

**COMMISSIONERS COURT  
MAY 30, 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</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 MAGNESS.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND

TO THE TEXAS FLAG WERE LED BY COMMISSIONER BAILEY.

NO GUESTS WERE PRESENT THAT WISHED TO ADDRESS THE COURT.

**ITEM #1**

SENIOR ACCOUNT MANAGER FOR THE CHRISTMAS LIGHT COMPANY ANTONIO GARCIA GAVE THE COURT A PRESENTATION OF HOW HIS COMPANY DECORATES PUBLIC BUILDINGS WITH CHRISTMAS LIGHT SHOWS AND SUGGESTED THAT THE COURT CONSIDER USING HIS SERVICES TO HELP DRAW PEOPLE TO THE AREA. HE WENT ON TO CITE THE ECONOMIC BENEFITS SEEN BY MARSHALL, TEXAS DUE TO THE CHRISTMAS LIGHT COMPANY'S DISPLAYS. THE COURT ADVISED MR GARCIA TO ALSO TALK WITH THE CITY OF ROCKWALL. JUDGE HOGAN WILL SPEAK WITH MAYOR SWEET TO SEE IF

THERE IS AN INTEREST. THIS ITEM WAS A PRESENTATION AND DISCUSSION ONLY. NO ACTION WAS TAKEN.

**ITEM #2**

JOHN MANNING REPRESENTATIVE FOR INDEPENDENT AUDITOR PATTILLO, BROWN & HILL, L.L.P. PRESENTED THE COURT WITH FINDINGS RELATED TO THEIR AUDIT OF THE FINANCIAL STATEMENTS OF ROCKWALL COUNTY FOR THE YEAR ENDED SEPTEMBER 30, 2011. MR MANNING STATED THAT ROCKWALL COUNTY RECEIVED THE HIGHEST SCORE THAT AN INDEPENDENT AUDITOR CAN GIVE. HE EXPLAINED THE REPORT, ADVISED THAT THEY FOUND NO NEGATIVE TRENDS AND THAT THE COUNTY WAS IN A VERY HEALTHY SITUATION. MR. MANNING ALSO STATED THAT THEY APPRECIATED THE FACT THAT THE COUNTY AUDITOR'S OFFICE HAD GIVEN THEM A SET OF BOOKS THAT WERE VERY EASY TO WORK WITH. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

**ITEM #3**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING SHERIFF EAVENSON TO ATTEND THE NATIONAL SHERIFFS' ASSOCIATION 2012 ANNUAL CONFERENCE IN NASHVILLE, TENNESSEE, JUNE 18-20, 2012.

**ITEM #2 – READDRESSSED**

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

ACCEPTING THE ROCKWALL COUNTY'S ANNUAL FINANCIAL AUDIT REPORT FOR FISCAL YEAR 2011 AS PREPARED AND PRESENTED BY PATTILLO, BROWN & HILL L.L.P.

**ITEM #4**

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPOINTING DAVID PEEK TO THE BOARD OF DIRECTORS OF THE NORTH CENTRAL TEXAS HOUSING FINANCE CORPORATION.

**ITEM #5**

JUDGE HOGAN SUMMARIZED THE PROGRESS BEING MADE RELATING TO THE REGIONAL HEALTH PARTNERSHIP (RHP) PROGRAM AND THE REQUIREMENTS KNOWN TO DATE. COMMISSIONER BAILEY STATED THAT THE COMMUNITY NEEDS ASSESSMENT'S DUE DATE IN JUNE HAS BEEN EXTENDED INTO AUGUST AND ALSO ADVISED THAT COLLIN COUNTY HAS OFFICIALLY TAKEN THE RESPONSIBILITY TO BE ANCHOR OF RHP #18. BOTH JUDGE HOGAN AND COMMISSIONER BAILEY WILL MEET WITH THE ROCKWALL COUNTY HOSPITALS TO KEEP THEM INFORMED. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

**ITEM #6**

ASSISTANT DISTRICT ATTORNEY JON THATCHER EXPLAINED TO THE COURT THAT THE COUNTY NEEDED THE STATE'S APPROVAL TO MAKE ANY STRUCTURAL CHANGES TO THE HISTORIC COURTHOUSE AND DISCUSSED THE REQUIREMENTS. THE MOTION WAS MADE BY COMMISSIONER WIMPEE,

SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF RESCINDING THE CURRENT CONTRACT WITH GILBERT CONSTRUCTION GROUP, INC. TO REMODEL OFFICE SPACE AT THE HISTORIC COURTHOUSE ON THE SECOND FLOOR. MR. THATCHER WILL DRAW UP A FULL RELEASE FOR BOTH PARTIES AND GET MIKE GILBERT'S SIGNATURE.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING AN AGREEMENT FOR THE ANNUAL QEI STATE INSPECTION OF THE ELEVATORS LOCATED IN THE GOVERNMENT CENTER, HISTORIC COURTHOUSE, ADULT PROBATION AND THE COUNTY LIBRARY AT A COST OF \$2,750.00.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING CHANGE ORDER #2 WITH MISHLER BUILDERS, INC., FOR ADDITIONAL EQUIPMENT AND WORK PERFORMED IN THE TAX OFFICE AT THE HISTORIC COURTHOUSE AT A COST OF \$418.00.

**ITEMS #9**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A WARRANTY EXTENSION FOR A TWO-YEAR PERIOD, AUGUST 25,

2012 - AUGUST 24, 2014, WITH TRUE AUTOMATION, INC. FOR THE DELL POWER EDGE 2950 AT THE TAX OFFICE AT A TOTAL COST OF \$1,137.36.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A LICENSE RENEWAL FOR THE PERIOD OF JUNE 6, 2012 – JUNE 5, 2013, WITH REAL VNC LIMITED FOR REMOTE ACCESS TO ALL COUNTY COMPUTERS AT A TOTAL COST OF \$697.50.

**ITEM #11**

NORTH TEXAS COUNCIL OF GOVERNMENTS REPRESENTATIVE RICHARD MCCULLON DISCUSSED WITH THE COURT A GRANT THAT THE COURT HAD PREVIOUSLY AGREED NOT TO ACCEPT. MR MCCULLON EXPLAINED THAT THE MONIES COULD STILL BE USED BY ELLIS COUNTY TO FUND A CONTINUING EMISSIONS ENFORCEMENT PROGRAM THAT WOULD ALSO BENEFIT ROCKWALL COUNTY. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 TO APPROVE FY2010 – 2013 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY LOCAL INITIATIVE PROJECTS (LIP) PROJECT SUMMARY FORMS WHICH PROPOSES TO USE THE GRANT FUNDING FOR THE CONTINUED ENFORCEMENT OF ELLIS COUNTY EMISSIONS ENFORCEMENT PROGRAM.

**ITEM #12**

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

APPROVING AN INTERLOCAL AGREEMENT WITH ELLIS COUNTY FOR THE CONTINUED ENFORCEMENT OF THE ELLIS COUNTY EMISSIONS ENFORCEMENT PROGRAM THROUGH THE USE OF THE TCEQ LOCAL INITIATIVE PROJECT.

\*JUDGE HOGAN RECESSED THE MEETING TO GO INTO EXECUTIVE SESSION AT 10:18 A.M.

**ITEM #13**

**EXECUTIVE SESSION 10:18 A.M. – 11:05 A.M.**

Discussion regarding the evaluation of appointed officials and department heads including: Human Resources Director, Elections Administrator, Commissioners Court Administrator, Road and Bridge Administrator, Library Director, Indigent Health Care Director, Information Technology Director, Maintenance Director, Environmental Health Coordinator, and all related issues (Tex. Gov't Code §551.074);

\*JUDGE HOGAN RECONVENED THE MEETING AT 11:05 A.M.

**ITEM #14**

**ACTION OF EXECUTIVE SESSION;**

NO ACTION TAKEN.

**ITEM #15**

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

- a) Minutes of previous meeting(s);
- b) Co. Clerk, monthly fee report(s);
- c) District Clerk, monthly fee report (s);
- d) Indigent Health, monthly expenditure/case report(s);
- e) Co. Tax Assessor-Collector, monthly activity/expense report(s);
- f) J.P. Pct. 2, monthly judicial activity report(s);
- g) Co. Treasurer, monthly report(s);

- h) Co. Auditor, Approve payment to CH2M HILL, Inc. for engineering services provided during February thru March 2012 at SH 276 from SH 205 to FM 549 in the amount of \$27,330.77;
- i) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services provided during April 2012 at the FM549/I30 interchange in the amount of \$13,062.79;
- j) Co. Auditor, Approve payment to Halff Associates, Inc. for engineering services provided during April 2012 at SH 66 from SH 205 to FM 1777 in the amount of \$24,125.88;
- k) Co. Auditor, monthly report(s);

**ITEM #16**

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/DISPOSITIONS ITEMS:

- A. Elections Administrator purchased from Election Services Contract Fund Capital Outlay: (8) DRE printer packs including shipping @ an estimated cost of \$4,300.00.
- B. General Government to purchase from General Government Capital Outlay: the cost of pulling wire for the new security system at the Historic Courthouse @ a quoted cost of \$280.00.
- C. County Jail to purchase from County Jail General Fund Capital Outlay: John Deere Commercial Mower @ a quoted cost of \$8,677.90.
- D. Justice of the Peace #2 to purchase from insurance claim JP2 damage @ \$2,048.92 and Justice of the Peace Court Technology Fund @ \$235.03: (2) computer systems with monitors, scanner and printer including shipping @ an estimated cost of \$2,283.95.
- E. Justice of the Peace #1 to purchase from Justice of the Peace Court Technology Fund Capital Outlay: (3) computers, monitor and software @ an estimated cost of \$2,320.00.
- F. County Library to purchase from Library Donation Fund Capital Outlay: (5) computer systems with Microsoft Licenses plus (5) monitors including shipping @ an estimated cost of \$3,461.23.
- G. County Treasurer to transfer to Surplus: MPC Transport T1000 laptop.

**ITEM #17**

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

**2012-18** - Transfer \$8,600 of funds within the General Government Fund budget **TO** Transfer to Juvenile Probation **FROM** Contingency resulting from the Commissioners Court affirmation on January 13, 2012, that Juvenile Services Department staff were included in the cost of living adjustment given to County employees.

**2012-19** - Transfer \$530 of funds within the Historic Courthouse Fund budget **TO** Capital Outlay > \$200 < \$5,000 **FROM** Building Restoration resulting from the purchase of a frame for the 1969 aerial photograph approved by Commissioners Court on April 20, 2012.

**ITEM #18**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$362,214.44. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$512,222.67. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL IN THE AMOUNT OF \$525,976.19 FOR THE PAY PERIOD ENDED MAY 12, 2012.

**ITEM #17 - ANNOUNCEMENTS**

JUDGE HOUGAN ANNOUNCED THAT THE PRIMARY ELECTION WAS HELD MAY 29<sup>TH</sup>, 2012 AND THAT THERE WOULD BE RUNOFFS FOR TWO JUSTICE OF THE PEACE POSITIONS FOR PRECINCTS 3 AND 4 AND FOR COUNTY COMMISSIONER OF PRECINCT 1.

**ITEM #16A – READDRESSSED**

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

AMENDING THE MOTION PREVIOUSLY MADE ON ITEM #16A UNDER PROPERTY ACQUISITIONS TO REFLECT (5) DRE PRINTER PACKS WITH @ AN ESTIMATED COST OF \$4,000.

\*THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 11:15 A.M.

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SHELLI MILLER  
ROCKWALL COUNTY CLERK