

**COMMISSIONERS COURT
NOVEMBER 9, 2012**

**STATE OF TEXAS
COUNTY OF ROCKWALL**

**BE IT REMEMBERED THERE WAS HELD A SPECIAL 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-ABSENT
LORIE GRINNAN	COMMISSIONER PCT #2
DENNIS BAILEY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4
SHELLI MILLER	COUNTY CLERK

JUDGE HOGAN CALLED THE SPECIAL MEETING TO ORDER AT 1:00 P.M. AND ASKED IF THERE WAS ANYONE PRESENT THAT WISHED TO SPEAK. VIETNAM VETERAN AND PAST COMMANDER OF ROCKWALL COUNTY AMERICAN LEGION LEE GILBERT SPOKE, THANKING THE COURT FOR THEIR WORK OVER THE LAST SEVEN YEARS ON GETTING A VETERANS MEMORIAL PLACED IN ROCKWALL COUNTY. HE STATED THAT HE HAD PERSONALLY TOURED OVER EIGHT HUNDRED SEVENTH GRADERS THROUGH THE MEMORIAL EDUCATING THEM AND GIVING THEM THE EXPERIENCE OF WHAT IT MEANT TO BE A VETERAN, AND SAID THE FLAG POLES WERE A PART OF THAT EXPERIENCE. MR. GILBERT FURTHER STATED THAT IT WAS AN UNFORTUNATE TURN OF EVENTS THAT BROUGHT THE COURT TOGETHER TODAY BUT HE REQUESTED THAT THE COURT DO THE RIGHT THING IN RESTORING THE FLAG POLES. MEMBER OF THE DISABLED AMERICAN VETERANS #137, OFFICER OF THE

LOCAL AMERICAN LEGION POST AND COMMANDER OF THE TRI-COUNTY VETERANS HONOR GUARD, GENE ALLEN REQUESTED THAT THE COURT RESTORE THE FLAG POLE TO THE ORIGINAL APPROVED DESIGN. MR. TOM GALLI SPOKE TO THE COURT ABOUT HOW A CRIME WAS COMMITTED WITH THE CUTTING OF THE FLAG POLE AND IF THE COURT CHOSE TO LEAVE THE FLAG POLES IN THEIR, CURRENT CONFIGURATION, THEY WOULD BE RATIFYING A CRIME AND WOULD BRING SHAME TO THE COMMISSIONERS COURT BODY AND THEMSELVES. BROOKS NOLAN, ROCKWALL COUNTY RESIDENT, ARMY VETERAN AND PROUD NATIVE TEXAN STRONGLY ENCOURAGED THE COURT TO RESTORE THE MEMORIAL, TO REPLACE THE DAMAGED FLAG POLE WITH AN EXACT REPLICA OF THE ORIGINAL AND FOR IT TO BE FUNDED BY THE COMMISSIONER AS HE UNDERSTANDS THE PRESCRIBED SPECIAL PROSECUTOR DECISION ALLOWS. HE ENCOURAGED THE COURT TO REMEMBER THAT THE PAYMENT OF THIS REPLACEMENT IS NO FAVOR TO THE COMMISSIONER BY THIS COUNTY BUT PART OF A PUNISHMENT AGREEMENT TO AVOID CRIMINAL PROSECUTION. MR. NOLAN WENT ON TO REVIEW THE DECISION MAKING PROCESS THAT BROUGHT THE VETERANS MEMORIAL TO ROCKWALL AND THE FLAG POLE PLACEMENTS WITHIN THE DESIGN OF THE MEMORIAL AND URGED THE COURT TO USE THE APPROVED DESIGN AND MATERIALS IN THE REPAIR AND TO NOT LET THIS COURT'S LEGACY BE THAT OF CONDONING UNAUTHORIZED MODIFICATION OF COUNTY PROPERTY. JUDGE HOGAN ASKED IF THERE WAS ANYONE ELSE PRESENT WHO WISHED TO SPEAK. HE THEN READ A LETTER FROM SPECIAL

PROSECUTOR DAVID B. LOBINGTER DETAILING THE AGREEMENT MADE BETWEEN HIMSELF AND COMMISSIONER JERRY WIMPEE IN REGARDS TO COMMISSIONER WIMPEE'S INVOLVEMENT IN THE ALTERATION OF THE AMERICAN FLAG POLE AT THE ROCKWALL COUNTY COURTHOUSE/VETERAN'S MEMORIAL PROPERTY.

ITEM #1

THE MOTION WAS MADE BY JUDGE HOGAN THAT THE COMMISSIONER'S COURT AUTHORIZE THE REPLACEMENT OF THE FLAG POLE FROM WHICH THE AMERICAN FLAG IS FLOWN IN THE VETERANS MEMORIAL TO ITS ORIGINAL DESIGN HEIGHT OF FORTY FEET AND THAT THE COST OF THIS REPLACEMENT BE PAID FOR BY THE CHECK OF \$3,315.00 WHICH COMMISSIONER WIMPEE HAS ALREADY PROVIDED TO THE SPECIAL PROSECUTOR. THE MOTION WAS SECONDED BY COMMISSIONER GRINNAN WHO THEN READ A WRITTEN STATEMENT TO THE COURT REGARDING THE FLAG POLE RESTORATION. COMMISSIONER BAILEY COMMENTED ON THE SERIOUSNESS OF THE SITUATION AND STATED THAT IT WAS HIS PRAYER THAT HE HIMSELF AND FELLOW CHRISTIANS WILL TAKE THE SAME PASSION THAT WAS SHOWN IN THE RESOLUTION OF THIS TO REACH OUT TO THE UNSAVED IN OUR COMMUNITY. THE COURT VOTED 4-0 IN FAVOR OF APPROVING THE MOTION. SEE ATTACHED_____.

SHELLI MILLER
ROCKWALL COUNTY CLERK