

**COMMISSIONERS COURT
SEPTEMBER 27, 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 7:00P.M.

THE INVOCATION WAS GIVEN BY COMMISSIONER BAILEY.

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

NO GUESTS WERE PRESENT THAT WISHED TO BE RECOGNIZED OR ADDRESS
THE COURT.

PRESENTATION (S):

THE AMERICAN LEGION PRESENTED THE COURT WITH A CEREMONIAL
DONATION IN THE AMOUNT OF \$16,979.00 FOR THE GRANITE WALL IN THE
VETERANS MEMORIAL.

JUDGE HOGAN PRESENTED THE COURT WITH ART REPRESENTING THE
HISTORY OF COURTHOUSES IN ROCKWALL COUNTY. THE TWO PAINTINGS,
TITLED *IMPRESSIONS OF ROCKWALL COURTHOUSE FROM 1892 – 1941*, WERE
CREATED IN PART BY 6TH GRADE STUDENTS FROM REINHARDT ELEMENTARY

ART CLUB. THE STUDENTS WHO PARTICIPATED IN THE CREATION OF THE ARTWORKS ARE JESSIE PAGE, SAWYER RACHUIG, BAILEY BERRYHILL, LAUREN WHITE AND AVERY MCCRILLIS.

ITEM #1

COUNTY AGENT TODD WILLIAMS READ THE PROPOSED PROCLAMATION FOR NATIONAL 4-H WEEK, OCTOBER 2-8, 2011. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE PROCLAMATION AS READ.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE PRECINCT MAP AS PRESENTED WITHOUT ANY ADJUSTMENTS AND AUTHORIZING ALLISON BASS OUR REDISTRICTING COUNSEL TO PREPARE AND SUBMIT TO THE UNITED STATES DEPARTMENT OF JUSTICE THE SUBMISSION SEEKING PRECLEARANCE OF ALL ROCKWALL COUNTIES ELECTION BOUNDARIES, VOTING PLACES AND PROCEDURES RELATED TO THE REDISTRICTING OF ROCKWALL COUNTY, TEXAS WHICH INCLUDES AS PRESENTED THE J.P. PRECINCT INSIDE THE COMMISSIONER'S PRECINCTS.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 4-1 IN FAVOR OF TO USING THE SEVERANCE PROCEDURE APPROVED BY THE COURT FOR THOSE POSITIONS IDENTIFIED

AS BEING TERMINATED THROUGH THE FY2012 BUDGET AND TO AUTHORIZE HUMAN RESOURCES AND DEPARTMENT HEADS TO DETERMINE WHETHER TO OFFER THE VOLUNTARY OR INVOLUNTARY PLAN. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING JOE ELLIS, EMERGENCY MANAGEMENT SPECIALIST TO ATTEND THE EMERGENCY MANAGEMENT INSTITUTE, OCTOBER 3-6, 2011/DECEMBER 5-8, 2011/APRIL 2-5, 2012 IN EMMITSBURG, MARYLAND. THE TRAVEL COST AND ROOM ARE COVERED BY DHS. THE \$97.70 PER TRIP MEAL EXPENSE WILL BE PAID FROM THE APPLICABLE EMERGENCY MANAGEMENT DEPARTMENT BUDGET.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE PERFORMANCE SALARY PLAN FOR CIVILIAN AND LAW ENFORCEMENT OFFICERS FOR THE FISCAL YEAR 2012.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING ROB GATES TO PROVIDE FOR THE ANNUAL CHRISTMAS LUNCHEON AT \$13.50 PER PERSON.

ITEM #7

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN REGARDING THE BUILD OUT OF 108 SOUTH FANNIN.

ITEM #8

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN REGARDING CLOSING DOCUMENTS RELATED TO COMPLETION OF WORK AT THE NEW COURTHOUSE.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF FATE FOR ROAD IMPROVEMENTS TO BROWN AVENUE AT AN AGREED UPON COST AND AVAILABLE SCHEDULE.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL LICENSE AGREEMENT WITH INFOUSA TO PROVIDE INFORMATION DATABASES TO THE ROCKWALL COUNTY LIBRARY PATRONS AT \$2,280.00, EFFECTIVE OCTOBER 15, 2011. JUDGE HOGAN REQUESTED THE LIBRARY DIRECTOR TO PROVIDE THE COURT WITH PREVIOUS YEARS USAGE OF THE DATABASE.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR APPROVING A ONE-YEAR DATABASE SUBSCRIPTION RENEWAL FOR COUNTY LIBRARY PATRONS WITH EBSCO PUBLISHING AT A COST OF \$4,897.00, EFFECTIVE OCTOBER 1, 2011. JUDGE HOGAN REQUESTED THE LIBRARY DIRECTOR TO PROVIDE THE COURT WITH PREVIOUS YEARS USAGE OF THE DATABASE.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF AWARDING BIDS FOR THE LIBRARY IMPROVEMENTS DONATED BY THE FRIENDS OF THE LIBRARY AS RECOMMENDED BY MARCINE MCCULLEY, LIBRARY DIRECTOR. SIGNS TO A SIGN OF QUALITY IN THE AMOUNT OF \$2,004.00, LIBRARY SHELVING TO CULTURAL SURROUNDINGS IN THE AMOUNT OF \$9,504.00, ARCHITECTURAL WOODWORK TO LIBRA-TECH CORPORATION IN THE AMOUNT OF \$10,728.00, FURNITURE-NO BIDDERS, MOVING TO MOVE SOLUTIONS IN THE AMOUNT OF \$2,610.32 AND END PANEL REPAIR TO LIBRA-TECH CORPORATION IN THE AMOUNT OF \$822.00

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-1 IN FAVOR OF TERMINATING THE CURRENT LANSCAPE MAINTENANCE AGREEMENT WITH

RYAN LANDSCAPE & CONSTRUCTION, INC. AND TO RE-BID FOR LANDSCAPING SERVICES. COMMISSIONER MAGNESS VOTED AGAINST.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF RENEWING A ONE-YEAR AGREEMENT WITH ARAMARK UNIFORM SERVICES TO CONTINUE PROVIDING UNIFORM RENTAL SERVICES FOR THE COUNTY MAINTENANCE DEPARTMENT, EFFECTIVE OCTOBER 1, 2011. JUDGE HOGAN VOTED AGAINST.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A LETTER OF AGREEMENT WITH THE CITY OF ROCKWALL MAIN STREET DEPARTMENT TO HOLD SCARE ON THE SQUARE ON THE HISTORIC COURTHOUSE PROPERTY ON SATURDAY, OCTOBER 29, 2011, FROM 4:00 P.M. - 6:00 P.M.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER GRINNAN TO APPROVE A ONE-YEAR EXTENSION OF THE LEASE AGREEMENT WITH ROY HANCE FOR THE DOWNTOWN PARKING LOT EFFECTIVE OCTOBER 1, 2011. ASSISTANT DISTRICT ATTORNEY JONATHAN THATCHER PRESENTED THE COURT WITH A PROPOSED LETTER OF AGREEMENT WITH THE CITY OF ROCKWALL. COMMISSIONER GRINNAN AMENDED HER MOTION, SECONDED BY

COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A ONE-YEAR EXTENSION OF THE LEASE AGREEMENT WITH ROY HANCE FOR THE DOWNTOWN PARKING LOT EFFECTIVE OCTOBER 1, 2011 AND ALSO TO RECOGNIZE THE LETTER OF AGREEMENT BETWEEN THE CITY OF ROCKWALL AND ROCKWALL COUNTY ACKNOWLEDGING THAT THE CITY OF ROCKWALL WILL PAY HALF OF THE LEASE FEE IN THE AMOUNT OF \$5,000.00. JUDGE HOGAN ABSTAINED.

ITEM #17

ELECTION ADMINISTRATOR GLENDA DENTON GAVE THE COURT AN OVERVIEW OF AN AGREEMENT WITH SOE SOFTWARE FOR ELECTION SERVICES AND SOFTWARE. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN AGREEMENT WITH SOE SOFTWARE FOR ELECTION SERVICES AND SOFTWARE.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING A ONE-YEAR AGREEMENT WITH INNOVATIVE TRANSPORTATION SOLUTIONS, INC. FOR PROFESSIONAL CONSULTING SERVICES RELATING TO ROADS AND ROAD BONDS FOR ROCKWALL COUNTY EFFECTIVE OCTOBER 1, 2011 AT \$120,000.00.

ITEM #19

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN REGARDING IMPROVEMENTS TO THE COUNTY SERVICES BUILDING, INCLUDING NEW FLOORING AND EXTERIOR SIGNAGE.

ITEM #20

HUMAN RESOURCES DIRECTOR RANDY JENNINGS GAVE THE COURT AN OVERVIEW OF A CONSULTING AGREEMENT WITH GALLAGHER BENEFIT SERVICES. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL CONSULTING AGREEMENT WITH GALLAGHER BENEFIT SERVICES, INC. TO CONTINUE PROVIDING EMPLOYEE BENEFIT SERVICES AT AN ANNUAL COST OF \$25,000, EFFECTIVE OCTOBER 1, 2011.

ITEM #21

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A RENEWAL LEASE AGREEMENT WITH RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC. TO CONTINUE PROVIDING THE RADIO TOWER FACILITY ON SIDS ROAD, EFFECTIVE OCTOBER 1, 2011.

ITEM #22

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

APPROVING THE FOLLOWING ANNUAL MAINTENANCE AGREEMENTS FOR
OCTOBER 1, 2011 THROUGH SEPTEMBER 20, 2012:

<u>Vendor</u>	<u>Coverage</u>	<u>Annual Cost</u>
A. Entech	A/C for the Library	\$10,912.00
AA. Texas Air System-new vendor	A/C for the Historic Courthouse	\$ 2,490.57
BB. Texas Air System-new vendor	A/C for the Government Center	\$ 5,435.95
	Total	\$18,838.52

ITEM #23

THE MOTION WAS MADE BY COMMISSIONER BAILEY, 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) Co. Clerk, monthly fee report(s);
- c) J.P. Pct. 2, monthly judicial activity report(s);
- d) Co. Tax Assessor-Collector, monthly activity/expense report(s);
- e) Co. Treasurer, monthly report(s);
- f) Environmental Health Coordinator, monthly activity report(s);
- g) Co. Auditor, Approve payment to HNTB Corporation for engineering services provided during July 2011 at FM 552 from SH 205 to SH 66 in the amount of \$56,100.65;
- h) Co. Auditor, Approve payment to HNTB Corporation for engineering services provided during August 2011 at FM 552 from SH 205 to SH 66 in the amount of \$26,736.34;
- i) Co. Auditor, Approve payment to Halff Associates, Inc. for engineering services provided during August 2011 at SH 66 from SH 205 to FM 1777 in the amount of \$26,857.94;
- j) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services provided during August 2011 at the FM 549/I 30 interchange in the amount of \$46,537.66;
- k) Co. Auditor, Approve payment to Brinkley Sargent Architects for August 2011 architectural services on the new Rockwall County Courthouse in the amount of \$24,785.37;
- l) Co. Auditor, Approve lump sum payment to Texas County and District Retirement System (TCDRS) in the amount of \$250,000.00;
- m) Co. Auditor, monthly report(s);

ITEM #24

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

- A. County Jail purchased from County Jail General Fund: (2) file cabinets @an actual cost of \$500.00.

THE COURT DISCUSSED THE REQUEST FROM COUNTY SHERIFF HAROLD EAVENSON TO PURCHASE A 2011 CLUB CAR XRT 4 PASSENGER HEAVY DUTY GOLF CART. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITION/DISPOSITION:

- A. County Sheriff to purchase from General Fund Capital Outlay: 2011 Club Car XRT 4 passenger heavy duty golf cart w/ associated equipment including delivery @ a quoted cost not to exceed \$8,500.00.

COMMISSIONER GRINNAN VOTED AGAINST.

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER(S):

2011-21 - Transfer \$625 of funds within the Justice of the Peace #2 General Fund Budget **TO** Travel & Training **FROM** Postage Expense resulting from expenditures exceeding budgeted funds during FY2011.

2011-22 - Transfer \$2,025 of funds within the Tax Assessor General Fund Budget **TO** Travel & Training **FROM** Office Supplies resulting from expenditures exceeding budgeted funds during FY2011.

ITEM #26

THE MOTION WAS MADE COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$287,930.39. COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN

FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$706,535.27. THE MOTION WAS MADE BY COMMISSIOINER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$515,533.25 FOR THE PAY PERIOD ENDING SEPTEMBER 17, 2011.

ITEM #27

JUDGE HOGAN ANNOUNCED THAT THE NEXT COMMISSIONER'S COURT MEETING TO BE HELD AT NIGHT WILL BE ON DECEMBER 13, 2011.

JUDGE HOGAN ANNOUNCED THAT HE REQUESTED ROSS RAMSEY TO REVAMP THE IMPROVEMENT DRAWINGS /PLANS TO THE GOVERNMENT CENTER AND WILL BRING TO THE COURT.

COMMISSIONER WIMPEE ANNOUNCED THAT SANTA CLAUS HAS AGREED TO COME BACK TO ROCKWALL ON NOVEMBER 29, 2011 FROM 6:00 P.M. TO 8:00 P.M.

ITEM #28

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 8:42 P.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK