

**COMMISSIONERS COURT
JULY 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 JUDGE HOGAN.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND
TO THE TEXAS FLAG WERE LED BY COMMISSIONER WIMPEE.

ONE GUEST, ROCKWALL COUNTY RESIDENT SUZANNE MILNER,
REPRESENTATING THE HOMEOWNERS OF GLEN ACRES SUBDIVISION
LOCATED IN MCLENDON CHISHOLM ADDRESSED THE COURT. MS. MILNER
STATED THAT THE ROADS IN THE SUBDIVISION WERE IN POOR CONDITION
AND REQUESTED THE COURT CONSIDER HELPING WITH ROAD MAINTENANCE.
COMMISSIONER BAILEY WILL CONTACT MS. MILNER TO OBTAIN MORE
INFORMATION.

MELANIE JENSEN OF THE EMERGENCY MANAGEMENT OFFICE WAS
RECOGNIZED AS ROCKWALL COUNTY EMPLOYEE OF THE QUARTER FOR THE

SECOND QUARTER OF 2012. JUDGE HOGAN CONGRATULATED MS. JENSEN AND THANKED HER FOR HER ASSISTANCE WITH EMERGENCY RELIEF EFFORTS DURING THE RECENT TORNADO IN ROCKWALL COUNTY. MS. JENSEN'S NAME WILL BE ADDED TO A PLAQUE ON DISPLAY IN THE ROTUNDA OF THE NEW COURTHOUSE.

ITEM #1

JUDGE HOGAN DISCUSSED WITH THE COURT THE POSSIBILITY OF ADDING A \$1.50 FEE TO VEHICLE REGISTRATIONS IN THE COUNTY TO BE USED FOR SPECIFIC PROGRAMS FOR JUVENILES SUCH AS HEALTH AND SAFETY INCLUDING DRUG AND ALCOHOL PREVENTION PROGRAMS. THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN FOR DISCUSSION TO ASSESS A \$1.50 FEE FOR VEHICLE REGISTRATION IN ROCKWALL COUNTY WITH THE FUNDS TO BE USED FOR CHILDREN AS SPECIFIED IN THE STATE STATUTE. AFTER CONTINUED DISCUSSION THE MOTION FAILED WITH THE COURT VOTING 1-4. COMMISSIONERS WIMPEE, BAILEY, GRINNAN AND MAGNESS VOTED AGAINST.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF RELOCATING THE PRECINCT 2 POLLING PLACE CURRENTLY LOCATED AT THE ROCKWALL MUNICIPAL COURT BUILDING TO THE STUDENT CENTER AT THE FIRST BAPTIST CHURCH LOCATED AT 710 SOUTH GOLIAD AND TO AUTHORIZE

THE ELECTIONS ADMINISTRATOR TO SEND PROPER NOTICES TO THE VOTERS IN PRECINCT 2.

ITEM #3

PREMIER PIGEON CONTROL OWNER JOSH LYLES PRESENTED THE COURT WITH OPTIONS FOR CONTROL OF PIGEONS AT THE NEW COURTHOUSE. IT WAS MR. LYLES OPINION THAT THE BEST OPTION FOR THIS PARTICULAR SITUATION WOULD BE TO USE A NO MAINTENANCE SPIKE SYSTEM. MR. LYLES WILL PROVIDE THE COURT WITH A BID AND REFERENCES. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #4

ROCKWALL COUNTY LIBRARIAN MARCINE MCCULLEY PRESENTED THE COURT WITH PROPOSED LIBRARY BOARD POLICY CHANGES. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING CHANGES TO THE LIBRARY BOARD POLICY AS PRESENTED AND RECOMMENDED BY THE BOARD, EFFECTIVE ON TODAY'S DATE.

ITEM #5

THE COURT DISCUSSED THE COURT'S HISTORY WHEN HANDLING REQUESTS FOR OUT OF STATE TRAVEL ON A CASE BY CASE BASIS. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING OUT OF STATE TRAVEL FOR LIBRARY DIRECTOR MARCINE MCCULLEY TO ATTEND THE PUBLIC LIBRARY ASSOCIATION BOOT CAMP CONFERENCE PRESENTED BY

THE NATIONAL PUBLIC LIBRARY ASSOCIATION AUGUST 21-25, 2012, IN NASHVILLE, TENNESSEE.

ITEM #6

THE COURT DISCUSSED MATTERS RELEVANT TO MOVING THE FUNCTION OF COUNTY PROPERTY TAX COLLECTION FROM THE TAX ASSESSOR'S OFFICE TO THE ROCKWALL COUNTY CENTRAL APPRAISAL DISTRICT OFFICE. THE MOTION WAS MADE BY COMMISSIONER GRINNAN TO MOVE THE COLLECTION OF COUNTY PROPERTY TAXES FROM THE TAX ASSESSOR'S OFFICE TO THE CENTRAL APPRAISAL DISTRICT OFFICE EFFECTIVE OCTOBER 1, 2012. AFTER CONTINUED DISCUSSION, COMMISSIONER GRINNAN AMENDED THE MOTION TO AUTHORIZE ASSISTANT DISTRICT ATTORNEY JON THATCHER TO DRAFT AN INTERLOCAL AGREEMENT BETWEEN THE CENTRAL APPRAISAL DISTRICT AND THE COUNTY WITH THE GOAL TO MOVE THE COLLECTION OF COUNTY PROPERTY TAXES FROM THE TAX ASSESSOR'S OFFICE TO THE CENTRAL APPRAISAL OFFICE WITH THE COURT VOTING 3-2 IN FAVOR. COMMISSIONER WIMPEE AND COMMISSSIONER MAGNESS VOTED AGAINST.

ITEM #7

COMMISSIONER BAILEY UPDATED THE COURT ON RECENT ACTIVITIES AND UPCOMING EVENTS RELATED TO THE 1115 WAIVER AND THE REGIONAL HEALTH PARTNERSHIP (RHP). COMMISSIONER BAILEY AND THE COUNTY'S CONSULTANTS PLAN TO ATTEND MEETINGS IN AUSTIN ON AUGUST 7TH & 8TH AND WILL BRING THE COURT UP TO DATE AT A SUBSEQUENT WORKSHOP. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #8

COMMISSIONER WIMPEE UPDATED THE COURT WITH THE PROGRESS OF THE ARTS AND RECREATION GROUP OF THE COUNTY'S FIVE-YEAR STRATEGIC PLANNING GROUP AND DISCUSSED THEIR DESIRE FOR THE COURT TO RECONFIGURE THE EXISTING GROUP INTO TWO SEPARATE GROUPS FOR LAND USE AND ARTS. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF RECONFIGURING THE ARTS AND RECREATION ORIGINAL PLANNING GROUP INTO TWO GROUPS, ONE BEING ARTS AND THE OTHER BEING LAND USE. THE ARTS GROUP WILL BE FACILITATED BY COMMISSIONER BAILEY.

ITEM #9

COMMISSIONER WIMPEE DISCUSSED A REQUEST BY RIDGEVIEW BAPTIST CHURCH LOCATED AT BREEZY HILL ROAD AND FM552 TO REPLAT THREE LOTS 20, 21 AND 22 IN SKYVIEW COUNTRY ESTATE #3 INTO ONE LOT TO ENABLE THE CHURCH TO EXPAND. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE REPLATING OF SKYVIEW COUNTRY ESTATES #3 FROM THE CURRENT CONFIGURATION OF THREE LOTS ON FILE IN THE COUNTY CLERK'S OFFICE INTO ONE LOT AND FOR THE ACTION TO BE SHOWN AS AN AMENDMENT TO THE ORIGINAL PLAT RECORD.

ITEM #10

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

APPROVING A REQUEST FOR PROPOSAL FOR GROUNDS MAINTENANCE SERVICES AT ROCKWALL COUNTY FACILITIES FOR FY2013 AND AUTHORIZING THE AUDITOR TO ADVERTISE BY LEGAL NOTICE.

ITEM #11

COUNTY CLERK SHELLI MILLER DISCUSSED WITH THE COURT THE FIRST PHASE OF A MULTI-YEAR RECORDS PRESERVATION PROJECT TO BE PERFORMED BY KOFIL PRESERVATION, INC. MS. MILLER INFORMED THE COURT THAT THIS PHASE WOULD ADDRESS RECORDS ARCHIVE MARRIAGE BOOKS AND COMMISSIONERS COURT MINUTE BOOKS AND THAT THE PROJECT WOULD BE PAID FROM THE COUNTY CLERK'S SPECIAL ARCHIVE FUND MONIES WHICH HAVE BEEN COLLECTED SPECIFICALLY FOR THIS PURPOSE AND CAN ONLY BE USED FOR THIS PURPOSE. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING AN AGREEMENT WITH KOFIL PRESERVATION, INC. TO PERFORM PRESERVATION SERVICES OF HISTORICAL RECORDS FOR THE COUNTY CLERK AT A COST OF \$196,144.00 TO BE PAID FROM THE COUNTY CLERK RECORDS MANAGEMENT AND PRESERVATION SPECIAL ARCHIVE FUND. JUDGE HOGAN VOTED AGAINST.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A PREVENTATIVE MAINTENANCE AGREEMENT FOR GENERATORS AT THE NEW COURTHOUSE FROM JANUARY 10, 2013 THRU SEPTEMBER 30,

2013 AND AT THE DETENTION CENTER FROM OCTOBER 1, 2012 THRU SEPTEMBER 30, 2013 WITH STEWART & STEVENSON FOR A COST OF \$4,892.20 FOR COVERAGE AT BOTH FACILITIES.

ITEM #13

COMMISSIONER MAGNESS DISCUSSED WITH THE COURT THE IDEA OF APPOINTING A WORKING GROUP TO SEEK OUT OPPORTUNITIES THAT MIGHT ARISE FOR ROCKWALL COUNTY FROM THE TEXAS FILM INDUSTRY AND BRING THOSE BACK TO THE COURT. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 4-1 IN FAVOR OF APPOINTING COMMISSIONER MAGNESS AND COMMISSIONER BAILEY TO INVESTIGATE THE OPPORTUNITIES IN BRINGING THE FILM INDUSTRY TO ROCKWALL COUNTY AND TO BRING THOSE ISSUES THROUGH THE COMMISSIONERS COURT FOR ACTION. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING A TWO-YEAR AGREEMENT WITH THE OFFICE OF THE ATTORNEY GENERAL (OAG) TO FURNISH REGISTRY ONLY COURT ORDER INFORMATION RELATING TO CHILD SUPPORT, PROTECTIVE ORDERS AND FAMILY VIOLENCE UNDER THE TEXAS FAMILY CODE FOR USE IN THE STATE AND FEDERAL CASE REGISTRIES, EFFECTIVE SEPTEMBER 1, 2012.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING THE DRAFT ROCKWALL COUNTY BICYCLE PLAN AS PREPARED BY HDR ENGINEERING, INC.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AMENDMENT NUMBER 02 TO THE INTERGOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR THE LIP LOCAL INITIATIVE PROJECTS.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF HEATH FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HEATH, EFFECTIVE UNTIL DECEMBER 31, 2013. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A NOTIFICATION LETTER OF NON-RENEWAL OF SERVICE

AGREEMENT TO ARAMARK UNIFORM SERVICES, EFFECTIVE OCTOBER 30, 2012.

ITEM #19

COMMISSIONER BAILEY, SERVING ON THE BOARD OF DIRECTORS OF THE PUBLIC POWER POOL (P3), ADVISED THE COURT THAT THE COUNTY'S CURRENT ELECTRIC POWER SUPPLY CONTRACT WITH P3 WILL EXPIRE ON DECEMBER 31, 2013 AND EXPLAINED THAT P3 IS BEGINNING THE COMPETITIVE PROCUREMENT PROCESS. COMMISSIONER BAILEY RECOMMENDED THAT THE COURT CONTINUE THEIR PARTICIPATION WITH THE GROUP AND STATED THAT NO ACTION WAS NEEDED IF THE COURT CHOSE TO DO SO. NO ACTION TAKEN.

ITEM #20

ASSISTANT DISTRICT ATTORNEY JON THATCHER DISCUSSED WITH THE COURT THE APPLICATION AND TCEQ PROCEDURES ON THE PROPOSED CREATION OF THE ROCKWALL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICTS NOS. 1 AND 2 BY AN OUTSIDE DEVELOPER. MR THATCHER STATED THAT TCEQ HAD BEEN ADVISED THAT ROCKWALL COUNTY WAS OPPOSED TO THE APPLICATION, THAT A PUBLIC HEARING HAD BEEN REQUESTED AND THAT HE WOULD ADVISE THE COURT IF A HEARING WAS GRANTED. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #21

THE COURT DISCUSSED THE FY2013 BUDGET DETAILS AND PROGRESS TOWARDS 1ST DRAFT BUDGET. DISCUSSIONS WILL CONTINUE ON JULY 31 AT

THE NEXT SCHEDULED WORKSHOP AND SPECIAL MEETING. NO ACTION WAS TAKEN.

ITEM #24

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

- a) Minutes of previous meeting(s);
- b) J.P. Pct. 1, monthly judicial activity report(s);
- c) Constable 2 and 3, Approve Tom Egan as Reserve Deputy Constable for Pct. 2 and 3;
- d) District Clerk, monthly fee report(s);
- e) Co. Clerk, monthly fee report(s);
- f) Co. Treasurer, monthly report(s);
- g) County Auditor's monthly report for May 2012;

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS:

- A. General Government to purchase from General Government Central Purchasing: (200) PC stands including shipping @ an estimated cost of \$3,000.00.
- B. General Government to purchase from General Government Central Purchasing: (100) Access ID cards and ribbon including delivery @ an estimated cost of \$1,000.00.
- C. Consolidated Collections to purchase from General Government Capital Outlay: Telephone including licensing @ an estimated cost of \$500.00.
- D. Consolidated Collections to purchase from General Government Capital Outlay: TDM user license for existing telephone @ an actual cost of \$200.93.
- E. County Treasurer to purchase from County Records Management Fund: (1) 4-drawer lateral file cabinet & (2) 2-drawer lateral file cabinets @ a quoted cost of \$1,555.97.

- F. District Attorney to transfer to Human Resources: Konica B360 copier.
- G. District Attorney to transfer to County Sheriff: Konica B421 copier.
- H. Road & Bridge to transfer to Surplus: 2005 Ford dump truck.
- I. Road & Bridge to transfer to Surplus: 2002 International dump truck (Vin # XXXXXXXXXXXXX2273).
- J. Road & Bridge to transfer to Surplus: 2002 International dump truck (Vin # XXXXXXXXXXXXX7891).

ITEM #26

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

2012-27 – Transfer \$51,952 of funds within the General Government Fund budget **TO** Maintenance & Operations/Maintenance & Repairs **FROM** Contingency resulting from expenses exceeding budgeted amounts.

ITEM #27

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$328,500.43. 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 \$476,288.48. 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 \$540,709.58 FOR THE PAY PERIOD ENDING JULY 7, 2012.

*JUDGE HOGAN RECESSED TO EXECUTIVE SESSION AT 11:20 A.M.

ITEM #22

EXECUTIVE SESSION 11:50 A.M. – 12:05 P.M.

- Consult with legal counsel regarding pending or contemplated litigation, settlement offers and/or matters in which the duty of the attorney to the governmental body under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code related to the legal issues of the County Software Package (Tex. Gov't Code §551.071);
- Discuss/Act on awarding bid for the County software package, and all related issues;

*JUDGE HOGAN RECONVENED THE MEETING AT 12:09 P.M.

ITEM #23

ACTION OF EXECUTIVE SESSION:

NO ACTION WAS TAKEN FROM THE EXECUTIVE SESSION.

THE COURT CONTINUED DISCUSSION ON AWARDING A BID FOR THE COUNTY SOFTWARE PACKAGE WITH TATUM REPRESENTATIVE JERRY BYRD. MR. BYRD PRESENTED THE COURT WITH A MATRIX OF SEVERAL ASPECTS OF VENDOR COMPARISONS. JUDGE HOGAN ADVISED THE COURT THAT THE SOFTWARE COMMITTEE RECOMMENDED AMCAD AS THEIR SOFTWARE VENDOR SOLUTION. MR. BYRD STATED THAT HE ALSO RECOMMENDED AMCAD FOR THE COUNTY. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #28

COMMISSIONER GRINNAN ANNOUNCED THAT THE CITY OF ROCKWALL HAS AN OPENING CELEBRATION FOR THE JOHN KING INTERCHANGE SCHEDULED ON MONDAY, JULY 30TH.

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN
ADJOURNED THE MEETING AT 1:23 P.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK