

**COMMISSIONERS COURT
SEPTEMBER 11, 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 WIMPEE.

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

JUDGE HOGAN ASKED FOR A MOMENT OF SILENCE AS A TRIBUTE TO
REMEMBER AND HONOR THE MEN, WOMEN AND CHILDREN WHO'S LIVES
WERE LOST IN THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.

JUDGE HOGAN RECESSED THE MEETING TO CALL A PUBLIC HEARING AT 9:04
A.M.

JUDGE HOGAN RECONVENED THE MEETING AT 9:09 A.M.

ITEM #2

JUDGE HOGAN DISCUSSED WITH THE COURT A LETTER TO TEXAS
ASSOCIATION OF COUNTIES (TAC) DETAILING VARIOUS LEGISLATIVE
INITIATIVES OF CONCERN TO ROCKWALL COUNTY. THE COURT DISCUSSED

AT LENGTH CONCERNS WITH THE PROCESS TAKEN BY TCEQ TO MOVE FORWARD IN APPROVING A UTILITY DISTRICT FOR A PRIVATE DEVELOPMENT IN MCLENDON CHISHOLM WITHOUT THE APPROVAL OF ANY LOCAL GOVERNMENT. THE COURT DISCUSSED ITEM #4 IN THE LETTER REGARDING A VEHICLE REGISTRATION FEE AVAILABLE FOR COUNTIES TO USE FOR PUBLIC SAFETY. THE LETTER REQUESTED LEGISLATORS TO EXPAND THE USES OF THE FEE TO INCLUDE ROAD CONSTRUCTION AND MAINTENANCE. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 3-2 IN FAVOR OF REMOVING ITEM #4 REGARDING THE VEHICLE REGISTRATION FEE FROM THE PRESENTED LETTER. COMMISSIONER GRINNAN AND JUDGE HOGAN VOTED AGAINST. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF SENDING THE PRESENTED LETTER AS AMENDED TO TAC.

ITEM #1

TRUE AUTOMATION REPRESENTATIVE JOHN WEBBER DISCUSSED WITH THE COURT THE NEED FOR A \$6,000.00 CHARGE FOR DATA CONVERSION OF THE PACS TAX SOFTWARE FROM THE TAX OFFICE TO THE ROCKWALL CENTRAL APPRAISAL DISTRICT, STATING THAT THE CONVERSION EFFORTS ARE VERY LABOR INTENSIVE. CENTRAL APPRAISAL DISTRICT DIRECTOR RAY HELM ADVISED THE COURT THAT, ALTHOUGH HE HADN'T BUDGETED FOR THE AMOUNT, HE WOULD BE WILLING TO SPLIT THE COST WITH THE COUNTY. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY

COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING TRUE AUTOMATION, INC. TO COMPLETE THE PACS TAX SOFTWARE CONVERSION AND AGREE TO PAY \$3,000.00 OF THE \$6,000.00 CHARGE WITH THE ROCKWALL CENTRAL APPRAISAL DISTRICT TO PAY THE REMAINING \$3,000.00.

ITEM #3

JUDGE HOGAN PULLED THIS ITEM CONCERNING THE AMCAD AND TATUM CONTRACT DISCUSSION.

ITEM #4

COMMISSIONER BAILEY GAVE THE COURT A COMPREHENSIVE UPDATE ON THE 1115 WAIVER AND THE REGIONAL HEALTH PARTNERSHIP (RHP) STATING THE OUTCOME OF RECENT MEETINGS AND WORKSHOPS HE HAD ATTENDED AND LISTING UPCOMING WORKSHOPS AND PUBLIC HEARINGS. THE COMMISSIONER ADVISED THE COURT THAT THE CONSULTANTS WILL BE CONDUCTING PUBLIC HEARINGS IN ALL THREE PARTNERSHIP COUNTIES BETWEEN OCTOBER 15TH AND 26TH. OUR ANCHOR, COLLIN COUNTY WILL APPROVE AND FILE OUR RHP PLAN BY OCTOBER 30TH AND FINAL APPROVAL IS EXPECTED MARCH 1, 2013. COMMISSIONER BAILEY WILL CONTINUE TO UPDATE THE COURT AND THE COUNTY WEBSITE WITH 1115 WAIVER INFORMATION. JUDGE HOGAN EXPLAINED BUDGET CONCERNS, UNFUNDED MANDATES AND POSSIBLE TAX INCREASES TO THE CITIZENS. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #5

JUDGE HOGAN REQUESTED A STATUS REPORT ON VARIOUS ONGOING PROJECTS WITHIN THE COUNTY. COUNTY AUDITOR LISA CONSTANT UPDATED THE COURT ON THE WINDOW WASHING IN PROGRESS AT COUNTY FACILITIES STATING IT WOULD BE COMPLETED BY SEPTEMBER 30, 2012. COMMISSIONER BAILEY INFORMED THE COURT THAT THE PIGEON ISSUE AT THE NEW COURTHOUSE WAS AN ONGOING EFFORT AND THAT PROGRESS WAS BEING MADE. AUDITOR LISA CONSTANT BROUGHT THE COURT UP TO DATE ON THE LANDSCAPING SERVICES BEING COMPLETED AT THE NEW COURTHOUSE AND LIBRARY. MS. CONSTANT STATED THAT TROPICAL JOHN HAD COMPLETED THE WEEDING OF THE BEDS AND WILL FINISH THE REMAINDER OF THE WORK AS PER THE BID PROPOSAL IN TIME FOR AGS TO TAKE OVER LANDSCAPING SERVICES ON OCTOBER 1, 2012. AUDITOR LISA CONSTANT REPORTED TO THE COURT THAT THREE RESPONSES HAD BEEN RECEIVED FROM THE RFP FOR AN AUTOMOBILE SERVICE AND MAINTENANCE VENDOR AND THEY WOULD BE SUBMITTED TO THE COURT NO LATER THAN THE LAST COURT IN SEPTEMBER. COMMISSIONER MAGNESS REPORTED TO THE COURT THAT RECORDS BEING STORED AT THE ROAD AND BRIDGE BARN NEEDED TO BE IDENTIFIED AND THEN PROPER STORAGE OF THE RECORDS WOULD HAVE TO BE ADDRESSED. JUDGE HOGAN INFORMED THE COURT OF A MEETING HE HAD WITH MR. SWALDI, THE REAL ESTATE AGENT ON THE SALE OF THE GOVERNMENT CENTER BUILDING AND STATED THAT HE HAD SIGNED AN AGREEMENT TO EXTEND THE CONTRACT FOR 30 DAYS WITHOUT THE

CONSENT OF THE COURT TO ALLOW THE BUYER TIME TO GET HIS FINANCING IN ORDER. JUDGE HOGAN THEN SAID TIME DIDN'T ALLOW HIM TO CONTACT THE COURT AND HE FELT THE BUYER WOULD PULL OUT OF THE DEAL IF HE COULDN'T GET THE EXTRA 30 DAYS. COMMISSIONER MAGNESS ASKED, FOR CLARIFICATION, IF THIS WAS A SITUATION WHERE AN ELECTED OFFICIAL HAD TAKEN ACTION WITHOUT THE CONSENT OF THE COURT BECAUSE HE THOUGHT IT WAS IN THE BEST INTEREST OF THE COUNTY. JUDGE HOGAN AGREED. ASSISTANT DISTRICT ATTORNEY JON THATCHER ADVISED THE COURT THAT ONE MEMBER OF THE COURT COULD NOT BIND THE COURT. THE COURT WILL CALL A SPECIAL MEETING WITH PROPER NOTICE TO DISCUSS AND ACT ON THIS ISSUE. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION WAS TAKEN.

ITEM #6

THE COURT DISCUSSED COMPENSATION FOR THE COUNTY'S ELECTED OFFICIALS. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY TO SET THE COMPENSATION FOR ELECTED OFFICIALS AS STATED IN THE DRAFT BUDGET FOR FY2013 WITH THE ADDITION OF THE PRECINCT 3 AND 4 JUSTICES OF THE PEACE TO BE THE SAME AS PRECINCT 1 AND 2 JUSTICES OF THE PEACE. AFTER MUCH DISCUSSION THE COURT VOTED 3-2 AGAINST THE ABOVE STATED MOTION. JUDGE HOGAN, COMMISSIONER WIMPEE AND COMMISSIONER GRINNAN VOTED AGAINST. THE COURT CONTINUED DISCUSSIONS CONCERNING THE JUSTICE'S COMPENSATION. THE MOTION WAS MADE BY COMMISSIONER

GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-2 IN FAVOR OF REVISING THE FY2013 DRAFT BUDGET TO SET THE JUSTICES' OF THE PEACE PRECINCTS 3 AND 4 BASE PAY AT \$56,000.00 A YEAR. COMMISSIONER BAILEY AND COMMISSIONER MAGNESS VOTED AGAINST.

ITEM #7

THE COURT DISCUSSED VARIOUS ITEMS RELATING TO THE DRAFT FY2013 BUDGET. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-2 IN FAVOR OF REVISING THE DRAFT FY2013 BUDGET TO FUND THE JUSTICES' OF THE PEACE PERSONNEL AS FOLLOWS; 3 STAFF MEMBERS EACH FOR JUSTICES OF PRECINCTS 1 AND 2 AND 1 STAFF MEMBER EACH FOR JUSTICES OF PRECINCTS 3 AND 4 FOR A PERIOD OF SIX MONTHS ENDING MARCH 31, 2013, AFTER SUCH TIME THE COURT WILL RE-EVALUATE STAFFING FOR ALL FOUR JUSTICES OF THE PEACE. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE TO APPROVE THE DRAFT BUDGET FOR FY2013 WITH THE AMENDMENTS AS STATED IN SAID MOTION REGARDING CHANGES IN THE JUSTICES' OF THE PEACE STAFFING AND CHANGES AS STATED IN EXHIBIT A, ITEMS 1 THRU 10 AS FOLLOWS:

1. Decrease account 001-340-805, Constable #1 Fees by \$25,000 to \$10,000 and increase account 001-340-808, Constable #4 Fees by \$25,000 to \$35,000
2. Decrease account 001-340-806, Constable #2 Fees by \$10,000 to \$10,000 and increase account 001-340-807, Constable #3 Fees by \$10,000 to \$20,000
3. Decrease account 001-622-330, Gas, Oil & Maintenance by \$1,500 to \$3,500 and increase account 001-623-330, Gas, Oil & Maintenance by \$1,500 to \$5,000.

4. Add account 045-333-300, as Impact Grant, (page 64) and increase by \$7,362 to \$7,362
5. Add account 045-763-300, as Supplies, (page 64) and increase by \$3,000 to \$3,000
6. Add account 045-763-352, as Equipment, (page 64) and increase by \$4,362 to \$4,362
7. Add account 056-400-420, as Telephone (page 72) and increase by \$1,500 to \$1,500
8. Add Fund 83 as Veterans Memorial Fund and increase account 083-800-534, as Memorial Kiosk by \$6,440 to \$6,440
9. Approve changes in nomenclature, spelling, and other non-dollar items as necessary to make administrative changes by the Auditor's office
10. Increase account 001-473-101, Justice of the Peace #3 and 001-474-101, Justice of the Peace #4 to an annual base rate of pay of \$56,000 (FY13 budget for these two accounts is for 9 months only)

COMMISSIONER BAILEY STATED FOR THE RECORD THAT ALTHOUGH HE WAS VOTING IN FAVOR OF THE DRAFT BUDGET HE WAS OPPOSED TO THE JP'S SALARY ISSUES AS PREVIOUSLY STATED AND HE CONTINUED TO OBJECT TO LONGEVITY PAY FOR ELECTED OFFICIALS FEELING IT SHOULD BE FROZEN. COMMISSIONER GRINNAN WISHED TO GO ON RECORD SAYING THAT SHE TOO WAS OPPOSED TO LONGEVITY PAY FOR ELECTED OFFICIALS AND THAT SHE HAD REQUESTED HERS BE WITHHELD. THE COURT VOTED 5-0 IN FAVOR OF THE ABOVE MOTION.

ITEM #8

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF ROCKWALL COUNTY ADOPTING THE FOLLOWING TAX RATE PER \$100 ASSESSED VALUE ON

TAXABLE PROPERTY FOR THE 2012 TAX YEAR: MAINTAINENCE AND OPERATIONS AT .3024, ROAD AND BRIDGE FUND TO BE .0001, INTEREST AND SINKING FUND TO BE .0840 WITH THE COMBINED TAX RATE TO BE .3864.

JUDGE HOGAN READ THE FOLLOWING ORDER ADOPTING THE TAX RATE FOR THE YEAR 2012:

A TAX RATE ORDER OF THE COUNTY OF ROCKWALL, TEXAS, LEVYING AS OF **OCTOBER 1, 2012**, THE AD VALOREM TAXES FOR THE YEAR **2012** AT A RATE OF **0.3864** PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE COUNTY, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND PROVIDING FOR DUE AND DELINQUENT OF CURRENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE **2012** TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMISSIONERS' COURT OF THE COUNTY OF ROCKWALL, TEXAS:

SECTION 1. I MOVE THAT ROCKWALL COUNTY ADOPT A TAX RATE OF **0.3864** PER \$100 ASSESSED VALUE FOR THE **2012** TAX YEAR AND THE PROVISIONS OF THIS ORDER SET FORTH HEREIN BY SECTIONS 2 THROUGH 9.

SECTION 2. THAT THERE BE AND IS HEREBY LEVIED FOR THE YEAR **2012** ON ALL TAXABLE PROPERTY, REAL, PERSONAL AND MIXED, SITUATED WITHIN THE LIMITS OF THE COUNTY OF ROCKWALL, TEXAS, AND NOT EXEMPT BY THE CONSTITUTION OF THE STATE AND VALID STATE LAWS, A TAX OF **0.3864** ON EACH ONE HUNDRED (\$100.00) DOLLARS ASSESSED VALUE OF TAXABLE PROPERTY AND SHALL BE APPORTIONED AND DISTRIBUTED AS FOLLOWS:

A. FOR THE PURPOSE OF DEFRAYING THE CURRENT EXPENSES OF THE GOVERNMENT OF THE COUNTY AN **M&O** TAX OF **0.3024** ON EACH ONE HUNDRED (\$100.00) DOLLARS ASSESSED VALUE OF ALL TAXABLE PROPERTY, AND OF THIS TAX, **.0001** SHALL BE ALLOCATED TO THE ROAD AND BRIDGE FUND.

B. FOR THE PURPOSE OF DEFRAYING THE CURRENT INDEBTEDNESS OF THE GOVERNMENT OF THE COUNTY, AN **I&S** TAX OF **0.0840** ON EACH ONE HUNDRED (\$100.00) DOLLARS ASSESSED VALUE OF ALL TAXABLE PROPERTY.

SECTION 3. THAT ALL AD VALOREM TAXES SHALL BECOME DUE AND PAYABLE ON OCTOBER 1, 2012, AND ALL AD VALOREM TAXES FOR THE YEAR SHALL BECOME DELINQUENT AFTER JANUARY 31, 2013. IF ANY PERSON FAILS TO PAY THE AD VALOREM TAXES ON OR BEFORE JANUARY 31, 2013, THE FOLLOWING PENALTIES SHALL BE PAYABLE THEREON, TO-WIT:

DURING THE MONTH OF FEBRUARY, SEVEN (7%) PERCENT;
DURING THE MONTH OF MARCH, NINE (9%) PERCENT;
DURING THE MONTH OF APRIL, ELEVEN (11%) PERCENT;
DURING THE MONTH OF MAY, THIRTEEN (13%) PERCENT;
DURING THE MONTH OF JUNE, FIFTEEN (15%) PERCENT;
AND ON OR AFTER THE 1ST OF JULY, EIGHTEEN (18%) PERCENT.

SECTION 4. TAXES ARE PAYABLE IN ROCKWALL, TEXAS, AT THE OFFICE OF THE DESIGNATED TAX COLLECTOR. THE COUNTY SHALL HAVE AVAILABLE ALL RIGHTS AND REMEDIES PROVIDED BY LAWS OF THE ENFORCEMENT OF THE COLLECTION OF TAXES LEVIED UNDER THIS TAX RATE ORDER.

SECTION 5. THAT THE TAX ROLLS, AS PRESENTED TO THE COMMISSIONERS COURT TOGETHER WITH ANY SUPPLEMENT THERETO, BE AND THE SAME ARE HEREBY APPROVED.

SECTION 6. ALL DELINQUENT TAXES SHALL BE AT THE MAXIMUM RATE OF INTEREST PER ANNUM AS PROVIDED BY LAW, IN ADDITION TO THE PENALTIES PROVIDED HEREIN.

SECTION 7. ALL TAXES FOR THE YEAR 2012 WHICH REMAIN DELINQUENT ON JULY 1ST, 2013 SHALL INCUR AN ADDITIONAL PENALTY OF TWENTY (20%) PERCENT OF THE AMOUNT OF TAXES, PENALTY AND INTEREST DUE TO DEFRAY COST OF COLLECTION.

SECTION 8. THAT PURSUANT TO ARTICLE 8.1-b OF THE CONSTITUTION OF TEXAS, \$35,000.00 OF THE APPRAISED VALUE OF RESIDENT HOMESTEADS OF ANY MARRIED OR UNMARRIED PERSON INCLUDING THOSE LIVING ALONE, WHO WERE SIXTY-FIVE (65) YEARS OF AGE OR OLDER ON JANUARY 1, 2012, THIS AMOUNT SHALL BE EXEMPT FROM AD VALOREM TAXES.

SECTION 9. THE FACT THAT IT IS NECESSARY THAT THIS TAX RATE ORDER BE ENACTED IN ORDER TO AUTHORIZE THE COLLECTION OF AD VALOREM TAXES FOR THE YEAR 2012 CREATED AN URGENCY AND AN EMERGENCY AND REQUIRES THAT THIS TAX RATE ORDER TAKE EFFECT IMMEDIATELY FROM AND AFTER ITS PASSAGE, AS THE LAW IN SUCH CASES PROVIDES.

DULY PASSED BY THE COMMISSIONERS COURT OF THE COUNTY OF ROCKWALL, TEXAS, ON THIS THE 11TH DAY OF SEPTEMBER 2012.

*COMMISSIONER BAILEY LEFT THE MEETING AT 10:48 A.M.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE PERFORMANCE SALARY PLAN FOR CIVILIAN AND LAW ENFORCEMENT OFFICERS AS PRESENTED BY HUMAN RESOURCE DIRECTOR RANDY JENNINGS,

*COMMISSIONER BAILEY RETURNED TO THE MEETING AT 10:52 A.M.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE DISTRICT CLERK'S RECORDS ARCHIVE PLAN AS PRESENTED BY DISTRICT CLERK KAY MCDANIEL.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING THE COUNTY CLERK'S ARCHIVE PLAN FY2013 FOR THE PRESERVATION OF THE COUNTY CLERK'S RECORDS ARCHIVE AS PRESENTED BY COUNTY CLERK SHELLI MILLER.

*JUDGE HOGAN RECESSED THE MEETING AT 11:01 A.M.

*JUDGE HOGAN RECONVENED THE MEETING AT 11:07 A.M.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF SETTING THE DAYS FOR COMMISSIONERS COURT REGULAR MEETINGS TO BE THE SECOND AND FOURTH TUESDAYS OF EACH MONTH AND DESIGNATING QUARTERLY EVENING MEETING DATES TO BE DECEMBER 11TH, MARCH 26TH, JUNE 25TH AND SEPTEMBER 24TH.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING COUNTY HOLIDAYS AS PRESENTED.

ITEM #14

HUMAN RESOURCES DIRECTOR RANDY JENNINGS DISCUSSED WITH THE COURT THE EMPLOYEE BENEFITS COMMITTEE RECOMMENDATIONS FOR THE FY2013 EMPLOYEE BENEFITS PLAN. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FY2013 EMPLOYEE BENEFITS PLAN DETAILED IN ITEMS A – I AS PRESENTED AND RECOMMENDED BY THE EMPLOYEE BENEFITS COMMITTEE.

ITEM #15

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

APPROVING FY2013 SHERIFF AND CONSTABLE FEES AS PRESENTED BY SHERIFF HAROLD EAVENSON.

ITEM #16

COMMISSIONER BAILEY DISCUSSED WITH THE COURT A SITE PLAN FOR THE CONGRESSMAN RALPH M. HALL SCULPTURE PROJECT INCLUDING THE PROPOSED LOCATION AND SUGGESTED AMENITIES. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AND ACCEPTING THE PROPOSED LIFE SIZE BRONZE STATUE OF CONGRESSMAN RALPH HALL AND ALLOWING THE PLACEMENT OF THE STATUE AT THE PROPOSED SITE PRESENTED TO THE COURT ON THE EXHIBIT AND THAT NO ROCKWALL COUNTY FUNDS WILL BE USED FOR THE DEVELOPMENT OF THE PROJECT AND A LIST OF THE DONORS NAMES WILL BE PRESENTED TO THE COURT PRIOR TO CONSTRUCTION OF THE PROJECT. THE MOTION FURTHER STATES THAT THE OBJECTIVE OF THE PROJECT IS TO HONOR CONGRESSMAN RALPH HALL'S LIFETIME OF DEDICATED SERVICE TO THE PEOPLE OF ROCKWALL COUNTY AND PROVIDE A PERMANENT TRIBUTE TO HIS MORE THAN 60 YEARS OF SERVICE TO OUR COMMUNITY INCLUDING OVER 30 YEARS AS A REPRESENTATIVE OF THE 4TH CONGRESSIONAL DISTRICT OF TEXAS.

ITEM #17

ASSISTANT DISTRICT ATTORNEY JON THATCHER REQUESTED THE COURT PULL THIS ITEM REGARDING APPROVAL OF A LETTER TO THE TEXAS COMPTROLLER RELATING TO THE COUNTY'S AUTHORITY TO EXERCISE THE

POWER OF EMINENT DOMAIN TO ALLOW ALLISON, BASS AND ASSOCIATES, L.L.P. TIME TO GET PRE-APPROVAL FROM THE COMPTROLLER'S OFFICE.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR DATABASE SUBSCRIPTION RENEWAL FOR COUNTY LIBRARY PATRONS WITH EBSCO PUBLISHING AT A COST OF \$5,090.00, EFFECTIVE OCTOBER 1, 2012.

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE ONE-YEAR RENEWAL INTERLOCAL AGREEMENTS EFFECTIVE OCTOBER 1, 2012, WITH THE CITIES OF ROCKWALL (\$93,600.00), ROYSE CITY (\$58,800.00), HEATH (\$48,000.00), FATE (\$48,000.00) AND MCLENDON-CHISHOLM (\$48,000.00) FOR FIRE PROTECTION SERVICES TO NON-INCORPORATED AREAS WITHIN THE COUNTY.

ITEM #20

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH INNOVATIVE TRANSPORTATION SOLUTIONS, INC. FOR PROFESSIONAL CONSULTING SERVICES RELATING TO ROADS AND ROAD BONDS FOR ROCKWALL COUNTY EFFECTIVE OCTOBER 1, 2012 AT \$240,000.00.

ITEM #21

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING THE INTERLOCAL AGREEMENT WITH STAR TRANSIT FOR AN ADDITIONAL ONE-YEAR TERM (YEAR 2 OF 3) EFFECTIVE OCTOBER 1, 2012 AT A CONTRIBUTION AMOUNT OF \$10,000.00.

ITEM #22

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 THE CITY OF ROCKWALL FOR THE USE OF THE ROCKWALL POLICE DEPARTMENT RECORDS MANAGEMENT SYSTEM IN THE DISTRICT ATTORNEY'S OFFICE.

ITEM #23

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE TEXAS STATE LIBRARY & ARCHIVES COMMISSION IMPACT GRANT FOR THE ROCKWALL COUNTY LIBRARY IN THE AMOUNT OF \$7,362.00 FOR STATE FY2013.

ITEM #24

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE TEXAS STATE LIBRARY & ARCHIVES COMMISSION TEXAS

READS GRANT FOR THE ROCKWALL COUNTY LIBRARY IN THE AMOUNT OF \$3,000.00 FOR STATE FY2013.

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE PROFESSIONAL SERVICES AGREEMENT WITH JAMES WILLIAMS SIMMONS TO PERFORM FIRE MARSHAL DUTIES FOR THE COUNTY AT A MONTHLY FEE OF \$1,000.00 EFFECTIVE OCTOBER 1, 2012.

ITEM #26

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF SETTING THE DAILY RATE FOR JURY DUTY PAY DURING FY2013 TO BE \$6.00 FOR THE FIRST DAY OF SERVICE AND \$34.00 FOR EACH ADDITIONAL DAY THEREAFTER.

ITEM #27

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR EXTENSION OF THE LEASE AGREEMENT WITH ROY HANCE FOR THE DOWNTOWN PARKING LOT EFFECTIVE OCTOBER 1, 2012, AT AN ANNUAL RENTAL AMOUNT OF \$10,000.00, PAID BY THE COUNTY AT \$5,000.00 AND THE CITY OF ROCKWALL AT \$5,000.00.

ITEM #28

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

APPROVING A MAINTENANCE AGREEMENT WITH THYSSENKRUPP FOR ELEVATOR SERVICE AT THE ADULT PROBATION CENTER, HISTORIC COURTHOUSE, AND THE COUNTY LIBRARY AT A COST OF \$6,000.00 ANNUALLY.

ITEM #29

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A NOTIFICATION LETTER OF NON-RENEWAL OF THE BURGLAR ALARM MONITORING SERVICE AGREEMENT TO KOETTER FIRE PROTECTION L.L.C., EFFECTIVE SEPTEMBER 30, 2012, FOR THE COUNTY LIBRARY.

ITEM #30

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH MASTER SOUND CO., INC., TO PROVIDE BURGLAR ALARM MONITORING FOR THE COUNTY LIBRARY AT AN ANNUAL COST OF \$300.00 EFFECTIVE OCTOBER 1, 2012.

ITEM #31

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING THE FOLLOWING ANNUAL MAINTENANCE AGREEMENTS FOR OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013:

Vendor	Coverage	Annual Cost
A. IPSWITCH Messaging	I-Mail Premium for the Co. E-Mail System	\$ 1,995.00
B. Entech	HVAC at Courthouse	\$ 18,256.00

C. Entech	HVAC for County Library	\$ 10,912.00
D. Aquatech	Water Treatment for County Library	\$ 900.00
E. Aquatech	Water Treatment for Historic Courthouse	\$ 900.00
F. Mentalix	AFIS System for County Jail	\$ 3,665.00
G. Tyler Technologies	Software for the County	\$148,165.79
H. Cima Solutions Group	60 Licenses for the Library	\$ 315.00
I. Tyler Technologies	IBM Ultrium 2 Autoloader for IT	\$ 2,377.19
J. Tyler Technologies	IBM rS/6000 Model 6F1for IT	\$ 3,885.43
K. SHI Direct	Orion Network for County	\$ 5,762.00
L. EnvisionWare	EnvisionWare Maintenance for County Library	\$ 2,833.35
M. AWE	Licenses for Digital Learning for County Library	\$ 700.00
N. 3M	RFID System w/Barcode Scanner for County Library	\$ 12,238.00
O. Tyler Technologies	Software maintenance Renewal for IT	\$ 7,091.25
P. Commercial Electronics Corp	911 Voice Recorder for Sheriff Dept.	\$ 2,525.00
Q. Wheeler Systems	Fire Alarm system for County Jail	\$ 1,775.00
R. Inter-County Comm., Inc.	Annual Radio Maintenance for County Jail	\$ 7,518.00
S. Inter-County Comm., Inc.	Annual Radio Maintenance for County Sheriff and Emergency Management	\$ 11,097.00
T. Technique Data Systems	Microfilm Reader for County Library	\$ 513.00
U. Technique Data Systems	Microfilm Reader for County Clerk	\$ 360.00
V. Votec	VEMACS Software for Elections	\$ 20,324.00
W. Votec	VoteSafe Software for Elections	\$ 2,880.00

X. ESRI	ARC view for Elections	\$ 400.00
Y. ESRI	ARC view for Rural Addressing	\$ 2,500.00
Z. SOE Software	Clarity products for Elections	\$ 7,233.33
AA. Elections Systems & Software Hardware and Software for Elections		\$ 18,738.56
BB. Solarwinds	Network Performance Monitor for County	\$ 495.00
CC. Image Tek	Laserfiche Maintenance for County Auditor	\$ 100.00
DD. Image Tek	Laserfiche Maintenance for Commissioners	
	Court	\$ 100.00
EE. Image Tek	Laserfiche Maintenance for County Clerk	\$ 1,500.00
FF. i-Plow.com	Software for Collections	\$ 5,650.00
GG. CivicPlus	Website for County	\$ 11,460.00
HH. Affiliated Communications Service for phone equipment for County		\$ 14,659.20
II. TFE Connect	SmartNet Renewal for County	\$ 11,340.00
JJ. MX Logic	McAfee Spam Maintenance for County	\$ 7,152.00
KK. HelpSTAR	Annual Assurance Plan for IT	\$ 2,615.00
LL. Cima Solutions Group	Acronis Backup and Recovery Server for IT	\$ 2,481.76
MM. NetDATA	Financial Hardware and Software for	
	County Auditor and Treasurer	\$ 29,000.00

Total: \$382,412.86

ITEM #32

THE COURT DISCUSSED AT LENGTH A LIST OF ITEMS RELATED TO UNFUNDED MANDATES TO BE INCLUDED IN AN INFORMATIONAL LETTER TO BE PROVIDED TO ROCKWALL COUNTY LEGISLATIVE REPRESENTATIVES. THE MOTION WAS

MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF SENDING A LETTER STATING CONCERNS PERTAINING TO UNFUNDED MANDATES ON ROCKWALL COUNTY TO SENATOR DEUELL, REPRESENTATIVE LAUBENBERG, AND REPRESENTATIVE-ELECT TURNER.

ITEM #33

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

- a) Minutes of previous meeting(s);
- b) Environmental Health Coordinator, monthly activity report(s);
- c) J.P. Pct. 2, monthly judicial activity report(s);
- d) Auditor, Approve payment to CH2M HILL, Inc. for engineering services provided during July 2012 at SH 276 from SH 205 to FM 549 in the amount of \$14,833.22;
- e) Auditor, Approve payment to Half Associates, Inc. for engineering services provided thru 7/29/12 at SH 66 from SH 205 to FM 1777 in the amount of \$7,938.97;
- f) Auditor, Acknowledge for the record District Court Order setting the compensation for the Official Court Reporter of the 439th District Court for Fiscal Year 2013;
- g) Auditor, Acknowledge for the record District Court Orders setting the County Auditor's office budget and compensation for the County Auditor, Assistant Auditors, and Official Court Reporter of the 382nd District Court for Fiscal Year 2013;

ITEM #34

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

- A. Justice of the Peace #1 to purchase from Justice Court Technology Fund Capital Outlay: iPad including accessories @ an estimated cost of \$800.00.
- B. Justice of the Peace #2 to purchase from Justice Court Technology Fund Capital Outlay: (3) monitors & (3) sound/video cards @ an estimated cost of \$600.00

ITEM #35

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS.

2012-32 – Transfer \$315 of funds within the Commissioner Precinct #1 budget **TO** Travel & Training **FROM** Office Supplies @ \$265 & Dues & Subscriptions @ \$50 resulting from travel expenses exceeding budgeted amount.

2012-33 – Transfer \$165 of funds within the Commissioner Precinct #4 budget **TO** Travel & Training **FROM** Office Supplies resulting from travel expenses exceeding budgeted amount.

COMMISSIONER GRINNAN VOTED AGAINST.

ITEM #36

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 \$71,525.74. 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 \$396,119.82. 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 \$527,698.48 FOR THE PAY PERIOD ENDING SEPTEMBER 1, 2012.

ITEM #37 – ANNOUNCEMENTS

JUDGE HOGAN, ONCE AGAIN, REMINDED THE COURT THAT IT WAS THE ANNIVERSARY OF THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001 AND

ASKED THAT WE ALL REMEMBER AND HONOR THE MEN, WOMEN AND CHILDREN THAT WERE LOST.

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 12:11 P.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK