

**COMMISSIONERS COURT  
OCTOBER 11, 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 - ABSENT</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 9:00 A.M.

THE INVOCATION WAS GIVEN BY COMMISSIONER WIMPEE.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND

TO THE TEXAS FLAG WERE LED BY JUDGE HOGAN.

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

**PRESENTATION (S):**

JUDGE HOGAN PRESENTED A CERTIFICATE OF APPRECIATION TO ALBERT  
SCHMIESING FOR HIS GENEROUS CONTRIBUTIONS AND SERVICE TO  
ROCKWALL COUNTY AS RACES COORDINATOR AND GAVE A SHORT OVERVIEW  
OF HIS ACCOMPLISHMENTS.

**ITEM #1**

COMMISSIONER WIMPEE READ A PROPOSED RESOLUTION DESIGNATING THE  
NEW COURTHOUSE AS THE NEW LOCATION WHERE THE SALE OF REAL

PROPERTY UNDER CONTRACT LIEN SHALL TAKE PLACE. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A RESOLUTION DESIGNATING AN AREA IMMEDIATELY OUTSIDE ON THE FRONT STEPS OF THE NEW COUNTY COURTHOUSE WHERE THE SALE OF REAL PROPERTY UNDER CONTRACT LIEN SHALL TAKE PLACE AND AUTHORIZING THE FILING OF THE RESOLUTION IN THE REAL PROPERTY RECORDS OF THE COUNTY AS CONTEMPLATED UNDER §51.002 OF THE TEXAS PROPERTY CODE.

\*COMMISSIONER WIMPEE LEFT THE MEETING AT 9:04 A.M.

**ITEM #2**

JUDGE HOGAN READ A PROPOSED RESOLUTION PROCLAIMING THAT THE ROCKWALL COUNTY COURTHOUSE ATTORNEY CONFERENCE ROOM SHALL BE HEREAFTER DEDICATED AS THE DON STODHILL MEMORIAL LAWYERS LOUNGE. THE ROCKWALL COUNTY BAR ASSOCIATION HAS VOLUNTEERED TO FURNISH AND FACILITATE THE USE OF THE ATTORNEY CONFERENCE ROOM BY MEMBERS OF THE BAR. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING THE RESOLUTION AS READ.

**ITEM #3**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING THE GOODS-IN-TRANSIT TAX EXEMPTION RESOLUTION.

\*COMMISSIONER WIMPEE RETURNED TO THE MEETING AT 9:08.

**ITEM #4**

JUDGE HOGAN PRESENTED THE COURT WITH A STATUS REPORT OF HIS FINDINGS FROM TALKS WITH VARIOUS ENTITIES REGARDING THE POSSIBILITY OF OFFERING A TAX ABATEMENT TO SMALL BUSINESS A IN AN EFFORT CREATE NEW JOBS. THE ITEM WILL BE PUT ON THE NEXT WORKSHOP AGENDA FOR FURTHER DISCUSSION. NO ACTION TAKEN.

**ITEM #5**

THIS WAS A DISCUSSION ITEM ONLY REGARDING ELECTRONIC VOTING IN ROCKWALL COUNTY. THE ITEM WILL BE PLACED ON THE AGENDA OF THE NEXT WORKSHOP. NO ACTION TAKEN.

**ITEM #6**

DISCUSSION ON THIS ITEM REGARDING ROCKWALL COUNTY FACILITY USE POLICY WAS MOVED TO THE AGENDA OF THE NEXT WORKSHOP.

**ITEM #7**

THE COURT DISCUSSED THE CURRENT ACTIVITIES ON THE COUNTY 5-YEAR STRATEGIC PLAN. EACH COMMISSIONER GAVE AN UPDATE REGARDING THEIR PROGRESS TO DATE. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN.

**ITEM #8**

COMMISSIONER GRINNAN IS LOOKING FOR GUIDANCE FROM THE COURT ON WHETHER TO MOVE FORWARD ON A FULL PRODUCTION DOCUMENTARY HIGHLIGHTING THE ROCKWALL COUNTY'S VETERANS IN A 7 – 10 MINUTE PROMOTIONAL VIDEO FOR PLAYBACK AT THE VETERANS MEMORIAL KIOSK

AND ON THE COUNTY WEBSITE. THE COURT AGREED IT WAS A GOOD IDEA FOR COMMISSIONER GRINNAN TO PROCEED WITH THE VIDEO. NO ACTION TAKEN.

**ITEM #9**

THIS WAS A DISCUSSION ITEM ONLY REGARDING HOLDING A STRATEGIC PLANNING MEETING FOR COMMISSIONERS COURT TO BE HELD AT AN OFF-SITE LOCATION. THE COURT ESTABLISHED THAT THIS WOULD BE BENEFICIAL AND PRODUCTIVE.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A MAXIMUM OF \$15,500.00 TO BE PAID OUT OF COUNTY SERVICES BOND FUND FOR CARPET FOR ALL OFFICES IN THE JUVENILE PROBATION DEPARTMENT INCLUDING VINYL COVERAGE IN THE BREAKROOM AREA AND AN EXTERIOR SIGN.

**ITEM #11**

COMMISSIONER BAILEY GAVE THE COURT AN UPDATE ON THE PROGRESS OF THE CONSTRUCTION OF THE NEW COURTHOUSE. BRINKLEY SARGENT WILL BE ISSUING THE LETTER OF SUBSTANTIAL COMPLETION ON TIME FOR OCTOBER 13, 2011. THEY ARE WORKING TOWARD COMPLETION FOR THE FIRST MOVE-IN ON OCTOBER 18<sup>TH</sup>. NO ACTION TAKEN.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE COUNTY AUDITOR TO SEND NOTICE TO CANCEL THE EXISTING LEASE CONTRACT WITH DE LANDEN FINANCIAL SERVICES FOR A COPIER AT THE COUNTY LIBRARY AND APPROVING A NEW COPIER LEASE WITH CPI AT A MONTHLY COST OF \$65.00 INCLUDING ALL MAINTENANCE AND SUPPLIES.

**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING SUPPLEMENTAL AGREEMENT NO. 1 WITH CHIANG, PATEL & YERBY, INC., FOR ADDITIONAL ENGINEERING AND TECHNICAL SERVICES RELATING TO THE IH 30/FM 3549 PROJECT AT A COST OF \$455,078.39 TO BE PAID FROM 2004 ROAD BOND MONIES.

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A ONE-YEAR RESOLUTION WITH THE ROCKWALL COUNTY COMMITTEE ON AGING TO CONTINUE PROVIDING HOME-DELIVERED MEAL SERVICES FOR HOMEBOUND PERSONS IN THE COUNTY WHO ARE ELDERLY AND/OR HAVE A DISABILITY, EFFECTIVE OCTOBER 1, 2011 IN THE AMOUNT OF \$20,000.

**ITEM #15**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL POLICY EFFECTIVE OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012, PROVIDED BY MAJESTIC UNDERWRITERS LLC AND WRITTEN WITH WESTERN RESERVE LIFE ASSURANCE COMPANY OF OHIO TO PROVIDE SPECIFIC STOP LOSS REINSURANCE COVERAGE FOR THE COUNTY.

**ITEM #16**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-1 IN FAVOR OF APPROVING A FEDERAL WAGE RATE CERTIFICATION AS IT RELATES TO THE FUNDING FOR THE IH 30 AT FM 3549 INTERCHANGE PROJECT. COMMISSIONER WIMPEE VOTED AGAINST.

**ITEM #17**

THE COURT DISCUSSED A SELECTION OF PROPOSALS FOR LAWN CARE, LANDSCAPE AND SPRINKLER MAINTENANCE AT THE NEW COURTHOUSE, THE HISTORIC COURTHOUSE AND THE COUNTY LIBRARY. COMMISSIONER BAILEY WILL ASK TURTLECREEK LANDSCAPE SERVICES WHAT LINE ITEMS CAN BE EXCLUDED WITHOUT JEOPARDIZING THE WARRANTY ON THE PLANTS AND TREES AND BRING THE INFORMATION BACK TO THE COURT FOR FURTHER DISCUSSION. NO ACTION TAKEN.

**ITEM #18**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) Co. Agent, activity expense report(s);
- c) Environmental Health Coordinator, monthly activity report(s);
- d) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Veterans Memorial in the amount of \$199,595.00;
- e) Co. Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during August 2011 at FM 549 from SH 276 to SH 205 in the amount of \$7,132.52;
- f) Co. Auditor, Approve payment to HDR Engineering, Inc., for engineering services provided during August 2011 for the Rockwall County Bicycle Plan in the amount of \$12,101.07;
- g) Co. Auditor, Approve payment to Parsons Transportation Group Inc., for engineering services rendered during August 2011 at the FM551/I30 interchange in the amount of \$105,482.93;
- h) Co. Auditor, Approve payment to Atkins North America, Inc. for engineering services provided during March thru August 2011 at FM 3549 from SH 66 to IH 30 in the amount of \$5,012.67;
- i) Judge Brett Hall, Acknowledge for the record Court Order reappointing Lisa Constant as the Rockwall County Auditor;
- j) Judge Brett Hall, Acknowledge for the record the revised District Court Order setting the compensation for the Assistant Auditors and Oath of Office documents for each Assistant to the Rockwall County Auditor;

**ITEM #19**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITION:

- A. County Jail purchased from County Jail General Fund: Lincoln MIG Welder 140A @ an actual cost of \$601.40. (Emergency Purchase)
- B. County Jail purchased from County Jail General Fund: (7) chairs, (1) chair mat and (1) dry erase board @ an actual cost of \$2,106.91.

- C. County Jail to purchase from Courthouse Security Fund: (2) Motorola HT1250 portable radios with accessories including delivery @ a quoted cost of \$1,714.00.
- D. Justice of the Peace #1 to transfer to Constable #1: Taser-X26E-black with extended XDPM including cartridge.

**ITEM #20**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER(S):

**2011-23** - Transfer \$1,400 of funds within the General Fund General Government Budget **TO** Group Insurance & Retirees **FROM** Contingency resulting from actual costs exceeding budgeted amounts.

**2011-24** - Transfer \$376 of funds within the County Agent General Fund Budget **TO** Capital Outlay = > \$200 **FROM** Equipment Repairs resulting from the purchase of a projector approved by the Commissioners Court on September 13, 2011.

**ITEM #21**

THE MOTION WAS MADE COMMISSIONNER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$6,563.62. COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$1,190,791.19. THE MOTION WAS MADE BY COMMISSIOINER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$507,020.39 FOR THE PAY PERIOD ENDING OCTOBER 1, 2011.

**ITEM #22**

JUDGE HOGAN POINTED OUT THE POSTERS IN THE COURTROOM DEPICTING THE PROPOSED FLOORPLANS FOR THE GOVERNMENT CENTER IF ANYONE WANTED TO VIEW THEM.

JUDGE HOGAN ANNOUNCED THAT THERE IS A SPECIAL MEETING AND A COMMISSIONER'S COURT WORKSHOP SCHEDULED FOR NEXT TUESDAY, OCTOBER 18, 2011 AT 9:00 A.M.

**ITEM #23**

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 10:25 A.M.

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SHELLI MILLER  
ROCKWALL COUNTY CLERK