

**COMMISSIONERS COURT
SEPTEMBER 13, 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 JUDGE HOGAN.

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

**PUBLIC HEARING TO DISCUSS THE PROPOSED 2012 BUDGET FOR ROCKWALL
COUNTY, AND ALL RELATED ISSUES;**

JUDGE HOGAN OPENED THE PUBLIC HEARING AT 9:02 A.M.

ROCKWALL COUNTY RESIDENT, TOM GALLI PRESENTED TO THE COURT A
POWER POINT ON THE FY2010 TO FY2012 BUDGET REPORT CARD. MR. GALLI
STATED WHAT HE FELT TO BE DISAPPOINTING GRADES HE GAVE DIFFERENT
COUNTY DEPARTMENTS. DISTRICT EXTENSION ADMINISTRATOR HURLEY
MILLER SPOKE TO THE COURT ON BEHAVE OF THE ROCKWALL COUNTY
EXTENSION OFFICE. MR. HURLEY ASKED THE COURT TO CONSIDER KEEPING
THE TWO CURRENT POSITIONS IN THE EXTENSION OFFICE. HE WENT ON TO

SAY THAT BOTH WERE VITAL TO CARRYING ON AND CONTINUING PROGRAMS AVAILABLE TO CITIZENS ACROSS THE COUNTY.

THERE BEING NO FURTHER SPEAKERS JUDGE HOGAN CLOSED THE PUBLIC HEARING AT 9:06 A.M.

PUBLIC HEARING TO DISCUSS THE 2012 DISTRICT CLERK'S RECORDS PRESERVATION AND RESTORATION PLAN, AND ALL RELATED ISSUES;

JUDGE HOGAN OPENED THE PUBLIC HEARING AT 9:07 A.M.

DISTRICT CLERK KAY MCDANIEL BRIEFLY EXPLAINED TO THE COURT HER RECORDS MANAGEMENT PLAN. NO ONE WISHED TO ADDRESS THE COURT.

JUDGE HOGAN CLOSED THE PUBLIC HEARING AT 9:09 A.M.

PUBLIC HEARING TO DISCUSS PROPOSED COUNTY CLERK'S ARCHIVE PLAN FY2012 FOR THE PRESERVATION AND RESTORATION OF COUNTY CLERK'S ARCHIVED RECORDS, AND ALL RELATED ISSUES;

JUDGE HOGAN OPENED THE PUBLIC HEARING AT 9:09 A.M.

NO ONE PRESENT WISHED TO SPEAK TO THE COURT REGARDING THE COUNTY CLERK'S ARCHIVE PLAN AS PRESENTED BY COUNTY CLERK SHELLI MILLER.

JUDGE HOGAN CLOSED THE PUBLIC HEARING AT 9:10 A.M.

PROCLAMATION

JUDGE HOGAN READ A PROCLAMATION PROCLAIMING SEPTEMBER AS NATIONAL PREPAREDNESS MONTH AND ENCOURAGED ALL CITIZENS AND ORGANIZATIONS TO TAKE ACTION TO BECOME PREPARED FOR DISASTER OR AN EMERGENCY IN ROCKWALL COUNTY.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1 IN FAVOR OF SETTING THE COMPENSATION OF THE ELECTED OFFICIALS AT THE RATE STATED IN THE CURRENT DRAFT BUDGET. COMMISSIONER BAILEY VOTED AGAINST.

ITEM #2

JUDGE HOGAN GAVE AN OVERVIEW OF THE CURRENT DRAFT FY2012 BUDGET. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-2 IN FAVOR OF AMENDING THE 3RD DRAFT BUDGET FOR FY2012 BY ADDING A 2% COLA FOR ALL EMPLOYEES EXCLUDING ELECTED OFFICIALS. COMMISSIONER GRINNAN AND JUDGE HOGAN VOTED AGAINST. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF RESCINDING THE PREVIOUS MOTION. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-2 IN FAVOR OF INCLUDING IN THE 3RD DRAFT FY2012 BUDGET A 2 % COLA INCREASE FOR ALL EMPLOYEES EXCLUDING ELECTED OFFICIALS AND ADDING AN EFFECTIVE DATE OF JANUARY 1, 2012. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 3-2 IF FAVOR OF APPROVING THE AMENDED 3RD DRAFT FY2012 BUDGET WITH EXHIBIT A PROVIDED BY THE AUDITOR'S OFFICE ITEMS 1 – 8:

- 1) Decrease 001-370-000, Other Financing from Fund Balance, formerly Contingent Revenue (page 2) by \$1,400,000 to \$5,200,000
- 2) Decrease 001-400-406, Central Appraisal District, (page 3) by \$1,085 to \$205,575
- 3) Add account 001-400-465, as Software, (page 3) and increase by \$25,000 to \$25,000
- 4) Adjust 001-400-495, Contingency Fund, (page 3) by amount of necessary to balance total revenue with total expenses as a result of amendments adopted by the Commissioners Court
- 5) Increase 001-740-477, NTBHA, (page 35) by \$13,000 to \$25,000
- 6) Decrease 001-999-060, Transfer to Debt Service, (page 40) by \$1,400,000 to \$0
- 7) Approve changes in nomenclature, spelling, and other non-dollar items as necessary to make administrative changes
- 8) Increase 051-390-001, Transfer In from General Fund, (page 59) by \$15,000 to \$245,000 [Note: This change is necessary as an administrative change to revenue in a special fund and has no effect on the bottom line of the budget

COMMISSIONER GRINNAN AND JUDGE HOGAN VOTED AGAINST.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING TO SET THE 2011 TAX RATE AS FOLLOWS:

MAINTAINENCE AND OPERATIONS AT .3079, ROAD AND BRIDGE FUND TO BE .0001, INTEREST AND SINKING FUND TO BE .0784 WITH THE COMBINED TAX RATE TO BE .3864. COMMISSIONER WIMPEE VOTED AGAINST.

COMMISSIONER MAGNESS READ THE ORDER ADOPTING THE TAX RATE FOR THE YEAR 2011:

A TAX RATE ORDER OF THE COUNTY OF ROCKWALL, TEXAS, LEVYING AS OF **OCTOBER 1, 2011**, THE AD VALOREM TAXES FOR THE YEAR **2011** AT A RATE OF **0.3864** PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE COUNTY, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND PROVIDING FOR DUE AND DELINQUENT OF CURRENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE **2011** TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMISSIONERS' COURT OF THE COUNTY OF ROCKWALL, TEXAS:

SECTION 1. I MOVE THAT ROCKWALL COUNTY ADOPT A TAX RATE OF **0.3864** PER \$100 ASSESSED VALUE FOR THE **2011** TAX YEAR AND THE PROVISIONS OF THIS ORDER SET FORTH HEREIN BY SECTIONS 2 THROUGH 9.

SECTION 2. THAT THERE BE AND IS HEREBY LEVIED FOR THE YEAR **2011** ON ALL TAXABLE PROPERTY, REAL, PERSONAL AND MIXED, SITUATED WITHIN THE LIMITS OF THE COUNTY OF ROCKWALL, TEXAS, AND NOT EXEMPT BY THE CONSTITUTION OF THE STATE AND VALID STATE LAWS, A TAX OF **0.3864** ON EACH ONE HUNDRED (\$100.00) DOLLARS ASSESSED VALUE OF TAXABLE PROPERTY AND SHALL BE APPORTIONED AND DISTRIBUTED AS FOLLOWS:

A. FOR THE PURPOSE OF DEFRAYING THE CURRENT EXPENSES OF THE GOVERNMENT OF THE COUNTY AN **M&O** TAX OF **0.3080** ON EACH ONE HUNDRED (\$100.00) DOLLARS ASSESSED VALUE OF ALL TAXABLE PROPERTY, AND OF THIS TAX, **.0001** SHALL BE ALLOCATED TO THE ROAD AND BRIDGE FUND.

B. FOR THE PURPOSE OF DEFRAYING THE CURRENT INDEBTEDNESS OF THE GOVERNMENT OF THE COUNTY, AN **I&S** TAX OF **0.0784** ON EACH ONE HUNDRED (\$100.00) DOLLARS ASSESSED VALUE OF ALL TAXABLE PROPERTY.

SECTION 3. THAT ALL AD VALOREM TAXES SHALL BECOME DUE AND PAYABLE ON **OCTOBER 1, 2011**, AND ALL AD VALOREM TAXES FOR THE YEAR SHALL BECOME DELINQUENT AFTER **JANUARY 31, 2012**. IF ANY PERSON FAILS TO PAY THE AD VALOREM TAXES ON OR BEFORE **JANUARY 31, 2012**, THE FOLLOWING PENALTIES SHALL BE PAYABLE THEREON, TO-WIT:

DURING THE MONTH OF FEBRUARY, SEVEN (7%) PERCENT;
DURING THE MONTH OF MARCH, NINE (9%) PERCENT;
DURING THE MONTH OF APRIL, ELEVEN (11%) PERCENT;
DURING THE MONTH OF MAY, THIRTEEN (13%) PERCENT;
DURING THE MONTH OF JUNE, FIFTEEN (15%) PERCENT;

AND ON OR AFTER THE 1ST OF JULY, EIGHTEEN (18%) PERCENT.

SECTION 4. TAXES ARE PAYABLE IN ROCKWALL, TEXAS, AT THE OFFICE OF THE DESIGNATED TAX COLLECTOR. THE COUNTY SHALL HAVE AVAILABLE ALL RIGHTS AND REMEDIES PROVIDED BY LAWS OF THE ENFORCEMENT OF THE COLLECTION OF TAXES LEVIED UNDER THIS TAX RATE ORDER.

SECTION 5. THAT THE TAX ROLLS, AS PRESENTED TO THE COMMISSIONERS COURT TOGETHER WITH ANY SUPPLEMENT THERETO, BE AND THE SAME ARE HEREBY APPROVED.

SECTION 6. ALL DELINQUENT TAXES SHALL BE AT THE MAXIMUM RATE OF INTEREST PER ANNUM AS PROVIDED BY LAW, IN ADDITION TO THE PENALTIES PROVIDED HEREIN.

SECTION 7. ALL TAXES FOR THE YEAR 2011 WHICH REMAIN DELINQUENT ON JULY 1ST, 2012 SHALL INCUR AN ADDITIONAL PENALTY OF TWENTY (20%) PERCENT OF THE AMOUNT OF TAXES, PENALTY AND INTEREST DUE TO DEFRAY COST OF COLLECTION.

SECTION 8. THAT PURSUANT TO ARTICLE 8.1-b OF THE CONSTITUTION OF TEXAS, \$35,000.00 OF THE APPRAISED VALUE OF RESIDENT HOMESTEADS OF ANY MARRIED OR UNMARRIED PERSON INCLUDING THOSE LIVING ALONE, WHO WERE SIXTY-FIVE (65) YEARS OF AGE OR OLDER ON JANUARY 1, 2011, THIS AMOUNT SHALL BE EXEMPT FROM AD VALOREM TAXES.

SECTION 9. THE FACT THAT IT IS NECESSARY THAT THIS TAX RATE ORDER BE ENACTED IN ORDER TO AUTHORIZE THE COLLECTION OF AD VALOREM TAXES FOR THE YEAR 2011 CREATED AN URGENCY AND AN EMERGENCY AND REQUIRES THAT THIS TAX RATE ORDER TAKE EFFECT IMMEDIATELY FROM AND AFTER ITS PASSAGE, AS THE LAW IN SUCH CASES PROVIDES.

DULY PASSED BY THE COMMISSIONERS COURT OF THE COUNTY OF ROCKWALL, TEXAS, ON THIS THE 13TH DAY OF SEPTEMBER 2011.

ITEM #4

HUMAN RESOURCES DIRECTOR DISCUSSED WITH THE COURT THE PERFORMANCE SALARY PLAN FOR CIVILIAN AND LAW ENFORCEMENT OFFICERS. THIS ITEM WILL BE BROUGHT BACK TO THE NEXT SCHEDULED

MEETING ON OCTOBER 27TH TO ALLOW TIME TO AMEND AND INCLUDE THE COST OF LIVING ADJUSTMENT ADDED TO THE BUDGET.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE DISTRICT CLERK'S ARCHIVE PLAN AS CORRECTED.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING THE 2011-2012 COUNTY CLERK'S ARCHIVE PLAN FY2012 FOR THE PRESERVATION AND RESTORATION OF COUNTY CLERK'S ARCHIVED RECORDS.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING FY2012 SHERIFF AND CONSTABLE FEES.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE RECOMMENDATIONS OF THE EMPLOYEE BENEFITS COMMITTEE AS DETAILED IN ITEMS A THROUGH G:

A. The Benefits Committee recommends that Rockwall County accept the proposal from Majestic and continue to utilize our current carriers, Majestic as the provider for specific stop loss and Aetna as the provider for aggregate stop loss, and increase our specific loss limit to \$70,000 effective October 1, 2011.

B. The Benefits Committee recommends that beginning in 2012 spouses of employees be ineligible for our healthcare coverage if the spouse has access to medical/rx coverage through his/her own employment.

C. The Benefits Committee recommends that employee health plan contributions for healthcare coverage stay the same in 2012 as the current 2011 contribution amounts.

D. The Benefits Committee recommends establishing a \$1,250,000 annual maximum per participant in the medical plan coverage beginning in 2012.

E. The Benefits Committee recommends that Rockwall County continue to utilize Standard Insurance Company, our current carrier, as the provider for life insurance and AD&D and increase the employer provided amounts to \$50,000 effective January 1, 2012.

F. The Benefits Committee recommends that we accept the LTD proposal from Standard Insurance Company, and provide a voluntary Long Term Disability (LTD) program to our employees effective January 1, 2012.

G. The Benefits Committee recommends continuing the current retirement funding rate of 9% to TCDRS in 2012, and continuing the current retiree stipend of \$200 per month toward health insurance in 2012.

ITEM #9

HUMAN RESOURCE DIRECTOR RANDY JENNINGS DISCUSSED WITH THE COURT HIS RECOMMENDED CHANGES TO THE DEDUCTIBLE AMOUNTS ON RISK MANAGEMENT POOL COVERAGES. THE MOTION WAS MADE BY COMMISSIONER GRINNAN TO CHANGE THE DEDUCTIBLE AMOUNTS OF THE TEXAS ASSOCIATION OF COUNTIES (TAC) COVERAGE EFFECTIVE OCTOBER 1, 2011 FOR THE FOLLOWING ITEMS: PUBLIC OFFICIALS TO \$25,000, GENERAL LIABILITY TO \$50,000, AND PROPERTY TO \$10,000 AND TO RESCIND THE REQUEST TO GO OUT FOR AN RFP FOR ADDITIONAL CARRIERS. THE MOTION DIED FOR LACK OF A SECOND. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, TO APPROVE THE RECOMMENDATIONS OF THE EMPLOYEE BENEFITS COMMITTEE RELATIVE TO THE TAC RISK MANAGEMENT POOL ITEMS A THROUGH G AND RESCIND THE PREVIOUS ACTION ON GOING OUT FOR RFP.

COMMISSIONER WIMPEE RESCINDED HIS MOTION. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 3-2 IN FAVOR OF CHANGING THE DEDUCTIBLE AMOUNTS FOR TAC COVERAGE EFFECTIVE OCTOBER 1, 2011 OF THE LISTED INSURANCE LIABILITIES FOR THE FOLLOWING ITEMS: PUBLIC OFFICIALS TO \$25,000, GENERAL LIABILITY TO \$50,000, LAW ENFORCEMENT TO \$5,000 AND PROPERTY TO \$10,000 AND TO EXCLUDE THE AUTOMOBILE LIABILITY AND AUTOMOBILE PHYSICAL DAMAGE AND TO RESCIND THE PREVIOUS MOTION TO GO OUT FOR RFP FOR ADDITIONAL CARRIERS. MAGNESS AND WIMPEE VOTED AGAINST.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING CHANGING POLICY D.22 ON SMOKING/TOBACCO USAGE IN THE ROCKWALL COUNTY EMPLOYEE POLICY MANUAL. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #11

THE COURT DISCUSSED DIFFERENT PROPOSALS ON THE MOVEMENT OF VARIOUS COUNTY OFFICES TO THE NEW COURTHOUSE, HISTORIC COURTHOUSE AND THE COUNTY ANNEX. IT WAS DECIDED THAT THIS ITEM NEEDED FURTHER DISCUSSION AND WILL BE MOVED TO THE SCHEDULED SPECIAL MEETING ON SEPTEMBER 20TH. UNDER RELATED ISSUES COMMISSIONER BAILEY DISCUSSED THE FUNDING OF TWO PLAQUES BEING MADE FOR THE VETERANS MEMORIAL AND THE COURTHOUSE.

ITEM #12

THIS ITEM REGARDING A PROPOSAL FOR INTERIOR MODIFICATIONS TO THE COUNTY ANNEX BUILDING LOCATED AT 101 SOUTH FANNIN WAS MOVED TO THE SPECIAL MEETING SCHEDULED FOR SEPTEMBER 20TH.

*JUDGE HOGAN RECESSED THE MEETING AT 10:37 A.M.

*JUDGE HOGAN RECALLED THE MEETING AT 10:45 A.M.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 4-1 IN FAVOR OF STAYING WITH THE SAME SECOND AND FOURTH TUESDAY SCHEDULE FOR THE COMMISSIONERS COURT REGULAR MEETINGS AT 9:00 A.M. AND TO INCLUDE NIGHT MEETINGS ON DECEMBER 13, 2011, MARCH 27, 2012, JUNE 26, 2012 AND SEPTEMBER 25, 2012. COMMISSIONER GRINNAN VOTED AGAINST.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-2 IN FAVOR OF THE COUNTY OBSERVING THE SAME HOLIDAY SCHEDULE AS FY2011. COMMISSIONER GRINNAN AND JUDGE HOGAN VOTED AGAINST.

ITEM #15

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPOINTING LEE GILBERT AS REPRESENTATIVE TO SERVE ON THE ROCKWALL CENTRAL

APPRAISAL BOARD OF DIRECTORS FOR A PERIOD OF JANUARY 1, 2012 TO DECEMBER 31, 2013.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED JUDGE HOGAN WITH THE COURT VOTING 5-0 IN FAVOR OF RECOGNIZING THE ROCKWALL COUNTY BEHAVIORAL HEALTH PLANNING ADVISORY BOARD AND THEIR CORRESPONDING CHARTER ALSO, THE COURT ACKNOWLEDGES THAT THIS BOARD WILL PERIODICALLY REPORT ON UPCOMING MENTAL HEALTH ISSUES.

ITEM #17

THIS ITEM REGARDING RESCINDING THE ACTION PREVIOUSLY MADE TO APPRAISE THE PROPERTY AT 101 SOUTH FANNIN STREET WILL BE MOVED TO THE SPECIAL MEETING NEXT WEEK.

ITEM #18

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN INTERN TO WORK WITH THE FIVE YEAR STRATEGIC PLANNING GROUP.

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE STATEMENT OF COSTS AND THE RECORDING OF A LIEN IN THE INTEREST OF THE COUNTY FOR COSTS INCURRED IN THE AMOUNT OF \$5,832.50 FOR DEMOLISHING AND REMOVING THE DAMAGED RESIDENCE AT

121 ALEXANDER LANE AND TO AUTHORIZE THE DISTRICT ATTORNEY TO RECORD THE LIEN WITH THE COUNTY CLERK.

ITEM #20

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF AWARDING A TWO YEAR CONTRACT FOR BANK DEPOSITORY SERVICES FOR THE COUNTY OF ROCKWALL WITH THE OPTION OF A TWO YEAR EXTENSION TO AMERICAN NATIONAL BANK TO BE EFFECTIVE OCTOBER 1, 2011 AS RECOMMENDED BY THE COUNTY TREASURER.

ITEM #21

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF ADOPTING THE DAILY RATE OF PAY FOR JURY DUTY SERVICE AT \$6 FOR THE FIRST DAY AND \$34 FOR ALL ADDITIONAL DAYS UNTIL SUCH TIME THAT THE STATE ADJUSTS THEIR REIMBURSEMENT RATE TO ALL COUNTIES EFFECTIVE OCTOBER 1, 2011.

ITEM #22

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH THE ROCKWALL COUNTY EMERGENCY SERVICE CORPORATION (ESC) FOR THE PROVISION OF EMERGENCY MANAGEMENT SERVICES EFFECTIVE OCTOBER 1, 2011 AT A COST OF \$77,376.50.

ITEM #23

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT EFFECTIVE OCTOBER 1, 2011 WITH THE ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION (ESC) FOR THE COUNTY'S SHARE OF CONSULTING COSTS IN THE AMOUNT OF \$9,415.00.

ITEM #24

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH THE ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION (ESC) FOR THE COUNTY'S SHARE OF MEDIC RESCUE SUBSIDY FOR AMBULANCE SERVICES IN THE AMOUNT OF \$235,378.00 EFFECTIVE OCTOBER 1, 2011.

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING ONE-YEAR RENEWAL INTERLOCAL AGREEMENTS EFFECTIVE OCTOBER 1, 2011, WITH THE CITIES OF ROCKWALL (\$93,600), ROYSE CITY (\$58,800), HEATH (\$48,000), FATE (\$48,000) AND MCLENDON CHISHOLM (\$48,000) FOR PROVIDING FIRE PROTECTION SERVICES TO NON-INCORPORATED AREAS WITHIN THE COUNTY.

ITEM #26

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A NOTIFICATION LETTER OF NON-RENEWAL OF LEASE AGREEMENT TO MOBILE MODULAR MANAGEMENT CORPORATION EFFECTIVE OCTOBER 31, 2011.

ITEM #27

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN ACKNOWLEDGEMENT OF ASSIGNMENT OF PROFESSIONAL SERVICES CONTRACT FOR SEPTEMBER 2011 FOR FIRE MARSHAL SERVICES.

ITEM 28

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL PROFESSIONAL SERVICES AGREEMENT WITH JAMES WILLIAMS SIMMONS TO PERFORM FIRE MARSHAL DUTIES FOR THE COUNTY AT A MONTHLY FEE OF \$1,000 EFFECTIVE OCTOBER 1, 2011.

*COMMISSIONER BAILEY LEFT THE MEETING AT 11:19 A.M.

ITEM 29

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A THREE-YEAR RENEWAL AGREEMENT WITH DENTRUST DENTAL TEXAS, P.C. TO PROVIDE NECESSARY DENTAL SERVICES FOR ROCKWALL

COUNTY JAIL INMATES AND DETAINEES TO BE PAID FROM INMATE COMMISSARY FUNDS.

*COMMISSION BAILEY RETURNED TO THE MEETING AT 11:21 A.M.

ITEM 30

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSINER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL AGREEMENT WITH STAR TRANSIT, FORMALLY KART, TO PROVIDE PUBLIC TRANSPORTATION SERVICES FOR THE CITIZENS OF THE COUNTY AT AN ANNUAL COST OF \$10,000, EFFECTIVE OCTOBER 1, 2011.

ITEM 31

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE MONTHLY LEASE AMOUNT OF \$2,377.09 WHICH INCLUDES THE HOLDOVER AMOUNT OF \$475.42 TO CONTINUE THE LEASE AGREEMENT WITH BENBROOKE RIDGE PARTNERS, L.P., ON A MONTH-TO-MONTH BASIS EFFECTIVE OCTOBER 1, 2011 UNTIL A 30-DAY WRITTEN NOTICE OF TERMINATION IS GIVEN.

ITEM 32

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 SERVICES AGREEMENT WITH FORENSIC RESOURCES OF NORTH TEXAS (FRNT) TO PROVIDE MENTAL HEALTH

SERVICES FOR ROCKWALL COUNTY JAIL INMATES AT A COST OF \$500.00 PER WEEK.

ITEM 33

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AMENDMENT NUMBER 01 TO THE INTERGOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR THE LIP LOCAL INITIATIVE PROJECTS.

ITEM 34

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF AWARDING 2012 CONTRACTS AS THE COUNTY AUDITOR PRESENTED AND STATED FOR BIDS RECEIVED FOR THE FOLLOWING ROAD & BRIDGE CONSTRUCTION MATERIALS:

HOT MIX ASPHALT CONCRETE

- a. ITEM 340 - TYPE D AWARDED TO APAC – TEXAS, INC.
ALTERNATE - R.K. HALL CONSTRUCTION,
- b. ITEM DMS 9202 AWARDED TO APAC – TEXAS, INC.

ASPHALTS, OILS & EMULSIONS

- a. ITEMS CRS-2- AWARDED TO ERGON EMULSION & ASPHALTS, INC.
ALTERNATE – HEARTLAND ASPHALT MATERIALS, INC.
- b. 2P- AWARDED TO ERGON EMULSION & ASPHALTS, INC.
ALTERNATE – HEARTLAND ASPHALT MATERIALS, INC.
- c. 2H- AWARDED TO ERGON EMULSION & ASPHALTS, INC.
ALTERNATE – HEARTLAND ASPHALT MATERIALS, INC.
- d. 2HP - AWARDED TO ERGON EMULSION & ASPHALTS, INC.
ALTERNATE – HEARTLAND ASPHALT MATERIALS, INC.
- e. ITEM MEDIUM SET PRIME - NO BIDDERS
- f. ITEM AEP (PRIME) AWARDED TO ERGON EMULSION & ASPHALTS, INC.
ALTERNATE – HEARTLAND ASPHALT MATERIALS, INC.

GAS, OIL & DIESEL

- a. UNLEADED GASOLINE AWARDED TO MILEN OIL COMPANY, INC.
- b. #2 DIESEL AWARDED TO MILEN OIL COMPANY, INC.

- c. DIESEL ENGINE OIL DETERGENT AWARDED TO MILEN OIL COMPANY, INC.
 - d. AUTOMOTIVE TRANSMISSION FLUID AWARDED TO MILEN OIL COMPANY, INC.
 - e. MULTIPURPOSE GEAR LUBRICANT AWARDED TO MILEN OIL COMPANY, INC.
 - f. ANTI-FREEZE, ETHYLENE AWARDED TO MILEN OIL COMPANY, INC.
 - g. JD AR69447 HY GUARD HYD OIL AWARDED TO MILEN OIL COMPANY, INC.
- AGGREGATE FOR SURFACE TREATMENT
- a. ITEM 302 TYPE B GRADE 3 U- NO BIDDERS
 - b. ITEM 302 TYPE B GRADE 4 – NO BIDDERS
 - c. ITEM 302 3/8 #2 COVER AWARDED TO DOLESE BROS. COMPANY (ONLY BIDDER)
 - d. ITEM 302 5/8 C2 COVER AWARDED TO DOLESE BROS. COMPANY (ONLY BIDDER)
 - e. ITEM 302 5/8 #3 COVER AWARDED TO DOLESE BROS. COMPANY (ONLY BIDDER)
 - f. ITEM 302 3/4 #1 COVER AWARDED TO DOLESE BROS. COMPANY (ONLY BIDDER)
- FLEXIBLE BASE
- a. FLEX BASE TYPE A GRADE AWARDED TO SOUTHWEST CRUSHING, LLC.
- CORRUGATED METAL PIPE – AWARDED TO WILSON CULVERT
 ALLUMINIZED TYPE 2 STEEL – NO BIDDERS
 LIME SLURRY – NO BIDDERS
 QUICK LIME DRY – NO BIDDERS
 AGGREGATE HAULING – NO BIDDERS

ITEM 35

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF AWARDING A FY2012 CONTRACT FOR VENDING MACHINE SERVICE IN ROCKWALL COUNTY FACILITIES.

ITEM 36

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF AWARDING A CONTRACT FOR THE MOVING SERVICES TO THE NEW COURTHOUSE TO ALL POINTS PIONEER IN THE AMOUNT OF \$16,696.00 AS RECOMMENDED BY CONSULTANT AL SKRABANEK.

ITEM 37

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

APPROVING AWARDING A CONTRACT FOR THE INTEGRATED LIBRARY SYSTEM
FOR THE ROCKWALL COUNTY LIBRARY TO POLARIS LIBRARY SYSTEMS.

ITEM 38

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF
RENEWING THE FOLLOWING ANNUAL MAINTENANCE AGREEMENTS FOR
OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012:

	<u>Vendor</u>	<u>Coverage</u>	<u>Annual Cost</u>
A.	Image Tek	Laserfiche Software in County Clerk's office	\$1,500.00
B.	Image Tek	Laserfiche Software for the County Auditor's Office	\$100.00
C.	Image Tek	Laserfiche Software for the Commissioners Court	\$100.00
D.	IPSwitch	County E-mail System	\$1,435.50
E.	Mentalix	Automatic Fingerprint Identification System (AFIS)	\$3,665.00
F.	Affiliated Com	Telephone System for County	\$14,659.20
G.	MX Logic	McAfee Antivirus Software for County Email system	\$5,721.60
H.	Inter-County	Radio Equipment @ Sheriff, Jail & Emergency Mgmt	\$15,888.00
I.	Election Systems & Software	Voter Tabulation System Software/Hrdwre	\$17,353.56
J.	ESRI	Licenses for Software for 911 Addressing	\$2,500.00
K.	ESRI ArcView	License for Elections Admin	\$400.00
L.	3M	RFID System w/ Barcode Scanner at Library	\$11,656.00
M.	Aquatech	Water Treatment @ County Library	\$900.00
N.	Aquatech	Water Treatment @ County Historic Courthouse	\$900.00
O.	CivicPlus	County Website	\$10,914.00
P.	Kone, Inc.	Elevators @ Adult Prob, Gvnt Ctr, & Historic Courthouse	\$7,500.50
Q.	Kone, Inc.	Elevators @ Library	\$3,934.27
R.	Comm Electric Corp	911 Voice Recorder for Sheriff Dept	\$2,525.00
S.	HelpStar	HelpSTAR 9.0 Software for IT	\$1,995.00
T.	Envisionware	Bill/Coin Acceptor for the Library	\$1,652.79
U.	NetData	Hardware for AS400	\$5,000.00
V.	NetData	Financial Software	\$22,775.00
W.	AniDirect	McAfee Anti-Virus/General Government / 3 year price	\$9,860.66
AA	Siemens	County Jail/Fire Alarm panels Inspection	\$7,272.00
BB	Solar Winds	Software to monitor T-1s/IT	\$495.00
CC	Stewart & Stevenson	Generator Inspection / Jail	\$2,155.52
DD	Technique Data Systems	Microfilm Machine at County Clerk's Office	\$360.00
EE	Technique Data Systems	Microfilm Machine at County Library	\$513.00
FF	TFE Connect	Routers/Switches/Firewall for Network System	\$6,055.00
GG	Tyler Technologies	IBM RS/6000 Model 6F1	\$3,694.14
JJ	Tyler Technologies	Universe Software Maintenance Renewal	\$6,663.45
KK	Votec	VEMACS Software	\$20,810.56
LL	Votec	VoteSafe Software	\$2,880.00
MM	Wheeler Systems	Fire Alarm at Law Enforcement Center	\$1,775.00
NN	Texas Air System	Air Conditioning Agreement	\$13,810.48

Total: \$209,420.23

ITEM #39

COUNTY AUDITOR LISA CONSTANT ADVISED THE COURT OF THE SELECTION COMMITTEE'S RECOMMENDATION OF TATUM FOR CONSULTING SERVICES TO ANALYZE COMPETING SOFTWARE SYSTEMS FOR THE COUNTY JUDICIAL COURTS SOFTWARE SYSTEM. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 5-0 IN FAVOR OF ALLOWING THE COUNTY AUDITOR TO ENTER INTO NEGOTIATIONS WITH JERRY BYRD OF TATUM TO BE PAID OUT OF PROFESSIONAL SERVICES IN THE FY2012 BUDGET.

ITEM #40

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, 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, monthly fee report (s);
- c) Co. Agent(s), activity expense report(s);
- d) J.P. Pct. 1, monthly judicial activity report(s);
- e) Co. Auditor, Approve payment to HDR Engineering, Inc., for engineering services provided during July 2011 for the Rockwall County Bicycle Plan in the amount of \$14,728.34;
- f) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services provided during July 2011 at the FM549/I30 interchange in the amount of \$46,077.86;
- g) Co. Auditor, Approve payment to Parsons Transportation Group Inc., for engineering services rendered during July 2011 at the FM551/I30 interchange in the amount of \$56,518.30;
- h) Co. Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during July 2011 at FM 549 from SH 276 to SH 205 in the amount of \$2,279.25;
- i) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$2,289,738.00;
- j) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Veterans Memorial in the amount of \$135,749.00;
- k) Co. Auditor, Adopt Fund Balance Policy;

- l) 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 2012;
- m) Co. Auditor, Acknowledge for the record District Court Order setting the compensation for the Official Court Reporter of the 439th District Court for Fiscal Year 2012;

ITEM #41

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-2 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS AND DISPOSITIONS OF FIXED ASSETS.

- A. Road & Bridge to purchase from Road & Bridge fund: Port A Cool Fan @ an estimated cost of \$2,399.99. (Emergency Purchase)
- B. Justice of the Peace #1 to purchase from Justice Court Technology fund: (10) Allsteel lateral file cabinets including delivery and installation @ a quoted cost of \$6,160.50.
- C. Justice of the Peace #2 to purchase from Justice Court Technology fund: (10) Allsteel lateral file cabinets including delivery and installation @ a quoted cost of \$6,160.50.
- D. County Agent to purchase from County Agent General Fund: Acer X1261P projector including shipping @ a quoted cost of \$407.97.
- E. Elections Administrator to purchase from Election Services Fund: (2) M-100 precinct count paper ballot tabulators with ballot box including shipping @ a quoted cost of \$10,000.00.

JUDGE HOGAN AND COMMISSIONER GRINNAN VOTED AGAINST.

ITEM #42

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 TRANSFERS:

NON-EMERGENCY BUDGET TRANSFER(S);

2011-18 - Transfer \$350 of funds within the County Clerk General Fund Budget **TO** Travel & Training **FROM** Office Supplies resulting from expenditures exceeding budgeted funds during FY2011.

2011-19 - Transfer \$4,500 of funds within the General Fund Budget **TO** District Clerk/Postage Expense **FROM** Contingency resulting from expenditures exceeding budgeted funds during FY2011.

2011-20 -Transfer \$8,000 of funds from General Fund Budget **TO** District Attorney/Travel & Training **FROM** District Attorney/Office Supplies @ \$7,000 and General Government/Contingency @ \$1,000 resulting from expenditures in excess of budgeted funds.

ITEM #43

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 \$ 71,252.76. COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$ 2,879.335.06. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$ 505,080.55 FOR THE PAY PERIOD ENDING AUGUST 20, 2011. 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 \$ 505,664.05 FOR THE PAY PERIOD ENDING SEPTEMBER 3, 2011.

ITEM #44

JUDGE HOGAN ANNOUNCED THE TOWN HALL MEETING SCHEDULED FOR THURSDAY, SEPTEMBER 15TH WILL BE AT HEATH CITY HALL.

ITEM #45

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN
ADJOURNED THE MEETING AT 12:00 P.M.

SHELLI MILLER,
ROCKWALL COUNTY CLERK