

**COMMISSIONERS COURT
NOVEMBER 22, 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 - ABSENT
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 COMMISSIONER WIMPEE AT 9:00
A.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 MAGNESS.

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

ITEM #1

COMMISSIONER MAGNESS PRESENTED THE COURT WITH A LETTER FROM
NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY BOARD SUPPORTING A
FUNDING EFFORT FOR THE NORTHSTAR PROGRAM FOR STATE FISCAL YEAR
2012-2013. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED
BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF
APPROVING THE LETTER AS PRESENTED.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A REQUEST FOR PERMISSION TO CONSTRUCT UNDERGROUND ELECTRICAL POWER DISTRIBUTION FACILITIES ACROSS BUENA VISTA ROAD WHICH IS LOCATED 1049 FEET NORTHEAST OF BELLA VISTA ROAD IN ROCKWALL COUNTY. COMMISSIONER MAGNESS ABSTAINED.

ITEM #3

COMMISSIONER BAILEY UPDATED THE COURT ON THE COMPLETION WORK AT THE NEW COURTHOUSE. HE WILL MEET WITH JOHNSTON RAMSAY ARCHITECTURE AND CONSTRUCTION AND MANHATTAN CONSTRUCTION REPRESENTATIVES TO LOOK AT DRAWINGS FOR ADDITIONAL CONSTRUCTION AT THE NEW COURTHOUSE. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #4

COMMISSIONER WIMPEE MOVED THIS ITEM REGARDING ADMINISTRATIVE OVERSIGHT OF THE NEWLY FORMED CONSOLIDATED COLLECTIONS DEPARTMENT TO BE ADDRESSED AFTER THE WORKSHOP LATER IN THE AFTERNOON.

ITEM #5

COMMISSIONER WIMPEE MOVED THIS ITEM CONCERNING THE ADOPTION OF GUIDELINES RELATED TO THE FACILITY USE POLICY INCLUDING THE IMPLEMENTATION BY THE COMMISSIONERS COURT ADMINISTRATOR, THE

APPLICATION PROCEDURE AND COMMISSIONERS COURT REVIEW PROCESS UNTIL AFTER THE WORKSHOP SCHEDULED FOR LATER IN THE AFTERNOON.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER MAGNESS AND SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING SUPPLEMENTAL AGREEMENT NO. 1 WITH CH2MHILL AMENDING ENGINEERING SERVICES RELATING TO THE SH 276 PROJECT WITH NO CHANGE TO THE ORIGINAL AGREEMENT COST.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING SUPPLEMENTAL AGREEMENT NO. 1 WITH HALFF ASSOCIATES AMENDING THE ENGINEERING SERVICES RELATING TO THE SH 66 PROJECT AND DECREASING THE AMOUNT BY \$18,160.00.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN INTER-JURISDICTIONAL MUTUAL AID AGREEMENT WHICH ALLOWS THE COUNTY AND THE CITIES TO SHARE RESPONSE RESOURCES IN THE EVENT OF A DISASTER OR EMERGENCY.

ITEM #9

THE COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT A BID RECEIVED FOR THE HISTORIC COURTHOUSE GROUNDS REMODELING

PROJECT AND CANCELING THE EXISTING LAWN SERVICE AGREEMENT. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF CANCELING THE EXISTING LAWN SERVICE AT THE HISTORIC COURTHOUSE BASED ON THE CONDITION AND THE TIME OF YEAR. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF REJECTING THE PROPOSAL SUBMITTED BY NORTH TEXAS LAWN AND LANDSCAPE FOR THE HISTORIC COURTHOUSE GROUNDS REMODELING PROJECT.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE PROPOSAL FROM JOHNSTON RAMSAY ARCHITECTURE AND CONSTRUCTION FOR PROVIDING INTERIOR MODIFICATION ARCHITECTURE SERVICES AT THE COUNTY SERVICES BUILDING AT A FEE OF \$2,000.00.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING ITEMS A THROUGH D AND ITEMS F THROUGH N OF THE FOLLOWING CONSENT AGENDA ITEMS. ITEM E WAS MOVED UNTIL AFTER THE WORKSHOP TO FOLLOW.

- a) Minutes of previous meeting(s);
- b) District Clerk, monthly fee report (s);
- c) J.P. Pct. 1, monthly judicial activity report(s);
- d) Co. Tax Assessor-Collector, monthly activity/expense report(s);

*e) J.P. Pct. 2, monthly judicial activity report(s); **No action taken on this item. Moved until after workshop.**

f) Co. Treasurer, monthly report(s);

g) Co. Auditor, Approve payment to Halff Associates, Inc. for engineering services provided during October 2011 at SH 66 from SH 205 to FM 1777 in the amount of \$33,290.47;

h) Co. Auditor, Approve payment to H.W. Lochner, Inc. for engineering service provided through September 16, 2011 at FM 740 from FM 1140 to FM 549 in the amount of \$92,274.22;

i) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$759,711.00;

j) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Veterans Memorial in the amount of \$73,375.00;

k) Co. Auditor, Approve payment of partial retainage to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$548,771.00;

l) Co. Auditor, Accept the Certificate of Substantial Completion from Manhattan Construction Company for their scope of work at the Veterans Memorial;

m) Co. Auditor, Accept the Certificate of Substantial Completion from Manhattan Construction Company for the 3rd floor finish-out architectural scope at the new Rockwall County Courthouse;

n) Co. Auditor, monthly report(s);

ITEM #12

THIS ITEM RELATING TO THE FOLLOWING PROPERTY

ACQUISITIONS/DISPOSITIONS WAS MOVED UNTIL AFTER THE WORKSHOP TO

FOLLOW:

A. Consolidated Collections to purchase from General Government Capital Outlay: (2) Computers including CPU, software, & monitor and (2) HP LaserJet 4350n, refurbished printers @ a quoted cost of \$3,143.90.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY

COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF

APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER(S);

2012-03 - Transfer \$675 of funds within the County Jail General Fund Budget **TO** Capital Outlay **FROM** Miscellaneous resulting from the purchase of an iced tea brewer including shipping approved by Commissioners Court on October 25, 2011.

ITEM #14

THE MOTION WAS MADE COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$327,063.44. 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 \$2,722,160.24. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$560,832.33 FOR THE PAY PERIOD ENDING NOVEMBER 12, 2011.

*COMMISSIONER WIMPEE RECESSED THE MEETING TO CALL A WORKSHOP AT 9:28 A.M.

*COMMISSIONER WIMPEE RECALLED THE MEETING TO ORDER AT 11:20 A.M.

ITEM #4 – READDRESSED

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY THAT THE NEWLY FORMED COLLECTIONS DEPARTMENT BE ADDRESSED BY THE COUNTY JUDGE, THE COLLECTIONS MANAGER, THE DISTRICT CLERK AND ANY OTHER ELECTED OFFICIAL OR APPOINTED OFFICIAL AS DEEMED APPROPRIATE BY THE COUNTY JUDGE IN ORDER TO FURTHER DEFINE DUTIES AND COLLECTION RESPONSIBILITIES

AND ALSO SPACE ASSIGNMENT AND THAT IN THE INTERIM THE COLLECTIONS MANAGER WILL REPORT TO THE DISTRICT CLERK IN TERMS OF SIGNING THE TIME SHEETS AS NEEDED BY THE AUDITOR'S OFFICE. THE MOTION FAILED WITH THE COURT VOTING 2-2. COMMISSIONERS GRINNAN AND BAILEY VOTED FOR AND COMMISSIONERS WIMPEE AND MAGNESS VOTED AGAINST.

ITEM #5 – READDRESSED

COMMISSIONER WIMPEE STATED IN REGARD TO THE ADOPTION OF GUIDELINES RELATED TO THE FACILITY USE POLICY INCLUDING THE IMPLEMENTATION BY THE COMMISSIONERS COURT ADMINISTRATOR, THE APPLICATION PROCEDURE AND COMMISSIONERS COURT REVIEW PROCESS THAT HE WILL SEND AN E-MAIL TO THE COUNTY EMPLOYEES INFORMING THEM THAT THE COURT IS DEVELOPING POLICIES AND PROCEDURES FOR INTERIOR AND EXTERIOR USE OF THE NEW COURTHOUSE. NO ACTION WAS TAKEN ON THIS ITEM.

ITEM #12 – READDRESSED

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

- A. Consolidated Collections to purchase from General Government Capital Outlay: (2) Computers including CPU, software, & monitor and (2) HP LaserJet 4350n, refurbished printers @ a quoted cost of \$3,143.90.

ITEM #15

COMMISSIONER WIMPEE ANNOUNCED THAT SANTA CLAUS WILL BE AT THE HISTORIC COURTHOUSE ON NOVEMBER 29, 2011 AT 6:00 P.M.

ITEM #16

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, COMMISSIONER
WIMPEE ADJOURNED THE MEETING AT 11:25 A.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK