

**COMMISSIONERS COURT
DECEMBER 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
JENNIFER FOGG	DEPUTY COUNTY CLERK

THE MEETING WAS CALLED TO ORDER BY JUDGE HOGAN AT 9:00A.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 GRINNAN.

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

EMERGENCY AGENDA ITEM:

JUDGE HOGAN CALLED FOR AN EMERGENCY PROVISION AGENDA ITEM TO BE
ADDED TO THE AGENDA DUE TO THE FLOODING OF THE HISTORIC
COURTHOUSE OVER THE CHRISTMAS HOLIDAY WEEKEND THAT FLOODED THE
AUDITOR'S OFFICE AND THE COUNTY JUDGE'S OFFICE. JUDGE HOGAN
REQUESTED THAT THE COURT APPROVE THE IMMEDIATE MOVE OF THE
AUDITOR'S OFFICE TO, THE COUNTY JUDGE'S OFFICE, AND THE
COMMISSIONERS COURT COORDINATOR'S OFFICE TO THE EMPTY OFFICE

SPACE AT THE NEW COURTHOUSE. THE COURT DISCUSSED THE VARIOUS OPTIONS AVAILABLE TO RELOCATE BOTH THE AUDITOR'S OFFICE AND THE COUNTY JUDGE'S OFFICE DURING THE RENOVATION AND RESTORATION PROCESS OF THE HISTORICAL COURTHOUSE. AFTER MUCH DISCUSSION THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF MOVING THE AUDITOR'S OFFICE, JUDGE HOGAN'S OFFICE AND THE COMMISSIONERS COURT COORDINATOR'S OFFICE ON A TEMPORARY BASIS DUE TO THE EMERGENCY SITUATION THE COURT IS FACING TODAY TO THE NEW COURTHOUSE AND THAT THEY WILL EVALUATE THE VACANT SPACE THERE AND MAKE THE DECISION AS TO WHERE TO LOCATE THE OFFICES AT A COST NOT TO EXCEED A MONETARY AMOUNT OF \$10,000.00.

ITEM #1

ELECTION ADMINISTRATOR GLENDA DENTON DISCUSSED WITH THE COURT THE NEW DATES AND FEDERAL GUIDELINES FOR THE UPCOMING PRIMARY/CITY AND SCHOOL ELECTIONS AND THE ADDITIONAL WORKLOAD THAT THESE NEW GUIDELINES WILL BRING TO HER OFFICE. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING TWO TEMPORARY CLERKS FOR THE ELECTIONS OFFICE FOR THE UPCOMING PRIMARY/CITY AND SCHOOL ELECTIONS TO BE PAID FROM THE EARLY VOTING FUND IN THE ELECTION DEPARTMENT'S EXISTING BUDGET.

ITEM #2

THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN REGARDING THE GROUNDS REMODELING PROJECT AT THE HISTORICAL COURTHOUSE.

ITEM #3

THE COURT DISCUSSED THE NEED FOR A TEMPORARY POSITION IN THE CRIMINAL DISTRICT ATTORNEY'S OFFICE. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF AUTHORIZING THE AUDITOR'S OFFICE TO CANCEL THE CURRENT CONTRACT WITH TYLER TECHNOLOGY (ABLE TERM) FOR THE SHERIFF'S OFFICE AND THE JAIL, TO MOVE THOSE MONIES FROM THE SHERIFF'S OFFICE AND JAIL BUDGET TO THE CRIMINAL DISTRICT ATTORNEY'S OFFICE BUDGET AND TO APPROVE A TEMPORARY POSITION UNDER THE AUTHORITY OF THE CRIMINAL DISTRICT ATTORNEY'S OFFICE FOR THE PURPOSE OF DATA ENTRY DURING A PERIOD OF TRANSITION NOT TO EXCEED THE END OF THIS FISCAL YEAR WHILE IMPLEMENTING NEW SOFTWARE SYSTEMS FOR THE COUNTY.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF BANNING THE USE OF SPACE HEATERS, BURNING CANDLES AND "DAISY CHAINING" EXTENSION CORDS IN COUNTY BUILDINGS EFFECTIVE IMMEDIATELY. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #5

THE COURT DISCUSSED THE DUTIES AND RESPONSIBILITIES OF THE COUNTY COLLECTIONS OFFICE. AFTER MUCH DISCUSSION THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF LEAVING THE COUNTY COLLECTIONS PROGRAM AS IS AND APPROVING THE CONTRACT WITH THE TEXAS WORKFORCE COMMISSION REGARDING ONLINE ACCESS TO THEIR AGENCY DATA. JUDGE HOGAN VOTED AGAINST.

ITEM #6

FIRST SOUTHWEST REPRESENTATIVE BOYD LONDON DISCUSSED WITH THE COURT THE ROCKWALL COUNTY ROAD BOND ISSUANCE SCHEDULE AND POSSIBLE ALTERNATIVE PAYMENT METHODS TO MEET THE SCHEDULE. AFTER MUCH DISCUSSION THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF SELECTING THE TYPE OF SALE AS A NEGOTIATED SALE OF ROAD BONDS ON JANUARY 12, 2012. THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF SELECTING THE ISSUANCE SCHEDULE "A" AS PRESENTED BY BOYD LONDON. SEE ATTACHED_____.

ITEM #7

ELECTION ADMINISTRATOR GLENDA DENTON GAVE THE COURT AN OVERVIEW OF THE PROPOSED AMENDMENT NUMBER 1 TO THE SOE SOFTWARE SERVICE AGREEMENT. THE MOTION WAS MADE BY COMMISSIONER MAGNESS,

SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING AMENDMENT NUMBER 1 TO THE SOE SOFTWARE SERVICE AGREEMENT REGARDING THE ADDITION OF CLARITY CONNECT SOFTWARE AT A COST OF \$22,848 TO BE PAID OUT OF CHAPTER 19 AND ELECTION CONTRACT SERVICES FUNDS. JUDGE HOGAN VOTED AGAINST.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH THE CITY OF ROCKWALL FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF ROCKWALL, EFFECTIVE JANUARY 1, 2012. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH THE CITY OF FATE FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FATE, EFFECTIVE JANUARY 1, 2012. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH

THE CITY OF ROWLETT FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF ROWLETT, EFFECTIVE JANUARY 1, 2012. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #11

ASSISTANT DISTRICT ATTORNEY JONATHAN THATCHER REQUESTED THIS ITEM REGARDING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH THE CITY OF MCLENDON-CHISHOLM FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MCLENDON-CHISHOLM BE PLACED ON THE NEXT AGENDA.

ITEM #12

HUMAN RESOURCES DIRECTOR RANDY JENNINGS GAVE THE COURT AN OVERVIEW OF A PROPOSED ADDENDUM TO THE ENVISION PHARMACY BENEFIT MANAGEMENT SERVICES AGREEMENT. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN ADDENDUM TO THE ENVISION PHARMACY BENEFIT MANAGEMENT SERVICES AGREEMENT TO PROVIDE A COVERAGE DETERMINATION AND APPEALS PROCESS.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH ROYSE CITY PROVIDING THE ADVANCE FUNDING FOR THE DEVELOPMENT AND CONSTRUCTION OF AN

INTERCHANGE AT ERBY CAMPBELL ROAD AND IH 30 IN THE AMOUNT OF \$500,000.00.

ITEM #14

JOHNSTON RAMSAY ARCHITECTURE AND CONSTRUCTION REPRESENTATIVE ROSS RAMSAY GAVE THE COURT AN OVERVIEW OF THE BIDS PROPOSED AND RECOMMENDED THAT THE COURT SELECT THE LOWEST BID FROM MISHLER BUILDERS, INC. FOR THE COUNTY AGENT OFFICE BUILD OUT AT THE COUNTY SERVICES BUILDING. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF SELECTING THE MISHLER BUILDERS, INC. PROPOSAL FOR THE COUNTY AGENT OFFICE BUILD OUT AT THE COUNTY SERVICES BUILDING IN THE AMOUNT OF \$106,780.00.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE TO APPROVE A MAINTENANCE AGREEMENT FOR A TWELVE-MONTH PERIOD WITH CUMMINS SOUTHERN PLAIN FOR GENERATOR SERVICE AT THE NEW COURTHOUSE AT A COST OF \$2,456.00 ANNUALLY. AFTER MUCH DISCUSSION COMMISSIONER BAILEY RESCINDED HIS MOTION.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR CONTRACT EFFECTIVE JANUARY 1, 2012, WITH TRH

BIOSOURCE TO PICK UP AND PURCHASE WASTE COOKING GREASE AT THE COUNTY JAIL.

ITEM #17

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 (ITEM A WAS REMOVED FROM THE ACTION):

- b) Co. Clerk, monthly fee report(s);
- c) Co. Librarian, activity monthly report(s);
- d) Co. Treasurer, monthly report(s);
- e) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services provided during November 2011 at the FM3549/I30 interchange in the amount of \$81,460.16;
- f) Co. Auditor, Approve payment to Brinkley Sargent Architects for November 2011 architectural services on the new Rockwall County Courthouse in the amount of \$13,842.95;
- g) District Judge, Acknowledge for the record the Court Order and Oath of Office appointing Holly Morgan as Assistant to the Rockwall County Auditor;
- h) Co. Auditor, monthly report(s);

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS AND DISPOSITIONS OF FIXED ASSEST;

- A. Courthouse Security to transfer to County Jail: stool.
- B. County Clerk to transfer to Justice of the Peace/Constable (for future use): chair.
- C. County Clerk to transfer to Commissioners Court: 2 drawer lateral file cabinet.
- D. County Clerk to transfer to Veterans Officer/Commissioners Court: chair.
- E. County Clerk to transfer to Elections Administrator: chairs.

- F. County Clerk to transfer to County Jail: chairs.
- G. County Court at Law to transfer to Justice of the Peace/Constable (for future use): desk and bookcases.
- H. 439th District Court to transfer to County Jail: chair.
- I. District Clerk to transfer to Constable (for future use): desks.
- J. District Clerk to transfer to County Jail: chair.
- K. District Attorney to transfer to Justice of the Peace/Constable (for future use): chairs.
- L. Department of Public Safety to transfer to Information Technology: (7) Cortelco/Millennium Telephones.

ITEM #19

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

2011-28 - Transfer \$275 of funds within the Human Resources general fund budget **TO** Personnel Costs **FROM** Operating Costs resulting from expenditures of overtime pay exceeding budgeted funds during FY2011.

2011-29 - Transfer \$260 of funds within the Justice of the Peace #1 general fund budget **TO** Postage Expense **FROM** Group Insurance resulting from expenditures exceeding budgeted funds during FY2011.

2011-30 - Transfer \$465 of funds within the County Treasurer general fund budget **TO** Operating Costs **FROM** Personnel Costs resulting from expenditures exceeding budgeted funds during FY2011.

2011-31 - Transfer \$115 of funds within the Constable #1 general fund budget **TO** Operating Costs **FROM** Personnel Costs resulting from expenditures exceeding budgeted funds during FY2011.

2011-32 - Transfer \$1,550 of funds within the County Sheriff general fund budget **TO** Operating Costs **FROM** Personnel Costs resulting from expenditures exceeding budgeted funds during FY2011.

2011-33 - Transfer \$78,000 of funds within the County Jail general fund budget **TO** Operating Costs **FROM** Personnel Costs resulting from expenditures exceeding budgeted funds during FY2011.

2011-34 - Transfer \$30,000 of funds within the general fund budget **TO** Capital Outlay > \$5,000 **FROM** Contingency resulting from expenditures exceeding budgeted funds during FY2011.

2011-35 - Transfer \$186,850 of funds within the general fund budget **TO** Capital Outlay > \$5,000 **FROM** Capital Outlay > \$200 < \$5,000 resulting from the reclassification of capital items for FY2011.

2011-36 - Transfer \$248,185 of funds within the Road & Bridge fund budget **TO** Capital Outlay > \$5,000 **FROM** Capital Outlay > \$200 < \$5,000 resulting from the reclassification of capital items for FY2011.

2011-37 - Transfer \$28,750 of funds within the County Clerk Records Management & Preservation fund budget **TO** Software @ \$10,000 & Capital Outlay > \$5,000 @ \$18,750 **FROM** Capital Outlay > \$200 < \$5,000 resulting from the reclassification of capital items for FY2011.

2011-38 - Transfer \$29,450 of funds within the Records Management & Preservation fund budget **TO** Capital Outlay > \$5,000 **FROM** Capital Outlay > \$200 < \$5,000 resulting from the reclassification of capital items for FY2011.

2012-05 - Transfer \$27,000 of funds within the general fund budget **TO** Elections Administrator/Rent **FROM** Contingency resulting from the Commissioners Court decision on November 8, 2011 to renew lease agreement instead of cancelling lease.

2012-06 - Transfer \$2,950 of funds within the general fund budget **TO** Capital Outlay > \$200 < \$5,000 **FROM** Contingency resulting from the purchase of 2 computers and printers approved by Commissioners Court on November 22, 2011.

2012-07 - Transfer \$15,220 of funds within the HAVA Grant budget **TO** Capital Outlay > \$200 < \$5,000 **FROM** Contingency resulting from the purchase of Ivotronic terminals and booths approved and reimbursed through HAVA grant.

2012-08 - Transfer \$200 of funds within the Courthouse Construction Fund budget **TO** Move Coordinator **FROM** Capital Outlay > \$200 < \$5,000 resulting from work associated with the coordination of the relocation of employees from the Government Center to the new Courthouse approved in Commissioners Court on May 10, 2011.

ITEM #20

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$341,795.45. COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN

FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$580,269.85. 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 \$500,377.47 FOR THE PAYPERIOD ENDED DECEMBER 10, 2011.

ITEM #21

NO ANNOUNCEMENTS REGARDING COUNTY NEWS, AND UPCOMING COUNTY EVENTS.

ITEM #22

JUDGE HOGAN ADJOURNED THE MEETING AT 11:50 A.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK