

**COMMISSIONERS COURT
AUGUST 9, 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 JUDGE HOGAN 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 COMMISSIONER GRINNAN.

ITEM #1

SHERIFF EAVENSON DISCUSSED WITH THE COURT THE SOUTHERN
SOFTWARE REMOTE RECORDS MANAGEMENT SYSTEM. THE DECISION
NEEDED TO BE MADE BY SEPTEMBER 30, 2011 TO NOT LOSE THE DPS GRANT
AND HOST SITE DESIGNATION. THE COURT DISCUSSED THE NEED FOR THE
REST OF THE COUNTY TO BE ABLE TO INTERFACE WITH THE SHERIFF'S
SOFTWARE. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED
BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF
AUTHORIZING DPS TO ISSUE A PURCHASE ORDER AS PER GRANT FUNDING

TO SOUTHERN SOFTWARE FOR SOFTWARE FOR ROCKWALL COUNTY IN THE AMOUNT OF \$298,026.00.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 TO REJECT A PETITION FOR THE "LEGAL SALE OF BEER & WINE FOR OFF-PREMISE CONSUMPTION ONLY" THAT WAS RECEIVED IN THE ELECTIONS OFFICE ON JULY 22, 2011 WITH ONLY 453 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 MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 TO REJECT 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 JULY 22, 2011 WITH ONLY 438 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 CONTINUING STREAMING COMMISSIONERS COURT REGULAR, SPECIAL AND EMERGENCY MEETINGS AND PUBLIC HEARINGS ON THE ROCKWALL COUNTY WEBSITE. JUDGE HOGAN ENCOURAGED THE PUBLIC TO LET THE

COMMISSIONERS KNOW IF THEY HAD AN INTEREST IN CONTINUING THE STREAMING OF WORKSHOPS ALSO.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 TO APPROVE THE REQUEST FOR PROPOSAL FOR AN INTEGRATED LIBRARY SYSTEM.

ITEM #5

COUNTY AUDITOR LISA CONSTANT EXPLAINED TO THE COURT THAT SINCE THE COURT HAS VOTED TO OUTSOURCE INMATE MEDICAL SERVICES THE COUNTY NO LONGER NEEDED TO CONTINUE AN EXISTING AGREEMENT WITH DR. LES T. SANDKNOP. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 TO CANCEL THE AGREEMENT WITH DR. SANDKNOP FOR INMATE MEDICAL SERVICES PROVIDED AT THE ROCKWALL COUNTY JAIL.

ITEM #6

COUNTY AUDITOR LISA CONSTANT ADVISED THE COURT THAT OUR AUDIT WILL BE COMPLETED BEFORE MARCH 31, 2012 AND THAT WE ARE IN NEED OF AN AGREEMENT WITH AN AUDITOR FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2011. MS. CONSTANT RECOMMENDED THAT THE COURT STAY WITH OUR EXISTING INDEPENDENT AUDITOR BECAUSE OF THE TIME FACTOR. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 TO APPROVE AN ENGAGEMENT LETTER TO APPOINT PATTILLO, BROWN & HILL AS

INDEPENDENT AUDITORS OF ROCKWALL COUNTY FOR THE FISCAL YEAR
ENDING SEPTEMBER 30, 2011 AT A COST NOT TO EXCEED \$32,000.00.

ITEM #7

THIS ITEM REGARDING THE 2ND DRAFT BUDGET FOR FY2012 WAS MOVED
UNTIL AFTER THE TAX RATE WAS DISCUSSED.

ITEM #8

THE COURT DISCUSSED THE DIFFERENT OPTIONS OF WHERE TO SET THE TAX
RATE AND THE AFFECTS OF EACH. THE MOTION WAS MADE BY
COMMISSIONER WIMPEE TO SET THE TAX RATE AT A PROPOSED RATE OF
40.60. THE MOTION DIED FOR LACK OF A SECOND. DISCUSSION CONTINUED.
THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER GRINNAN WITH THE COURT VOTING 4-1 IN FAVOR OF
ACCEPTING THE PROPOSED TAX RATE OF 39.60. JUDGE HOGAN VOTED
AGAINST.

ITEM #9

ITEM #9 REGARDING SCHEDULING A PUBLIC HEARING FOR THE PROPOSED
2011 COUNTY TAX RATE WAS NOT NEEDED BECAUSE THE COURT DID NOT
VOTE TO EXCEED THE EFFECTIVE TAX RATE.

ITEM #10

ITEM #10 REGARDING SCHEDULING A SECOND PUBLIC HEARING FOR THE
PROPOSED 2011 COUNTY TAX RATE WAS NOT NEEDED BECAUSE THE COURT
DID NOT VOTE TO EXCEED THE EFFECTIVE TAX RATE.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF SCHEDULING A MEETING TO ADOPT THE 2011 COUNTY TAX RATE FOR SEPTEMBER 13, 2011, AT 9:00 A.M. AND ORDER PUBLICATION FOR NOTICE.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF SCHEDULING A PUBLIC HEARING FOR SEPTEMBER 13, 2011, AT 9:00 A.M. FOR THE PROPOSED 2011-2012 BUDGET FOR ROCKWALL COUNTY.

*JUDGE HOGAN RECESSED THE MEETING AT 10:10 A.M. TO GO INTO A WORKSHOP AND AN EXECUTIVE SESSION.

*JUDGE HOGAN RECALLED THE MEETING AT 10:40 A.M.

ITEM #13

EXECUTIVE SESSION FROM 10:20 A.M. TO 10:40 A.M.

- Consult with legal counsel regarding pending or contemplated litigation, settlement offers and/or 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);
- Discussion of the deployment, or specific occasions for implementation, of security personnel or devices, or a security audit for the new courthouse, and all related issues (Tex. Gov't Code §551.076);

ITEM #14

NO ACTION OF THE EXECUTIVE SESSION WAS TAKEN.

ITEM #15

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

- a) Minutes of previous meeting(s);
- b) Co. Clerk, monthly fee report(s);
- c) Indigent Health, monthly expenditure/case report(s);
- d) Environmental Health Coordinator, monthly activity report(s);
- e) Co. Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during June 2011 at FM 549 from SH 276 to SH 205 in the amount of \$13,143.77;
- f) Co. Auditor, Approve payment to HNTB Corporation for engineering services provided during June 2011 at FM 552 from SH 205 to SH 66 in the amount of \$44,999.94;
- g) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$2,143,307.00;
- h) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Veterans Memorial in the amount of \$60,129.00;

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING THE FOLLOWING PROPERTY ACQUISITIONS AND DISPOSITIONS OF
FIXED ASSETS.

- A. Courthouse Construction Fund purchased from Owners Contingency: Locking mechanisms for shelving units at the new courthouse in the amount of \$20,680.79 including installation.

ITEM #17

NON-EMERGENCY BUDGET TRANSFER(S);

THE MOTION WAS MADE BY COMMISSIONER GRINAN, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

2011-15 - Transfer \$8,429 of funds within the General Fund General Government Budget **TO** Unemployment Reserve **FROM** Contingency resulting from actual unemployment costs exceeding budgeted amounts.

ITEM #18

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 \$1,222,184.15. 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 \$2,721,216.06. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$516,589.70 FOR THE PAY PERIOD ENDING JULY 23, 2011.

ITEM #19

NO ANNOUNCEMENTS WERE MADE.

*JUDGE HOGAN RECESSED THE MEETING AT 10:55 A.M. TO GO BACK INTO THE WORKSHOP.

*JUDGE HOGAN RECALLED THE MEETING AT 12:05 P.M.

ITEM #20

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 12:05 P.M.

SHELLI MILLER,
ROCKWALL COUNTY CLERK