

**COMMISSIONERS COURT
DECEMBER 20, 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-ABSENT
LORIE GRINNAN	COMMISSIONER PCT #2
DENNIS BAILEY	COMMISSIONER PCT #3-ABSENT
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 MAGNESS.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND

TO THE TEXAS FLAG WERE LED BY COMMISSIONER GRINNAN.

COUNTY TREASURER, ARMY VETERAN AND CONCERNED ROCKWALL COUNTY
RESIDENT DAVID PEEK ADDRESSED THE COURT AND STATED HIS CONCERNS
RELATING TO THE CURRENT CONFIGURATION OF THE FLAGPOLES LOCATED
AT THE COUNTY COURTHOUSE NEAR THE VETERANS MEMORIAL. MR. PEEK
ADVISED THE COURT THAT THE LAW WAS CLEAR AND THAT THE CURRENT
FLAGPOLE CONFIGURATION WAS IN VIOLATION OF ALL APPLICABLE LAWS.
MR. PEEK SAID THAT THE VIRTUOUS ARGUMENTS HE MADE SHOULD BE
SUFFICIENT TO COMPEL THE COURT TO READDRESS THIS ISSUE. JUST AS HE
HAD RESPECTED THE LEGAL PROCESS TO DATE; MR. PEEK DEMANDED
RESPECT FROM THE COURT TO SEEK A REMEDY TO WHAT WAS AN OBVIOUS

VIOLATION OF THE LAW. MR PEEK WENT ON TO POINT OUT FIVE PHOTOS ACCESSIBLE FROM THE COUNTY'S WEBSITE HOMEPAGE WHICH SHOWED WHAT THE ORIGINAL DESIGN OF THE FLAGPOLES NEAR THE VETERANS MEMORIAL WAS AND SAID THAT IT WAS HIS HOPE THAT NOBODY FROM THE COURT WOULD DIRECT THE IT DEPARTMENT TO REMOVE THE LINK FROM THE WEBSITE.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF ALLOWING A ONE-WEEK OVERLAP IN WORK HOURS (21 HOURS) IN JANUARY FOR RETIRING PART-TIME LIBRARY ASSISTANT GLORIA BISHOP AND THE NEW PART-TIME LIBRARY ASSISTANT REPLACING HER AS COORDINATOR OF THE LITERACY PROGRAM TO ENABLE A SMOOTH TRANSITION.

ITEM #2

COUNTY HEALTH COORDINATOR RON MERRITT EXPLAINED TO THE COURT A STATE MANDATED STORM WATER PERMIT THAT NEEDED TO BE RENEWED AND REQUESTED ASSISTANCE FROM THE COUNTY AUDITOR TO OBTAIN QUOTES FOR THE PERMIT TO BE REWRITTEN. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE HOGAN WITH THE COURT VOTING 3-0 IN FAVOR OF ACCEPTING THAT THIS WOULD BE A PROFESSIONAL SERVICE AND ALLOW THE COUNTY AUDITOR AND COUNTY HEALTH COORDINATOR TO PURSUE OBTAINING QUOTES FOR THE REWRITING OF A MUNICIPAL STORM WATER (MSA) PERMIT FOR ROCKWALL COUNTY.

ITEM #3

ASSISTANT DISTRICT ATTORNEY JON THATCHER DISCUSSED WITH THE COURT VARIOUS CHANGES ALREADY APPROVED BY THE CITY OF MCLENDON-CHISHOLM MADE TO THE INTERLOCAL AGREEMENT FOR SUBDIVISION REGULATIONS WITH MCLENDON-CHISHOLM THAT BETTER DEFINE REGULATIONS WITHIN THE AGREEMENT. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH THE CITY OF MCLENDON-CHISHOLM FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MCLENDON-CHISHOLM, EFFECTIVE JANUARY 1, 2013.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH THE CITY OF ROWLETT FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF ROWLETT, EFFECTIVE JANUARY 1, 2013.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH THE CITY OF ROCKWALL FOR SUBDIVISION REGULATION WITHIN THE

EXTRATERRITORIAL JURISDICTION OF THE CITY OF ROCKWALL, EFFECTIVE JANUARY 1, 2013.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH THE CITY OF FATE FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FATE, EFFECTIVE JANUARY 1, 2013.

ITEM #7

CHIEF GOELDEN REQUESTED THAT THE COURT TO APPROVE FUNDING FOR A SHELTER AREA TO KEEP ESTRAY ANIMALS UNTIL THE OWNER CAN BE LOCATED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING AN ESTIMATE FROM CIRCLE C SALES FOR IMPROVEMENTS TO THE EXISTING LIVESTOCK IMPOUND FACILITY AT THE LAW ENFORCEMENT CORRAL AND APPROVING AN AMOUNT NOT TO EXCEED \$1,600.00 WITH THE FUNDS TO BE PAID FROM CONTINGENCY.

ITEM #8

COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT ESTIMATES RECEIVED FOR IMPROVEMENTS TO BE MADE TO THE PARKING LOT, AWNINGS, LIGHTING, SIGNAGE AND A FLAGPOLE AT THE COUNTY SERVICES BUILDING. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE

HOGAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING UPDATES TO THE EXTERIOR OF THE COUNTY SERVICE BUILDING FOR AN AMOUNT NOT TO EXCEED \$40,000.00 TO BE PAID FROM THE COUNTY SERVICES BUILDING BOND FUND AND TO AUTHORIZE COMMISSIONER MAGNESS AS THE COURT'S REPRESENTATIVE TO MAKE THE IMPROVEMENTS AS PRESENTED TO INCLUDE THE SIGN, AWNINGS, LIGHTING, PARKING LOT, FLAGPOLE AND ANY ADDITIONAL NEED THAT STAYS WITHIN THE \$40,000.00 APPROVED AMOUNT.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A RENEWAL AGREEMENT WITH FIRSTCALL NETWORK, INC. TO PROVIDE EMERGENCY NOTIFICATION SERVICES IN ROCKWALL COUNTY EFFECTIVE SEPTEMBER 1, 2012 THRU AUGUST 31, 2013, AT A COST OF \$3,500.00 TO BE FUNDED BY THE CITIES READINESS GRANT.

ITEM #10

COUNTY CLERK SHELLI MILLER REQUESTED THE COURT PULL MINUTES OF THE NOVEMBER 6TH COMMISSIONERS COURT TO ALLOW TIME TO REVIEW A LAST MINUTE QUESTION CONCERNING AN ITEM. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS EXCEPT FOR THE NOVEMBER 6TH MINUTES TO BE PULLED FOR REVIEW FROM ITEM #10A:

- a) Minutes of previous meeting(s);
- b) J.P. Pct. 2, monthly judicial activity report(s);

- c) Librarian, activity monthly report(s);
- d) Treasurer, monthly report(s);
- e) Auditor, Approve payment to CH2M HILL, Inc. for engineering services provided thru October 26, 2012 at SH 276 from SH 205 to FM 549 in the amount of \$34,958.73;
- f) Auditor, Acknowledge and approve the Disease & Risk Management Agreement with Prime Dx to administer the County Wellness Plan;

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS:

- A. Emergency Management to purchase from CRI Grant Fund: (6) point of distribution kits @ an actual cost of \$5,667.07.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER(S):

- 2012-57** – Transfer \$865 of funds within the General Fund Government budget **TO** Maintenance & Operations/Maintenance Agreements **FROM** Contingency resulting from unanticipated expenditures exceeding budgeted funds.
- 2013-06** – Transfer \$1,648 of funds within the Commissioners Court General Government budget **TO** Capital Outlay > \$200 <\$5,000 **FROM** Office Supplies resulting from the purchase of a projector approved in Commissioners Court on October 9, 2012.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$2,418.43. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN

THE AMOUNT OF \$264,455.39. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING PAYROLL FOR THE PAY PERIOD ENDING DECEMBER 8, 2012 IN THE AMOUNT OF \$523,248.83. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING LONGEVITY PAYROLL FOR THE FISCAL YEAR 2013 IN THE AMOUNT OF \$237,840.00.

ITEM #14

ANNOUNCEMENTS:

JUDGE HOGAN MADE THE FOLLOWING ANNOUNCEMENTS:

- BEING THE LAST COMMISSIONERS COURT OF THE YEAR HE THANKED ALL OF COUNTY EMPLOYEES FOR THEIR EFFORT, WORK AND SUPPORT DURING 2012.
- THE COUNTY HAS A GOOD SOLID FISCAL BASE GOING FORWARD AND HE PREDICTED THAT 2013 SHOULD BE JUST AS SUCCESSFUL AS 2012.
- COMMISSIONER BAILEY WAS ABSENT FROM COURT RECOVERING FROM SURGERY AND EXPECTED TO BE BACK TO WORK IN JANUARY.
- THANKED OUTGOING COMMISSIONER WIMPEE FOR OVER 20 YEARS OF SERVICE TO THE COUNTY AND STATED THAT THE COMMISSIONER HAD PROVIDED A STRATEGIC OUTLOOK ON THE COUNTY, HELPED GET THE COUNTY TO THE GOOD FISCAL POSITION IT WAS IN TODAY AND HAD MADE WISE DECISIONS THAT HAD HELPED GET THE COUNTY WHERE IT WAS TODAY. JUDGE HOGAN WENT ON TO SAY THAT PERSONALLY HE

WOULD MISS COMMISSIONER WIMPEE'S GUIDANCE ON THE COURT AND WISHED HIM WELL.

COMMISSIONER MAGNESS SPOKE REGARDING COMMISSIONER WIMPEE'S RETIREMENT AND GAVE EXAMPLES OF HOW THE COUNTY'S QUALITY OF LIFE AND FISCAL POSITION HAD CHANGED, PROGRESSED AND IMPROVED OVER THE PAST 20 YEARS OF HIS SERVICE. COMMISSIONER MAGNESS STATED IT WAS SAFE TO SAY THAT COMMISSIONER WIMPEE HAD DONE A GREAT JOB AND QUOTED AN ANSWER GIVEN BY THE COMMISSIONER WHEN ASKED WHAT ADVICE HE WOULD HAVE FOR INCOMING ELECTED OFFICIALS, "BE INFORMED INSTEAD OF JUST OPINIONATED. IN MATTERS OF PRINCIPLE, STAND LIKE A ROCK, IN MATTERS OF TASTE, SWIM WITH THE CURRENT".

COMMISSIONER GRINNAN ACKNOWLEDGED THAT COMMISSIONER WIMPEE HAD SERVED THE COUNTY WELL AND HIS SERVICE WAS MUCH APPRECIATED. COMMISSIONER GRINNAN ALSO ANNOUNCED THAT THE LANES OF FM740 HAD BEEN OPENED AND THERE WILL BE AN OFFICIAL RIBBON CUTTING CEREMONY ON JANUARY 18TH, 2013.

ITEM #15

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 10:48 A.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK