

**COMMISSIONERS COURT
OCTOBER 25, 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 - ABSENT
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 JUDGE HOGAN.

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

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF
APPROVING THE REPLAT OF LOTS 14 AND 15 LOCATED IN CHISHOLM RANCH
ESTATES.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF

APPROVING OUT OF STATE TRAVEL FOR SHERIFF EAVENSON TO ATTEND THE NATIONAL SHERIFFS' ASSOCIATION EXECUTIVE COMMITTEE MEETING IN ALEXANDRIA, VA, NOVEMBER 17, 2011.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF ASSIGNING THE VETERANS SERVICE OFFICER TO REPORT TO JUDGE HOGAN.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF ASSIGNING THE CONSOLIDATED COLLECTIONS MANAGER TO REPORT TO COUNTY TREASURER DAVID PEEK.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING TECHNOLOGY DEPARTMENT DIRECTOR BRIAN CRENSHAW TO GO OUT FOR BID ON AN ISP AND BUILDING CONNECTIVITY PROVIDER WITH THE ASSISTANCE OF THE AUDITOR'S OFFICE.

ITEM #5

COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT EXISTING LAWN CARE AND SPRINKLER MAINTENANCE SERVICES AT VARIOUS COUNTY PROPERTIES INCLUDING THE BID RECEIVED FROM TURTLECREEK. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN FOR DISCUSSION TO AUTHORIZE THE SHERIFF'S DEPARTMENT TO

PERFORM MOWING DUTIES AT THE COUNTY LIBRARY AND TO FUND UP TO \$1,500 FOR A TRAILER AND ITS LICENSES AND REGISTRATION. AFTER DISCUSSION THE COURT VOTED 1-3 AGAINST WITH COMMISSIONERS WIMPEE AND MAGNESS AND JUDGE HOGAN VOTING AGAINST. THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF AUTHORIZING THE AUDITOR TO GO OUT FOR BID FOR A VENDOR TO IMPLEMENT THE LANDSCAPING PROJECT PLAN FOR THE HISTORICAL COURTHOUSE AS PRESENTED BY THE AGRICULTURAL EXTENSION AGENT TODD WILLIAMS.

ITEM #6

THE COURT DISCUSSED THE DRAFT ROCKWALL COUNTY FACILITY USE POLICY. THE MOTION WAS MADE BY COMMISSIONER GRINNAN TO ACCEPT THE COUNTY FACILITY USE POLICY AS PRESENTED BY ASSISTANT DISTRICT ATTORNEY JON THATCHER WITH CHANGES TO 7.02 STATING THERE WILL BE NO HOURLY FEE BETWEEN THE HOURS OF 9:00 A.M. AND 4:00 P.M. AND THE FEE FOR AFTER HOURS WILL BE \$50.00 PER HOUR WITH A MINIMUM OF A TWO HOUR USAGE. THE MOTION WAS SECONDED BY JUDGE HOGAN FOR DISCUSSION. COMMISSIONER GRINNAN AMENDED HER MOTION TO INCLUDE A MORATORIUM FOR BUILDING USE UNTIL JANUARY 2, 2012 AND THE POLICY EFFECTIVE DATE TO BE JANUARY 2, 2012. THE COURT VOTED 3-1 IN FAVOR OF THE AMENDED MOTION. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #7

COMMISSIONER MAGNESS REPORTED THAT COMMISSIONER BAILEY WAS HEAVILY INVOLVED IN THE CHANGEOVER OF THE NEW COURTHOUSE WITH NO FURTHER REPORT AT THIS TIME. THE COURT DISCUSSED HOW THEY WILL HANDLE REQUESTS FROM THE PUBLIC FOR TOURS OF THE NEW COURTHOUSE. JUDGE HOGAN WILL ASK DISTRICT CLERK KAY MCDANIEL IF SHE WOULD CONSIDER TAKING ON THIS RESPONSIBILITY. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #8

COMMISSIONER GRINNAN REPORTED THAT THE PLANS FOR THE VETERANS MEMORIAL DEDICATION AND THE NEW COURTHOUSE OPEN HOUSE HAVE ALL BEEN FINALIZED WITH NO REPORT AT THIS TIME. COURT COORDINATOR FELICIA MORRIS STATED THAT THE INVITATIONS HAVE BEEN MAILED. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #9

THIS WAS A DISCUSSION ITEM ONLY REGARDING THE POSSIBILITY OF OFFERING A TAX ABATEMENT FOR NEW BUSINESSES ROCKWALL COUNTY. COMMISSIONER MAGNESS GAVE THE COURT FEEDBACK RECEIVED FROM ROYSE CITY. THEY ARE OKAY WITH THE COUNTY GIVING AN ABATEMENT BUT DIDN'T WANT TO BE INVOLVED AT THIS TIME. COMMISSIONER GRINNAN WAS STILL WAITING FOR A REPLY FROM THE CITY OF ROWLETT. SHE WENT ON TO SAY THAT SHE RECEIVED GOOD FEEDBACK FROM THE CITY OF ROCKWALL

AND THAT THEY WERE ALREADY GIVING INCENTIVES. NO ACTION WAS TAKEN.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING AMENDMENT NUMBER 04 TO THE INTER-GOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR THE LIRAP LOCAL INITIATIVE PROJECTS. JUDGE HOGAN ABSTAINED.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A LICENSE AGREEMENT WITH NETDATA TO PROVIDE RVI IMAGING SOFTWARE, MAINTENANCE AND TRAINING FOR THE COUNTY AUDITOR AND TREASURER'S OFFICE FINANCIAL SYSTEM IN THE AMOUNT OF \$31,600 TO BE PAID FROM THE COUNTY'S RECORD MANAGEMENT FUND AS BUDGETED FOR FY2012.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A NOTIFICATION LETTER OF NON-RENEWAL OF CANCELLATION OF ALARM SERVICES AGREEMENT TO MCKINNEY SECURITY SYSTEMS, L.L.C.

REGARDING THE MOBILE OFFICE UNIT LOCATED AT THE GOVERNMENT CENTER EFFECTIVE NOVEMBER 30, 2011.

*JUDGE HOGAN RECESSED THE MEETING AT 10:20 A.M.

*JUDGE RECONVENED THE MEETING AT 10:30 A.M.

ITEM #13

THE COURT DISCUSSED, AT LENGTH, THE BUILDING SPACE AVAILABLE IN THE NEW COURTHOUSE AND IN THE HISTORICAL COURTHOUSE IN AN EFFORT TO FIND A WORKABLE SOLUTION FOR LOCATING COUNTY OFFICES. THIS ITEM WILL BE BROUGHT BACK AFTER THE EXECUTIVE SESSION AND A BREAK FOR LUNCH. ASSISTANT DISTRICT ATTORNEY JON THATCHER REQUESTED THE COURT TO INCLUDE IN EXECUTIVE SESSION A DISCUSSION WITH LEGAL COUNSEL ON A MATTER OF POTENTIAL LITIGATION REGARDING THE MATTER OF COUNTY SPACE.

*JUDGE HOGAN RECESSED THE MEETING AT 11:42 A.M. FOR EXECUTIVE SESSION AND A LUNCH BREAK.

ITEM #14

EXECUTIVE SESSION FROM 11:42 A.M. TO 12:00 P.M.

- Discussion of severance pay for Library Assistant (Tex. Gov't Code §551.074), and all related issues;

*JUDGE HOGAN RECALLED THE MEETING AT 1:05 P.M.

ITEM #15

ACTION OF EXECUTIVE SESSION

THE MOTION WAS MADE BY COMMISSIONER GRINNAN TO AUTHORIZE THE AUDITOR TO PAY GLORIA BISHOP THE SEVERENCE PAYMENT OFFERED AS

PART OF THE REDUCTION IN FORCE PROPOSITION AS PART OF THE FY2012 BUDGET. MOTION DIED FOR LACK OF A SECOND.

ITEM #13 READDRESSSED

THE COURT READDRESSSED THIS ITEM REGARDING COUNTY FACILITIES AND LOCATION OF COUNTY OFFICES. AFTER MUCH DISCUSSION IT WAS DECIDED TO SET THIS ITEM ASIDE UNTIL AFTER ITEMS 16-19 ARE ADDRESSED.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING CONSENT AGENDA ITEMS B – M. ITEM A REGARDING APPROVAL OF MINUTES WILL BE HELD OVER UNTIL THE NEXT MEETING TO ALLOW TIME TO CLARIFY A QUESTION FROM COMMISSIONER BAILEY REGARDING MINUTES.

- b) Co. Clerk, monthly fee report(s);
- c) District Clerk, monthly fee report (s);
- d) Co. Tax Assessor-Collector, monthly activity/expense report(s);
- e) Co. Librarian, activity monthly report(s);
- f) Co. Librarian, Rockwall County Library Database Usage for FY2011;
- g) Co. Treasurer, monthly report(s);
- h) Co. Treasurer, Fiscal Year 2011 Investment Report;
- i) Co. Auditor, Approve payment to H.W. Lochner, Inc. for engineering services provided through August 19, 2011 at FM 740 from FM 1140 to FM 549 in the amount of \$22,153.25;
- j) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services provided during September 2011 at the FM549/I30 interchange in the amount of \$42,358.14;
- k) Co. Auditor, Approve final payment to HDR Engineering, Inc., for engineering services provided during September 2011 for the Rockwall County Bicycle Plan in the amount of \$4,391.11;
- l) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$3,053,317.00;
- m) Co. Auditor, Approve payment to Brinkley Sargent Architects for September 2011 architectural services on the new Rockwall County Courthouse in the amount of \$41,320.96;

ITEM #17

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

- A. County Auditor to purchase from General Government Capital Outlay: Ipad2 including delivery @ an estimated cost of \$700.00.
- B. County Jail to purchase from County Jail General Fund: Iced tea brewer including shipping @ a quoted cost of \$670.49.
- C. Justice of the Peace #1 to purchase from Justice Court Technology Fund: (3) Microsoft Office 2010 Standard Licenses including shipping @ an estimated cost of \$1,044.12.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 3-1 IN FAVOR OF
APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER(S);
COMMISSIONER GRINNAN VOTED AGAINST:

2011-25 - Transfer \$400 of funds within the District Attorney General Fund Budget **TO** Capital Outlay **FROM** Group Insurance resulting from the purchase of a copier approved by the Commissioners Court on June 28, 2011.

2011-26 - Transfer \$1,500 of funds within the County Jail General Fund Budget **TO** Inmate Medical & Drug Expense **FROM** Nursing Staff resulting from expenses exceeding budgeted funds for FY2011.

2011-27 - Transfer \$7,630 of funds within the General Fund General Government Budget **TO** Capital Outlay **FROM** Capital Improvements resulting from the purchase of a 2011 Club Car XRT golf cart approved by Commissioners Court on September 27, 2011.

ITEM #19

THE MOTION WAS MADE COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$313,768.62. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$3,566,729.46. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$508,300.40 FOR THE PAY PERIOD ENDING OCTOBER 15, 2011.

ITEM #13 READDRESSED

DISCUSSION CONTINUED ON SPACE ALLOCATION OF COUNTY OFFICES. THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-1 IN FAVOR OF MAKING THE FOLLOWING MOVES TO THE NEW COURTHOUSE: AUDITOR, TREASURER, VETERANS OFFICER, INDIGENT HEALTH COORDINATOR, HUMAN RESOURCES, COLLECTIONS MANAGER AND INFORMATION TECHNOLOGY TO THE HISTORIC COURTHOUSE-TAX ASSESSOR, COUNTY JUDGE, COMMISSIONERS AND ENVIROMENTAL HEALTH COORDINATOR TO THE LIBRARY-AGRICULTURAL EXTENSION OFFICE; THE ELECTIONS OFFICE WILL STAY IN THEIR CURRENT RENTAL SPACE ON KAUFMAN STREET IF IT IS STILL AVAILABLE. IF IT IS UNAVAILABLE THE COURT WILL CONSIDER MOVING THE ELECTIONS OFFICE TO THE ANNEX. COMMISSIONER GRINNAN VOTED AGAINST.

ITEM #20

NO ANNOUNCEMENTS WERE MADE.

ITEM #21

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN
ADJOURNED THE MEETING AT 2:10 P.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK