

**COMMISSIONERS COURT  
MARCH 13, 2012**

**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 COMMISSIONER MAGNESS.

**ITEM #14**

**EXECUTIVE SESSION FROM 9:05 A.M. TO 9:20 P.M.**

- Discussion of purchase, exchange, lease, or value of real property located at 101 S. Fannin Street, Rockwall, Texas 75087 (Texas Gov't Code §551.072), and all related issues;

**ITEM #15**

**ACTION OF THE EXECUTIVE SESSION**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY  
COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF  
ACCEPTING THE COMMERCIAL CONTRACT OF SALE FOR THE PROPERTY  
LOCATED AT 101 S. FANNIN STREET AND AGREE TO THE FOLLOWING  
CHANGES TO THE CONTRACT:

1. FURNISH AN APPROPRIATE DEED
2. STRIKE THE ROLLBACK DESIGNATION
3. DELETE AMENDMENT "E"

**ITEM #1**

THE COURT DISCUSSED A REQUEST BY THE REPUBLICAN PARTY FOR THE USE OF LIBERTY HALL AT THE NEW COURTHOUSE FOR THE ROCKWALL COUNTY GOP CONVENTION. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE HOGAN TO ALLOW EITHER THE REPUBLICAN OR DEMOCRAT PARTIES TO USE LIBERTY HALL AT NO COST FOR AN HOURLY FEE BUT ANY CLEANING COSTS, DAMAGE, AUDIO VISUAL OR SECURITY COSTS WOULD APPLY. THE MOTION FAILED WITH A 2-2 VOTE, JUDGE HOGAN AND COMMISSIONER MAGNESS VOTED FOR AND COMMISSIONERS WIMPEE AND BAILEY VOTED AGAINST. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF HAVING THE ROCKWALL COUNTY REPUBLICAN PARTY SUBMIT AN APPLICATION FOR USE OF LIBERTY HALL AND THAT ALL POLICIES AND PROCEDURES WOULD APPLY.

**ITEM #2**

COMMISSIONER MAGNESS MADE A MOTION TO INCLUDE BOTH ITEM #2 REGARDING ACCEPTANCE OF A DONATION OF TWO PAINTINGS OF THE HISTORIC COURTHOUSES AND ITEM #3 REGARDING PLACEMENT OF THE PAINTINGS. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-1 IN

FAVOR OF ACCEPTING TWO PAINTINGS OF THE HISTORIC COURTHOUSES ON A TEMPORARY BASIS OF 90 DAYS AND THAT THEY BE RETURNED TO JUDGE HOGAN ON JUNE 11, 2012. THESE PAINTINGS WILL BE DISPLAYED ON EASELS FOR 30 DAYS IN THE LOBBY OF EACH OF THE FOLLOWING BUILDINGS: THE HISTORIC COURTHOUSE, THE COUNTY COURTHOUSE LOCATED AT 1111 YELLOWJACKET LANE, AND THE COUNTY LIBRARY. JUDGE HOGAN VOTED AGAINST.

**ITEM #3**

THIS ITEM REGARDING THE PLACEMENT OF TWO PAINTINGS OF THE HISTORIC COURTHOUSE WAS ACTED ON WITH ITEM #2.

**ITEM #4**

THE COURT DISCUSSED A REQUEST FROM HUNT COUNTY CHILDREN'S ADVOCACY CENTER FOR FINANCIAL SUPPORT DUE TO CUT BACKS IN STATE AND FEDERAL GRANT MONIES. THE CENTER PROVIDES FORENSIC INTERVIEWING AND FOLLOW UP COUNSELING TO ROCKWALL COUNTY FAMILIES AND VICTIMS OF CHILD ABUSE. ASSISTANT DISTRICT ATTORNEY JON THATCHER STATED TO THE COURT THAT RECENT LEGISLATURE ALLOWS COUNTIES TO IMPOSE AN ADDITIONAL FEE OF UP TO \$1.50 FOR REGISTERING A VEHICLE IN ROCKWALL COUNTY AND THAT FEE MAY BE USED FOR FUNDING SERVICES SUCH AS THIS. COMMISSIONER MAGNESS WILL RESEARCH THE ADVOCACY CENTER AND BRING HIS FINDINGS BACK TO THE COURT. THE ITEM WILL BE PLACED ON THE AGENDA OF THE NEXT WORKSHOP FOR FURTHER DISCUSSION. NO ACTION WAS TAKEN.

**ITEM #5**

COMMISSIONER BAILEY PRESENTED THE COURT WITH THE FOLLOWING LIST OF OUTSTANDING UNFINISHED ITEMS AT THE NEW COURTHOUSE IN NEED OF THE COURTS APPROVAL:

- a. ANALYSIS OF THE BUILDING TO DETERMINE HOW TO IMPROVE FIRE DEPARTMENT RADIO COMMUNICATION; \$1,300
- b. ALARMS ON JURY ROOM DOORS; \$6,000
- c. REPLACE CAMERA AT SALLY PORT ENTRANCE; \$6,000
- d. CHAIRS FOR AUXILLARY COURTROOM; \$2,000
- e. PUBLIC SEATING ON THIRD FLOOR; \$13,500
- f. METAL OFFICE CABINETS; \$1,025
- g. SHADES THROUGHOUT BUILDING; \$19,000
- h. EXTERIOR TRASH CANS AND SIGNAGE; NO BID RECEIVED TO DATE, APPROXIMATE COST \$2,000

COMMISSIONER BAILEY REQUESTED APPROVAL OF \$50,000 TO COMPLETE THESE ITEM AND STATED THAT THE TOTAL COST OF THE BUILDING WILL STILL BE UNDER BUDGET. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING UP TO \$50,000.00 TO COMPLETE THE REMAINING ITEMS AT THE NEW COURTHOUSE AS PRESENTED.

**ITEM #6**

COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT WHO WILL BE USED TO MOVE COUNTY OFFICES TO THEIR NEW LOCATIONS. MS.

CONSTANT WILL MEET WITH DEPARTMENT HEADS FOR THEIR INPUT. EACH DEPARTMENT WILL BE HANDLED ON A CASE BY CASE BASIS AND THE EXPENSE FOR THE MOVES WILL BE CHARGED TO THE GENERAL FUND.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AMENDMENT NUMBER 05 TO THE INTER-GOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR THE LIRAP LOCAL INITIATIVE PROJECTS.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING TELECOMMUNICATION CONSULTANT JERRY HUBBARD TO NOTIFY AT&T OF CANCELLATION OF SERVICES NO LONGER NEEDED AND TO APPROVE PAYMENT OF ASSOCIATED TERMINATION CHARGES OF AN AMOUNT NOT TO EXCEED \$13,000.00.

**ITEM #9**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING JUDGE HOGAN TO EXECUTE A NOTIFICATION LETTER OF CANCELLATION OF LEASE AGREEMENT TO SOROPTIMIST HOUSE FOR THE

COUNTY AGENT OFFICE LOCATED AT 1350 EAST WASHINGTON STREET  
EFFECTIVE APRIL, 30, 2012.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY  
COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF  
ADOPTING A SPECIAL BUDGET FOR THE LIMITED PURPOSE OF SPENDING THE  
REVENUE FROM AN INTERGOVERNMENTAL CONTRACT FOR ITS INTENDED  
PURPOSE.

**ITEM #11**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY  
COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF  
ADOPTING A \$16,470,367.00 BUDGET OF PROPOSED EXPENDITURES FOR THE  
IMPROVEMENT OF ROADS IN ROCKWALL COUNTY PURSUANT TO SECTION  
111.0105 OF THE TEXAS LOCAL GOVERNMENT CODE.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY  
COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF  
APPROVING A PROPOSAL FROM KNIGHT SECURITY SYSTEMS REGARDING THE  
INSTALLATION OF A VIDEO SURVEILLANCE SYSTEM WITHIN THE JUVENILE  
SERVICES DEPARTMENT AT THE COUNTY SERVICES BUILDING AT A COST OF  
\$12,941.77 TO BE PAID FROM COUNTY SERVICES BUILDING FUNDS.

**ITEM #13**

COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT BIDS

RECEIVED FOR REPLACING SOD AT THE HISTORIC COURTHOUSE. MS. CONSTANT HAD NO RECOMMENDATION TO GIVE TO THE COURT. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 3-1 IN FAVOR OF ACCEPTING THE LOW BID FROM HEATH LAWN CARE/RTS LANDSCAPING IN THE AMOUNT OF \$5,792.00. COMMISSIONER MAGNESS VOTED AGAINST.

\*JUDGE HOGAN INTRODUCED JAMES BOVENKERK FROM ROCKWALL BOY SCOUT TROOP 690. MR. BOVENKERK WAS IN THE COURTROOM TO COMPLETE A REQUIREMENT FOR ONE OF HIS FOUR REMAINING MERIT BADGES TO ACHIEVE THE RANK OF EAGLE SCOUT.

**ITEM #16**

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

- a) Minutes of previous meeting(s);
- b) District Clerk, monthly fee report (s);
- c) Environmental Health Coordinator, monthly activity report(s);
- d) Indigent Health, monthly expenditure/case report(s);
- e) Co. Auditor, Approve payment to Halff Associates, Inc. for engineering services provided during January 2012 at SH 66 from SH 205 to FM 1777 in the amount of \$6,782.56;
- f) Co. Auditor, Approve payment to Atkins North America, Inc. for engineering services provided thru January 29, 2012 at FM 3549 from SH 66 to IH 30 in the amount of \$36,261.63;
- g) Co. Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during January 2012 at FM 549 from SH 276 to SH 205 in the amount of \$6,112.68;
- h) Co. Auditor, Approve payment to Parsons Transportation Group Inc., for engineering services rendered for December 2011 thru January 2012 at the FM551/I30 interchange in the amount of \$127,142.55;

- i) Co. Auditor, Approve payment of final retainage to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$12,122.00;
- j) Co. Auditor, monthly report(s);

**ITEM #17**

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

- A. County Clerk to transfer to County Treasurer: (2) file cabinets.
- B. 382nd District Court to transfer to County Treasurer: equipment stand/table.
- C. 382nd District Court to transfer to Maintenance & Operations: TV stand.
- D. Justice of the Peace #2 to transfer to County Treasurer: file cabinet.
- E. District Attorney to transfer to County Judge: desk/table.
- F. District Attorney to transfer to County Treasurer: (5) file cabinets.

**ITEM #18**

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

**2012-10** - Transfer \$2,100 of funds within the general fund budget **TO** Capital Outlay **FROM** Contingency resulting from the purchase of a telephone, computer and printer for temporary position in District Attorney's office approved by Commissioners Court on February 14, 2012.

**2012-11** - Transfer \$5,000 of funds within the Maintenance & Operations general fund budget **TO** Technician Salary **FROM** Maintenance & Repairs resulting from the Commissioners Court decision on February 14, 2012 to reclassify an employee.

**ITEM #19**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$62,365.86. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$585,155.58. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$543,964.03 FOR THE PAY PERIOD ENDED MARCH 3, 2012.

**ITEM #20**

NO ANNOUNCEMENTS WERE MADE.

**ITEM #21**

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 10:26 A.M.

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SHELLI MILLER  
ROCKWALL COUNTY CLERK