE AN OVERVIEW OF THE MENTORING
PROGRAM. BARBARA ALLEN WENT ON TO PRESENT JUDGE HOGAN AND THE

COMMISSIONERS WITH A ROTARY COIN AS A GESTURE OF THANKS FOR THE PROCLAMATION. THE MENTORS IN THE AUDIENCE WERE THEN RECOGNIZED.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF RE-APPOINTING DR. ANDREW G. DILLARD TO THE NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY BOARD.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1 IN FAVOR OF RE-APPOINTING MONTE ALLRED TO SERVE AS PRIMARY REPRESENTATIVE TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS REGIONAL AGING ADVISORY COMMITTEE FOR A 3 YEAR TERM AND THAT WE APPOINT NICHOLAS KREEKON AS AN ALTERNATE TO SERVE IN THE CASE THAT SOMETHING HAPPENS THAT MR. ALLRED CANNOT SERVE; WITH JUDGE HOGAN VOTING AGAINST.

ITEM #4

MR. CLAY COPPEDGE, PROPERTY OWNER OF 10 ACRES OFF HWY 276, SPOKE TO THE COURT AND REQUESTED A VARIANCE TO THE FLOODPLAIN ORDER SO THAT HE MAY BUILD A GRAVEL ROAD ON THIS LAND. AFTER MUCH DISCUSSION THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-2 IN FAVOR OF SETTING ASIDE THE REQUEST FOR A FLOODPLAIN VARIANCE TO

ALLOW A GRAVEL ROAD TO BE BUILT THROUGH PART OF THE PLAT OF LAND LOCATED OFF HWY 276, 10 ACRES IN SIZE; WITH JUDGE HOGAN AND COMMISSIONER MAGNESS VOTING AGAINST.

ITEM #5

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN FOR DISCUSSION THAT THE DAY-TO-DAY SUPERVISION AND PERSONNEL MANAGEMENT OF THE ROCKWALL COUNTY TECHNOLOGY DIRECTOR, ELECTIONS ADMINISTRATOR, MAINTENANCE MANAGER, HUMAN RESOURCE DIRECTOR, LIBRARIAN, HEALTH COORDINATOR, COMMISSIONERS COURT CHIEF ASSISTANT, INDIGENT HEALTH MANAGER, ROAD AND BRIDGE ADMINISTRATOR, AND THE COUNTY AGENT, WILL BE HANDLED BY THE ROCKWALL COUNTY JUDGE. ANY RECOMMENDED TERMINATION ACTION FOR ANY OF THESE INDIVIDUALS WILL BE BROUGHT TO THE COMMISSIONERS COURT FOR FINAL APPROVAL. AFTER MUCH DISCUSSION JUDGE HOGAN AMMENDED HIS MOTION THAT THE DAY-TO-DAY SUPERVISION AND PERSONNEL MANAGEMENT OF THE ROCKWALL COUNTY TECHNOLOGY DIRECTOR, ELECTIONS ADMINISTRATOR AS MODIFIED BY THE ELECTION COMMISSION, MAINTENANCE MANAGER, HUMAN RESOURCE DIRECTOR, LIBRARIAN, HEALTH COORDINATOR, COMMISSIONERS COURT CHIEF ASSISTANT, INDIGENT HEALTH MANAGER, ROAD AND BRIDGE ADMINISTRATOR, AND THE COUNTY AGENT, WILL BE HANDLED BY THE ROCKWALL COUNTY JUDGE. ANY RECOMMENDED HIRING, DISCIPLINE OR TERMINATION ACTION FOR ANY OF THESE INDIVIDUALS WILL BE BROUGHT TO

THE COMMISSIONERS COURT FOR CONSIDERATION AND ACTION. THE MOTION DIED FOR LACK OF A SECOND.

ITEM #6

BRIAN CRENSHAW, TECHNOLOGY DEPARTMENT, PRESENTED TO THE COURT AN OVERVIEW OF HOW AUDIT STREAMING THE COMMISSIONERS COURT REGULAR MEETINGS AND/OR WORKSHOPS ON THE ROCKWALL COUNTY WEBSITE COULD WORK. THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN, WITH THE COURT VOTING 5-0 IN FAVOR OF AUTHORIZING A TEST OF THE COMMISSIONERS COURT AND WORKSHOP AUDIO STREAMING.

ITEM # 7

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING RESOLUTION HJR56 FOR UNFUNDED MANDATES.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN, WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A RESOLUTION OF SUPPORT FOR EXPEDITED ENVIRONMENTAL REVIEW FOR LOCALLY-FUNDED PROJECTS USING LOCAL FUNDS.

ITEM #9

JOHN POLSTER, REPRESENTATIVE FOR INNOVATIVE TRANSPORTATION SOLUTIONS INC., RECOMMENDED ADJUSTMENTS TO THE ENGINEERING CONTRACT MANAGEMENT OF ROAD BOND PROJECTS. THE MOTION WAS

MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN, WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING SCALING BACK THE EXISTING CONTRACT ON STATE HWY 276, FM 549, STATE HWY 66 AND FM 552 TO JUST INCLUDE THE MACRO-ENVIRONMENTAL IN ORDER THAT WE DO NOT LOSE THE ENVIRONMENTAL WORK THAT WE PERFORM AND COMPLETE THE SCHEMATIC. WE WILL PROCEED AS PLANNED ON FM 551 AT I30, FM 3549 FROM HWY 66 TO I30 AND 740 SOUTH.

ITEM # 10

INNOVATIVE TRANSPORTATION SERVICES, INC. REPRESENTATIVE, JOHN POLSTER DISCUSSED THE PROGRESS OF THE 2010 BIKE PLAN CONTRACT WITH THE COURT WITH THE EMPHASIS BEING TO REDUCE THE SCOPE OF THE WORK IN THE EXISTING CONTRACT. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH A VOTE OF 4-1 IN FAVOR OF AUTHORIZING INNOVATIVE TRANSPORTATION SERVICES, INC. TO NEGOTIATE A REVISION TO THE SCOPE OF SERVICES TO INITIALLY CONTRACT FOR BASIC SERVICES, INNOVATIVE TRANSPORTATION SERVICES, INC. TASK 1 THROUGH 3.1, WHICH WILL INCLUDE THE EXISTING CONDITIONS PLAN INVENTORY AND ANALYSIS OF THE EXISTING ON AND OFF ROAD FACILITIES, A STANDARDS REPORT AND A PRELIMINARY OPPORTUNITY AND CONSTRAINTS ANALYSIS WHICH TELLS US WHERE IT MEETS AND WHERE IT DOESN'T MEET AND WHAT WE CAN DO ABOUT IT; WITH JUDGE HOGAN VOTING AGAINST.

ITEM #12

MARTI SHEW OF FIRST SOUTHWEST GAVE THE COURT FINANCIAL INFORMATION REGARDING THE PASS-THROUGH FINANCING PROGRAM. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH A VOTE OF 5-0 IN FAVOR OF AUTHORIZING INNOVATIVE TRANSPORTATION SERVICES, INC. TO PREPARE TWO APPLICATIONS FOR PASS-THROUGH FINANCING FOR THE FM 3549 INTERCHANGE AND THE 740 SOUTH PROJECT AND THAT THE COUNTY JUDGE BE AUTHORIZED TO SIGN THEM.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH A VOTE OF 5-0 IN FAVOR OF APPOINTING COMMISSIONER BAILEY TO BE THE COUNTY'S REPRESENTATIVE ON THE PUBLIC POWER POOL P3 BOARD.

ITEM # 13

JUDGE HOGAN ANNOUNCED THE FIRST MEETING IN A SERIES OF COUNTY JUDGE'S TOWN HALL MEETINGS TO BE CONDUCTED THURSDAY, FEBRUARY 24, 2011, COMMENCING AT 7:00 P.M. ON THE 3RD FLOOR COURTROOM OF THE ROCKWALL COUNTY HISTORIC COURTHOUSE.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH A 5-0 VOTE IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) Human Resource, Approve County of Rockwall Comprehensive Health Care Program Plan Document and Summary Plan Description Revised January 1, 2011;
- c) Co. Treasurer, Resolution Amending authorized Representatives to TexPool Investment Service;
- d) Co. Clerk , Dec-10 fee report(s);
- e) District Clerk, Dec-10 fee report(s);
- f) J.P. Pct. 1, Dec-10 monthly judicial activity report(s)
- g) J.P. Pct. 2, Dec-10 monthly judicial activity report(s);
- h) Co. Tax Assessor-Collector, Dec-10 monthly activity/expense report(s);
- i) Co. Librarian, Nov/Dec-10 activity monthly report(s);
- j) Indigent Health, Dec-10 expenditure/case report(s);
- k) Co. Agent, Dec-10 activity expense report(s);
- l) Co. Auditor, Approve payment to Halff Associates, Inc. for engineering services provided during December 2010 at SH 66 from SH 205 to FM 1777 in the amount of \$62,666.72;
- m) Co. Auditor, Approve payment to HNTB Corporation for engineering services provided during December 2010 at FM 552 from SH 205 to SH 66 in the amount of \$822.39;
- n) Co. Auditor, Approve payment to PBS&J for engineering services provided during November 2010 at FM 549 from SH 66 to IH 30 in the amount of \$6,023.23;
- o) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services rendered during December 2010 at the FM549/I30 interchange in the amount of \$2,190.28;
- p) Co. Auditor, Nov-10 monthly report(s);

ITEM #15

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

- A. County Court at Law to purchase from FY2006 Capital Purchases Fund: IP 1120E telephone including delivery and installation @ a quoted cost of \$261.61.
- B. Emergency Management to purchase from CRI Grant Fund: Amateur radio equipment for use in CRI trailer @ an estimated cost of \$3,350.15.
- C. Emergency Management to purchase from CRI Grant Fund: Climate controlled trailer for medications and communications @ an estimated cost of \$9,673.60.
- D. Emergency Management to purchase from CRI Grant Fund: Protection cases for grant purchased radios @ an estimated cost of \$353.00.
- E. Emergency Management to purchase from CRI Grant Fund: 2 Panasonic toughbook laptops @ an estimated cost of \$3,942.18.

- F. Emergency Management to purchase from CRI Grant Fund: 2 Microsoft Office 2007 standard licenses @ an estimated cost of \$602.93.
- G. County Judge to transfer to District Attorney: (4) side chairs.
- H. County Judge to transfer to Information Technology: HP NX6310 laptop.
- I. County Judge to transfer to Surplus: Panasonic UF790 fax machine.
- J. County Court at Law to transfer to 439th District Court: Laptop, monitor and computer system.
- K. County Court at Law to transfer to Surplus: Several boxes of out of date code books.
- L. Justice of the Peace #2 to transfer to Surplus: Double pedestal desk.
- M. Justice of the Peace #2 to transfer to Surplus: Micron PC Transport XT2 laptop.
- N. County Treasurer to transfer to Information Technology: Nortel IP 1120E telephone.
- O. Trade-In Road & Bridge 2005 Caterpillar Motorgrader for a 2011 Caterpillar Backhoe.

ITEM #16

NON-EMERGENCY BUDGET TRANSFER(S);

NONE.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$25,406.63; COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$4,460,875.55. 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 \$524,119.10 FOR THE PAY PERIOD
ENDING JANUARY 8, 2011.

ITEM #18

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

SHELLI MILLER,
ROCKWALL COUNTY CLERK