

**COMMISSIONERS COURT
APRIL 24, 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:**

JERRY HOGAN	COUNTY JUDGE
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 JUDGE HOGAN 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 JUDGE HOGAN.

JUDGE HOGAN CALLED FOR GUESTS THAT WISHED TO ADDRESS THE COURT.
ROCKWALL COUNTY RESIDENTS BARBARA COLESON AND CLAUDETTE
HATFIELD THANKED THE COURT FOR ALLOWING THE FARMER'S MARKET TO
BE HELD ON THE GROUNDS OF THE HISTORIC COURTHOUSE IN THE PAST AND
ASKED THE COURT TO CONTINUE TO ALLOW THE MARKET FOR THE FIFTH
YEAR.

RECOGNITION/PRESENTATIONS

JUDGE HOGAN RECOGNIZED DEPUTY KEVEN ROWAN AS ROCKWALL
COUNTY'S FIRST EMPLOYEE OF THE QUARTER FOR THE FIRST QUARTER OF
2012. DEPUTY ROWAN WAS COMMENDED FOR HIS HEROIC ACTIONS IN
JANUARY 2012 WHEN HE SAVED THE LIVES OF TWO YOUNG LADIES FROM

DROWNING IN LAKE RAY HUBBARD WHEN THEY ACCIDENTLY DROVE THEIR CAR INTO THE LAKE. HE WILL HAVE A PLAQUE WITH HIS NAME ENGRAVED ON IT PLACED IN THE NEW COURTHOUSE, RECEIVE A RESERVED PARKING SPACE AND WILL BE PRESENTED AN AWARD.

COUNTY CLERK SHELLI MILLER INTRODUCED SENIOR DEPUTY CLERK PEGGY JONES AND DEPUTY CLERK DONNA SPANN. MS. MILLER INFORMED THE COURT THAT MS. JONES AND MS. SPANN WERE RESPONSIBLE FOR THE COUNTY CLERK HAVING RECEIVED THE HIGHEST HONOR AWARDED TO LOCAL REGISTRARS BY THE TEXAS STATE VITAL STATISTICS UNIT, THE FIVE STAR EXEMPLARY AWARD FOR 2011 FOR EXCELLENCE IN BIRTH AND DEATH REGISTRATION. MS MILLER WENT ON TO EXPLAIN THE CRITERIA USED TO SELECT THE RECIPIENTS, EDUCATION, TIMELINESS AND ACCURACY AND POINTED OUT THAT ROCKWALL COUNTY WAS ONE OF ONLY 14 COUNTIES TO RECEIVE THE AWARD IN 2011. SENIOR DEPUTY JONES AND DEPUTY SPANN WERE PRESENTED WITH CERTIFICATES OF ACHIEVEMENT FOR THEIR ACCOMPLISHMENTS.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING CONSENT AGENDA ITEMS I - L:

- i) Co. Auditor, Approve payment to Brinkley Sargent Architects for March 2012 architectural services on the new Rockwall County Courthouse in the amount of \$45,170.00;
- j) Co. Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during February 2012 at FM 549 from SH 276 to SH 205 in the amount of \$1,642.60;

- k) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services provided during March 2012 at the FM549/130 interchange in the amount of \$9,820.92;
- l) Co. Auditor, Approve payment to Halff Associates, Inc. for engineering services provided during March 2012 at SH 66 from SH 205 to FM 1777 in the amount of \$18,482.38;

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$296,400.71. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$457,642.77. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$547,157.36 FOR THE PAY PERIOD ENDED APRIL 14, 2012.

ITEM #1

COUNTY CLERK SHELLI MILLER ADDRESSED THE COURT AND GAVE AN OVERVIEW OF HER FY 2012 RECORDS MANAGEMENT PLAN WHICH THE COURT APPROVED IN 2011. MS. MILLER ADVISED THE COURT THAT SHE WISHED TO ENTER INTO AN AGREEMENT WITH KOFIL PRESERVATION TO PROVIDE BOOK PRESERVATION SERVICES FOR THE COUNTY'S HISTORIC RECORDS AND STATED THAT SHE BELIEVED KOFIL WOULD BE THE MOST EFFECTIVE AND EFFICIENT SOLUTION FOR THE COUNTY'S ARCHIVAL NEEDS. KOFIL PRESERVATION REPRESENTATIVES MIRIAM GRAY AND OPERATIONS

MANAGER VINNIE PREJEAN GAVE THE COURT A PRESENTATION OF THEIR COMPANY, ARCHIVAL SERVICES, TECHNOLOGY AND EXCLUSIVE PRODUCTS.

ITEM #2

THIS ITEM REGARDING SUPPORTING THE HUNT COUNTY CHILDREN'S ADVOCACY CENTER WAS PULLED BECAUSE THE INFORMATION REQUESTED WAS NOT YET AVAILABLE.

ITEM #3

LIEUTENANT TODD CALKINS AND JUVENILE SERVICES DIRECTOR ANGIE SCALF DISCUSSED WITH THE COURT A COMPREHENSIVE PLAN TO ADDRESS THE MENTAL HEALTH NEEDS OF RESIDENTS OF ROCKWALL COUNTY AND A GRANT OFFERED BY THE OFFICE OF INDIGENT DEFENSE TO FUND A COORDINATOR TO REFER INDIGENT INMATES WITH MENTAL HEALTH NEEDS TO PROGRAMS, TO FUND COURT APPOINTED ATTORNEYS TRAINED TO ASSIST MENTAL HEALTH CLIENTS AND TO FUND CONTRACTED SERVICES WITH LAKES REGIONAL MENTAL HEALTH AND MENTAL RETARDATION TO PROVIDE CLIENT SERVICES. IT WAS FURTHER EXPLAINED THAT APPLYING FOR THE GRANT WOULD COST THE COUNTY \$42,000.00 FOR THE FIRST YEAR. THEIR PROPOSED IDEA WOULD BE FOR THE COUNTY'S IN-KIND CONTRIBUTION TO BE TO BUILD OFFICE SPACE AT THE COUNTY SERVICES BUILDING. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 3-2 IN FAVOR OF AUTHORIZING THE COUNTY TO ENTER INTO THE INDIGENT DEFENSE DISCRETIONARY GRANT PROGRAM AT A COST TO THE COUNTY OF \$42,000.00

TO BE TRANSFERRED FROM CONTINGENCY FUND TO A CAPITAL IMPROVEMENT LINE ITEM. THE MOTION FURTHER STATED THAT THE AUTHORIZATION WOULD BE WITH THE UNDERSTANDING THAT THE COURT WOULD RECEIVE A REPORT ON A SEMI-ANNUAL BASIS AND THAT AT THE END OF THE FIRST YEAR A DETERMINATION WOULD BE MADE WHETHER OR NOT TO CONTINUE WITH THE GRANT AND THAT THE INDIVIDUAL HIRED AS COORDINATOR WOULD UNDERSTAND THAT THE POSITION WOULD NOT BE PERMANENT. JUDGE HOGAN AND COMMISSIONER WIMPEE VOTED AGAINST. JUDGE HOGAN STATED THAT HE, AS COUNTY JUDGE IS TO SIGN A RESOLUTION FOR THE COUNTY TO ENTER INTO THE GRANT PROGRAM AND THAT HE DIDN'T AGREE WITH THE PROGRAM, SO THEREFORE, WAS DECLINING TO SIGN. ASSISTANT DISTRICT ATTORNEY JON THATCHER ADVISED THE COURT THAT THEY COULD AUTHORIZE ANOTHER MEMBER OF THE COURT TO SIGN THE DOCUMENT. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING COMMISSIONER MAGNESS TO BE THE SIGNATOR ON A RESOLUTION FOR THE COUNTY TO ENTER INTO A GRANT PROGRAM FROM THE TEXAS INDIGENT DEFENSE COMMISSION. JUDGE HOGAN VOTED AGAINST.

ITEM #4

HUMAN RESOURCE DIRECTOR RANDY JENNINGS GAVE A BRIEF OVERVIEW OF THE COUNTY EMPLOYEE RECOGNITION PROGRAM. MR. JENNINGS STATED THAT THE BUDGETED AMOUNT OF \$500 HAD BEEN SPENT ON START UP

COSTS AND ASKED THE COURT TO APPROVE \$300.00 FOR ADDITIONAL EXPENSES. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN ADDITIONAL \$300.00 FOR THE EMPLOYEE RECOGNITION PROGRAM.

JUDGE HOGAN ACKNOWLEDGED ROCKWALL COUNTY RESIDENT MS. CRISTI FOSTER WHO WISHED TO SPEAK TO THE COURT. MS. FOSTER PRESENTED THE COURT WITH AN INFORMAL PETITION WITH NEARLY 500 SIGNATURES OF COUNTY RESIDENTS AND THEIR COMMENTS EXPRESSING WHY THEY WERE UNHAPPY WITH THE DOWNTOWN PARKING SITUATION. MS. FOSTER ASKED FOR THE COURT TO EXPLAIN WHY THE COURT CONTINUES TO MOVE GOVERNMENT ENTITIES TO THE DOWNTOWN AREA AND ASKED THE COURT ONCE AGAIN TO PLEASE WORK WITH THE MERCHANTS TO COME UP WITH A SOLUTION TO THE PARKING ISSUE.

ITEM #5

COUNTY TREASURER DAVID PEEK EXPLAINED TO THE COURT A REQUIREMENT FOR THE COUNTY TO HAVE AN OUTSIDE VALUATION OF THE COUNTY'S NON-PENSION POST-EMPLOYMENT BENEFITS EVERY TWO YEARS. MR. PEEK RECOMMENDED THAT THE COURT APPROVE A PROPOSAL TO USE GALLAGHER BENEFIT SERVICES, INC. TO PROVIDE THE SERVICE. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A PROPOSAL WITH GALLAGHER BENEFIT SERVICES, INC. TO

PROVIDE AN ACTUARIAL VALUATION OF ROCKWALL COUNTY'S NON-PENSION POST-EMPLOYMENT BENEFITS IN ACCORDANCE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD NO. 45.

ITEM #6

THIS ITEM REGARDING NEW CONNECTIVITY PLAN OPTIONS FOR INTERNET CONNECTIONS WAS PULLED DUE TO THE TECHNOLOGY DIRECTOR BEING UNABLE TO OBTAIN NEEDED INFORMATION.

ITEM #7

FRIENDS OF DOWNTOWN ROCKWALL REPRESENTATIVES CLAUDETTE HATFIELD AND BARBARA COLESON DISCUSSED WITH THE COURT ELECTRICITY PROBLEMS WITH PAST FARMERS MARKET AROUND THE HISTORIC COURTHOUSE. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A LETTER OF AGREEMENT WITH THE CITY OF ROCKWALL FOR THE FRIENDS OF DOWNTOWN ROCKWALL TO OPERATE A FARMERS MARKET ON COUNTY PROPERTY ON SATURDAYS BEGINNING MAY 5TH THROUGH SEPTEMBER 29TH 2012 FROM 6:30 A.M. UNTIL 1 P.M. EXCLUDING MAY 19TH AND SEPTEMBER 15TH. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-2 IN FAVOR OF APPROVING AN AMENDED LETTER OF AGREEMENT WITH THE CITY OF ROCKWALL ALLOWING THE FARMERS MARKET AROUND THE HISTORIC COURTHOUSE TO INCLUDE A PROVISION TO PROVIDE ELECTRICITY FOR A LIMITED NUMBER OF UP TO THREE VENDORS FOR A FEE TO BE PAID BY

THE CITY OF ROCKWALL AS A PART OF THE PROGRAM. JUDGE HOGAN AND COMMISSIONER MAGNESS VOTED AGAINST.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF AWARDING CITYWIDE BUILDING SERVICES THE CONTRACT TO PERFORM WINDOW WASHING FOR EXTERIOR AND INTERIOR WINDOWS IN THE COUNTY LIBRARY, HISTORIC COURTHOUSE AND THE NEW COURTHOUSE OVER THE PERIOD OF THE NEXT YEAR.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING CONSENT AGENDA ITEMS A-H AND M:

- a) Minutes of previous meeting(s);
- b) Co. Clerk, monthly fee report(s);
- c) District Clerk, monthly fee report (s);
- d) Co. Treasurer, monthly report(s);
- e) Indigent Health, monthly expenditure/case report(s);
- f) Co. Tax Assessor-Collector, monthly activity/expense report(s);
- g) J.P. Pct. 1, monthly judicial activity report(s);
- h) J.P. Pct. 2, monthly judicial activity report(s);
- m) Co. Auditor, Acknowledge the Official Statement from the Rockwall County Auditor affirming that Kofile Document Preservation Specialists is the sole provider for the encapsulation technology to archive public records;

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PROPERTY ACQUISITIONS/DISPOSITIONS ITEMS A, B, D, AND E:

- A. Tax Assessor-Collector to purchase from General Fund Capital Outlay: cash drawer @ an estimated cost of \$342.00.
- B. County Sheriff to purchase from County Sheriff General Fund Capital Outlay: Traditional Series wing back chair @ an estimated cost of \$294.99.
- D. County Judge to transfer to Commissioner Pct. #2: executive desk.
- E. 439th District Court to transfer to General Government: conference table.

COMMISSIONER MAGNESS REQUESTED THE COURT TO DELAY ACTION ON ITEM C TO ALLOW HIM TIME TO DISCUSS THE POSSIBILITY OF PURCHASING A LARGER RIDING MOWER FOR THE COUNTY JAIL WITH LIEUTENANT TODD CALKINS.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF

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

2012-13 - Transfer \$40,395 of funds within the General Government budget **TO** personnel costs @ \$38,795 & Office Supplies @ \$1,000 & Travel & Training @ \$600 **FROM** Contingency resulting from the Commissioners Court decision to alter the Veteran Services Officer from a part-time position to a full time position on October 18, 2011.

2012-14 - Transfer \$1,800 of funds within the County Jail budget **TO** Capital Outlay > \$200 < \$5,000 @ \$650 & Capital Outlay > \$5,000 @ \$1,150 **FROM** Physicals for Detention Officers resulting from capital purchases approved by Commissioners Court.

2012-15 - Transfer \$300 of funds within the Commissioner Pct. #4 budget **TO** Office Supplies **FROM** Travel & Training resulting from expenditures exceeding budgeted funds.

2012-16 - Transfer \$235 of funds within the County Sheriff budget **TO** Capital Improvements **FROM** Physicals for Deputies resulting from expenditures exceeding budgeted funds.

ITEM #13 - ANNOUNCEMENTS

COMMISSIONER BAILEY GAVE THE COURT A BRIEF UPDATE ON 1115 WAIVER.

ROCKWALL COUNTY HAS RECOMMITTED TO JOIN IN RFP 18 WITH COLLIN, AND

DENTON COUNTIES. GRAYSON AND FANNIN COUNTIES HAVE ALSO SHOWN AN INTEREST IN JOINING RFP 18. JUDGE HOGAN STATED THAT MULTIPLE OFFICES WOULD BE MOVING DURING THE WEEK AND THAT PARKING AROUND THE DOWNTOWN AREA CONTINUES TO BE AN ISSUE AND THAT IT WAS A CITY ISSUE. HE STATED THAT HE UNDERSTOOD THE PROBLEM AND THAT IT WAS AN UNFORTUNATE SITUATION. COMMISSIONER MAGNESS THANKED THE ROAD AND BRIDGE DEPARTMENT FOR THE WORK THEY DID AT THE SITE OF THE TORNADO. THEY DID A GREAT JOB IN A TIMELY MANNER. COMMISSIONER MAGNESS THANKED THE DOWNTOWN SHOPS FOR THEIR AD IN TEXAS MONTHLY MAGAZINE AND STATED THAT HE WOULD LOOK INTO WHAT COULD BE DONE BY THE COURT TO HELP EASE THE PARKING ISSUE. THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 11:05 A.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK