

**COMMISSIONERS COURT  
MARCH 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:**

<b>JERRY HOGAN</b>	<b>COUNTY JUDGE</b>
<b>JERRY WIMPEE</b>	<b>COMMISSIONER PCT #1</b>
<b>LORIE GRINNAN</b>	<b>COMMISSIONER PCT #2</b>
<b>DENNIS BAILEY</b>	<b>COMMISSIONER PCT #3</b>
<b>DAVID MAGNESS</b>	<b>COMMISSIONER PCT #4</b>
<b>SHELLI MILLER</b>	<b>COUNTY CLERK</b>

THE MEETING WAS CALLED TO ORDER BY JUDGE HOGAN AT 7:00 P.M.

THE INVOCATION WAS GIVEN BY COMMISSIONER GRINNAN.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND

TO THE TEXAS FLAG WERE LED BY COMMISSIONER WIMPEE.

BEING THE FIRST NIGHT COMMISSIONERS COURT AND DUE TO THE NUMBER  
OF GUESTS WANTING TO SPEAK, JUDGE HOGAN REQUESTED THE GUESTS  
ABIDE BY THE FOLLOWING GUIDELINES FOR ADDRESSING THE COURT. ANY  
ONE GUEST MAY SPEAK A MAXIMUM OF THREE MINUTES ON ANY ONE  
SUBJECT. A MAXIMUM OF FIVE PEOPLE MAY SPEAK ON BEHALF OF AN ITEM  
AND A MAXIMUM OF FIVE PEOPLE MAY SPEAK AGAINST AN ITEM.

THE FOLLOWING GUESTS SPOKE AGAINST USING SPACE AT THE  
ROCKWALL COUNTY LIBRARY FOR OTHER COUNTY DEPARTMENTS:

<b>LINDA GARRETT</b>	<b>NEL WELBORN</b>
<b>SCOTT SELF</b>	<b>JOHN BARNETT</b>
<b>KATHLEEN MELSTON</b>	

THE FOLLOWING GUESTS SPOKE ON BEHALF OF USING SPACE AT THE ROCKWALL COUNTY LIBRARY FOR OTHER COUNTY DEPARTMENTS:

KEN DICKSON

JOHN WHITE

THE FOLLOWING GUESTS SPOKE ON BEHALF OF MAINTAINING THE CURRENT BENEFITS AND LONGEVITY PAY FOR ROCKWALL COUNTY EMPLOYEES:

KATHLEEN MELSTON

MALENA LEWELLYN

LARRY WELLS MADE A STATEMENT REGARDING THE ARCHITECTURE OF THE NEW COUNTY COURTHOUSE

**ITEM #1**

ROCKWALL COUNTY HISTORICAL COMMISSION CHAIRPERSON SHERRY FOWLER GAVE THE COURT AN ANNUAL REPORT OF THE ROCKWALL COUNTY HISTORICAL COMMISSION. MS. FOWLER STATED TO THE COURT THE COMMISSION'S RECOMMENDATION THAT THEY USE FORETHOUGHT AND PRUDENCE WHEN CONSIDERING FUTURE SPACE UTILIZATION FOR THE COUNTY'S HISTORICALLY SIGNIFICANT SITES SO THAT WE MAY CONTINUE TO SUCESSFULLY PRESERVE THESE IMPORTANT ARCHITECTURAL ARTIFACTS. THE COMMISSION ALSO REQUESTED TO BE PLACED ON A FUTURE COMMISSIONERS COURT AGENDA AS AN ACTION ITEM TO REAPPOINT MEMBERS OF THE COMMISSION FOR THE UPCOMING NEW TERM.

**ITEM #2**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF REJECTING A PETITION FOR THE "LEGAL SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY" THAT WAS RECEIVED IN THE ELECTIONS

OFFICE ON 2/7/11 WITH ONLY 249 OF THE REQUIRED 466 SIGNATURES. THE PETITION IS NOT VALID, THEREFORE, THE PETITION WILL BE REJECTED AND NO ELECTION WILL BE CALLED. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF REJECTING A PETITION FOR THE "LEGAL SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY" THAT WAS RECEIVED IN THE ELECTIONS OFFICE ON 2/7/11 WITH ONLY 228 OF THE REQUIRED 466 SIGNATURES. THE PETITION IS NOT VALID, THEREFORE, THE PETITION WILL BE REJECTED AND NO ELECTION WILL BE CALLED.

**ITEM #3**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF DESIGNATING COUNTY JUDGE JERRY HOGAN AS THE INDIVIDUAL WITH OVERALL RESPONSIBILITY FOR THE PLANING AND EXECUTION OF THE JOINT DEDICATION OF THE VETERANS MEMORIAL AND THE NEW COURTHOUSE ON 11/11/11.

**ITEM #4**

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN REGARDING THE MOVEMENT OF COUNTY OFFICES AND PERSONNEL TO COUNTY FACILITIES VACATED AS A RESULT OF THE NEW COUNTY COURTHOUSE AND USAGE OF FUNDS TO ACCOMMODATE ANY MOVEMENTS.

**ITEM #11**

THE MOTION WAS MADE BY JUDGE HOGAN THAT THE LIBRARY STORAGE ROOM THAT'S ADJACENT TO THE TECHNOLOGY DEPARTMENT NOW OCCUPIED BY BOOKS BE EMPTIED AND TURNED OVER TO THE TECHNOLOGY DEPARTMENT FOR USE AS STORAGE FOR THEIR HIGH VALUE EQUIPMENT AND WORK EQUIPMENT, SECONDED BY COMMISSIONER GRINNAN FOR DISCUSSION. AFTER DISCUSSION THE MOTION FAILED TO PASS WITH A VOTE OF 3-2 AGAINST. COMMISSIONER WIMPEE, COMMISSIONER MAGNESS AND COMMISSIONER BAILEY VOTED AGAINST. JUDGE HOGAN AND COMMISSIONER GRINNAN VOTED FOR. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH A VOTE OF 4-1 IN FAVOR OF LEAVING THE ELECTIONS OFFICE, COUNTY EXTENSION AGENT AND DEPARTMENT OF PUBLIC SAFETY IN THEIR RESPECTIVE OFFICES UNTIL THE GOVERNMENT CENTER IS RETROFITTED AND READY FOR THEM TO MOVE IN; WITH JUDGE HOGAN VOTING AGAINST. JUDGE HOGAN STATED FOR THE RECORD THAT HE WAS AGAINST THIS, HE THOUGHT IT WAS A WASTE OF \$10,000 THAT WE DIDN'T NEED TO SPEND WHEN THE COUNTY IS EXPERIENCEING SERIOUS TROUBLE WITH NEXT YEAR'S BUDGET. THROWING AWAY AN EXTRA \$10,000 THAT WE DIDN'T HAVE TO THROW AWAY WAS AGAINST HIS VOTE. COMMISSIONER MAGNESS STATED FOR THE RECORD THAT HE DIDN'T THINK WE WERE THROWING AWAY \$10,000.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN, WITH THE COURT VOTING 5-0 IN FAVOR OF APPOINTING JUDGE HOGAN AND COMMISSIONER GRINNAN TO BEGIN A MASTER PLAN TO INCLUDE THE FOLLOWING ITEMS: TRANSPORTATION, FINANCIAL, FACILITIES, PERSONNEL.

**ITEM # 6**

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN REGARDING LONGEVITY PAY FOR FULL TIME AND PART TIME EMPLOYEES. THIS ITEM WILL BE PLACED AS AN ITEM ON A FUTURE WORKSHOP AGENDA.

**ITEM #7**

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN REGARDING HOLIDAY, PERSONAL TIME, AND BENEFITS FOR PART TIME EMPLOYEES. THIS ITEM WILL BE PLACED AS AN ITEM ON A FUTURE WORKSHOP AGENDA.

**ITEM #8**

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN REGARDING THE USE OF SPECIAL FUNDS FROM THE COUNTY CLERK AND DISTRICT CLERK FOR RECORDS RETENTION AT THE NEW COUNTY COURTHOUSE. THIS ITEM WILL BE PLACED AS AN ITEM ON A FUTURE WORKSHOP AGENDA.

**ITEM # 9**

COMMISSIONER MAGNESS PRESENTED THE COURT WITH A DRAWING OF A PROPOSED PLAN FOR STORAGE SPACE AT THE COUNTY SERVICES BUILDING. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY

COMMISSIONER WIMPEE WITH A VOTE OF 5-0 IN FAVOR OF ASSIGNING THE EXISTING STORAGE SPACE AS DESIGNATED IN THE PRESENTED DRAWING. THIS WOULD BE THE MAINTENANCE WORKSHOP, DISTRICT CLERK, AUDITOR, DISTRICT ATTORNEY, AND COMMISSIONERS COURT AREAS.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH A VOTE OF 5-0 IN FAVOR OF BUILDING AN ASSIGNED STORAGE AND OFFICE SPACE AS DESIGNATED IN THE SUBMITTED DRAWING WITH COSTS NOT TO EXCEED \$48,000.00. THE FUNDS ARE TO COME FROM THE REMAINING BOND MONEY FROM THE PURCHASE OF THE COUNTY SERVICES BUILDING.

**ITEM #12**

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

- a. Minutes of previous meeting(s);
- b. Co. Agent, Jan-11 activity expense report(s);
- c. Co. Librarian, Receive Rockwall County Library's 2010 Annual Report;
- d. Environmental Health Coordinator, Feb-11 monthly activity report(s);
- e. J.P. Pct. 1, Feb-11 monthly judicial activity report(s);
- f. Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services rendered during January 2011 at the FM549/I30 interchange in the amount of \$1,400.05;
- g. Co. Auditor, Approve payment to HNTB Corporation for engineering services provided during January 2011 at FM 552 from SH 205 to SH 66 in the amount of \$8,662.43;
- h. Co. Auditor, Approve payment to Parsons Transportation Group Inc., for engineering services rendered during January 2011 at the FM551/I30 interchange in the amount of \$77,614.50;
- i. Co. Auditor, Approve payment to Brinkley Sargent Architects for January 2011 architectural services on the new Rockwall County Courthouse in the amount of \$70,195.58;
- j. Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$1,440,320.00;

**ITEM #13**

**PROPERTY ACQUISITIONS/DISPOSITIONS;**

NONE

**ITEM #14**

**NON-EMERGENCY BUDGET TRANSFER(S);**

NONE

**ITEM #15**

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 \$250,748.88; COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$1,880,206.47. 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 \$500,046.74 FOR THE PAY PERIOD ENDING FEBRUARY19, 2011.

**ITEM #16**

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 9:05 P.M.

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SHELLI MILLER,  
ROCKWALL COUNTY CLERK