

**COMMISSIONERS COURT
MARCH 26, 2013**

**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
CLIFF SEVIER	COMMISSIONER PCT #1
LORIE GRINNAN	COMMISSIONER PCT #2
DENNIS BAILEY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4-ARRIVED AT 7:40 P.M.
SHELLI MILLER	COUNTY CLERK

THE MEETING WAS CALLED TO ORDER BY JUDGE HOGAN AT 7:00 P.M.

THE INVOCATION WAS GIVEN BY COMMISSIONER SEVIER.

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

RECOGNITION/PRESENTATION(S):

ROCKWALL COUNTY SHERIFF HAROLD EAVENSON RECOGNIZED KEVEN
ROWAN FOR RECEIVING THE MEDAL OF VALOR FROM THE NATIONAL
SHERIFFS' ASSOCIATION AT THE NSA 2013 MID-WINTER CONFERENCE FOR
SAVING TWO YOUNG WOMEN FROM THEIR CAR THAT HAD BEEN DRIVEN INTO
LAKE RAY HUBBARD ON THE EVENING OF JANUARY 28, 2012.

JUDGE HOGAN RECOGNIZED THE FOLLOWING COUNTY EMPLOYEES FOR
HAVING BEEN AWARDED THE CERTIFICATE OF ACHIEVEMENT AWARD DURING
2012: DIANA COLWILL FROM THE JUSTICE OF THE PEACE, PCT 2 OFFICE,
BETTY EVANS FROM THE TAX ASSESSOR-COLLECTOR'S OFFICE, PEGGY

JONES FROM THE COUNTY CLERK'S OFFICE, DEBBIE LEWIS FROM JUVENILE PROBATION, VERONICA MARTINEZ FROM THE JUSTICE OF THE PEACE, PCT. 2 OFFICE, ALLANA MITCHELL FROM THE AUDITOR'S OFFICE, SHERRI MORENO FROM THE AUDITOR'S OFFICE, FELICIA MORRIS FROM COMMISSIONERS COURT, RHONDA SMITH FROM THE AUDITOR'S OFFICE AND DONNA SPANN FROM THE COUNTY CLERK'S OFFICE. JUDGE HOGAN RECOGNIZED THE FOLLOWING EMPLOYEES FOR HAVING BEEN AWARDED EMPLOYEE OF THE QUARTER: KEVEN ROWAN FROM THE SHERIFF'S OFFICE, MELANIE JENSON FROM THE EMERGENCY MANAGEMENT OFFICE, MANDY LANDERS FROM THE AUDITOR'S OFFICE AND DIANA COLWILL FROM JUSTICE OF THE PEACE, PCT. 2 OFFICE. JUDGE HOGAN RECOGNIZED KEVEN ROWAN FOR BEING AWARDED 2012 EMPLOYEE OF THE YEAR.

JUDGE HOGAN PRESENTED THE COURT WITH A GIFT OF A FRAMED CANVASS PHOTOGRAPH TAKEN BY PHOTOGRAPHER JACK PALMER.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 4-0 IN FAVOR OF ACCEPTING A CANVASS PHOTOGRAPH OF THE NEW COURTHOUSE AS A GIFT FROM JUDGE HOGAN TO BE PLACED IN THE HISTORIC COURTHOUSE.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 4-0 IN FAVOR OF PARTICIPATING IN THE ANNUAL HOUSEHOLD HAZARDOUS WASTE EVENT FOR

ROCKWALL COUNTY SCHEDULED FOR APRIL 20, 2013 AT AN EXPENSE NOT TO EXCEED \$5,000.00.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A LETTER OF AGREEMENT WITH ASPASIANS TO HOLD THEIR ANNUAL ART AND CRAFT FAIR ON COUNTY PROPERTY APRIL 27, 2013, AND ON SEPTEMBER 28, 2013.

ITEM #4

TATUM REPRESENTATIVE JERRY BYRD PRESENTED THE COURT WITH A QUARTERLY UPDATE ON THE STATUS OF THE AMCAD JUDICIAL SOFTWARE IMPLEMENTATION. MR. BYRD INCLUDED AN OVERVIEW OF THE PROJECT TIMELINE AND STATED THAT ALL ASPECTS WERE AHEAD OF SCHEDULE. JUDGE HOGAN AND MR. BYRD BOTH STATED THAT THE PROJECT TEAMS WERE ALL WORKING EXTREMELY WELL TOGETHER. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN.

ITEM #5

COUNTY VETERAN'S SERVICES OFFICER RETIRED LIEUTENANT COLONEL LES COOKS GAVE THE COURT A COMPREHENSIVE UPDATE ON THE PROGRESS OF THE VETERAN'S SERVICES PROGRAM STATING THE CORE MISSION WAS TO PROVIDE PROFESSIONAL ASSISTANCE TO ROCKWALL COUNTY VETERANS AND THEIR DEPENDANTS ON A WIDE RANGE OF VA BENEFITS AND STATE BENEFITS THAT THEY MIGHT BE ENTITLED. MR. COOKS GAVE PRODUCTION

STATISTICS SAYING THAT SINCE THE ESTABLISHMENT OF THE PROGRAM IN ROCKWALL COUNTY ON DECEMBER 7, 2011 \$680,000.00 IN EXTRA BENEFITS HAD BEEN AWARDED TO VETERANS, SPOUSES AND DEPENDENTS. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN.

*COMMISSIONER MAGNESS JOINED THE MEETING AT 7:40 P.M.

ITEM #6

THE MOTION WAS MADE BY JUDGE HOGAN TO APPROVE A PHOTOGRAPHIC EXHIBIT BY JACK PALMER DURING THE MONTH OF JUNE IN THE ROTUNDA AREA OF THE COURTHOUSE. THE MOTION WAS SECONDED BY COMMISSIONER GRINNAN FOR DISCUSSION. THE COURT DISCUSSED SETTING A POLICY FOR THE USE OF THE ROTUNDA FOR EXHIBITS. THE COURT VOTED 5-0 IN FAVOR OF SAID MOTION.

ITEM #7

THE COURT DISCUSSED STAFFING IN THE FOUR JUSTICE OF THE PEACE OFFICES IN AN EFFORT TO BALANCE THE WORKLOAD. JUDGE LIANA WHITTEN EXPLAINED THAT SHE AND JUDGE JAMES HAD AN UNDERSTANDING TO ALLOW THE SHARING OF STAFF AS NEEDED UNTIL IT MADE SENSE TO MAKE A PERMANENT MOVE. THE COURT DISCUSSED THE ADVANTAGES AND DISADVANTAGES OF SHARING EMPLOYEES BETWEEN DEPARTMENTS. JUDGE BEATY AND JUDGE RUSSO EXPLAINED HOW THE CASELOADS WERE VERY DIFFERENT BETWEEN THEIR OFFICES. THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 TO ALLOW PRECINCT 2 TO KEEP THREE EMPLOYEES, PRECINCT 3 TO KEEP

ONE EMPLOYEE AND PRECINCT 1 WILL TRANSFER ONE EMPLOYEE TO PRECINCT 4 EFFECTIVE ON OR BEFORE MAY 1, 2013. COMMISSIONER SEVIER VOTED AGAINST.

ITEM #8

THE COURT DISCUSSED EQUIPMENT AND MARKINGS FOR THE CONSTABLE'S VEHICLES. THE CONSTABLES REQUESTED THE COURT CONSIDER ADDITIONAL LIGHTS ON THE CARS AND LAPEL CAMERAS TO BE WORN ON UNIFORMS. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING SHERIFF EAVENSON ATTENDING THE AUDIT AND MANAGEMENT SUB-COMMITTEE MEETING IN WASHINGTON, D.C. APRIL 10-12, 2013 TO BE PAID FOR BY THE NATIONAL SHERIFFS' ASSOCIATION.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF ALLOWING "AMERICA UNEARTHED" TO FILM OUTSIDE THE HISTORIC COURTHOUSE WHERE THE ROCK WALL IS DISPLAYED ON SUNDAY APRIL 7, 2013 FROM 2 P.M. - 6 P.M.

ITEM #11

ASSISTANT DISTRICT ATTORNEY JON THATCHER STATED THAT HE HAD DRAFTED A COUNTY CROSSING AGREEMENT FOR EACH OIL PIPELINE

CROSSING THAT HAD SINCE BEEN AGREED UPON AND EXECUTED BY SEAWAY CRUDE PIPELINE COMPANY LLC. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ROCKWALL COUNTY CROSSING AGREEMENT PROPOSAL FROM SEAWAY CRUDE PIPELINE COMPANY LLC FOR THE CONSTRUCTION OF CRUDE OIL PIPELINES ACROSS COUNTY ROADS INCLUDING W. COUNTY LINE ROAD, PARKER LANE, E. LINDA LANE, JONES ROAD, HOWELL ROAD, KUBAN ROAD, WALLACE ROAD AND WHEELERS ROAD.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY OUTLINING THE USER RESPONSIBILITIES REGARDING THE NATIONAL DATA EXCHANGE (N-DEX) PROGRAM.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING MAINTENANCE DIRECTOR LUIS GUZMAN TO HAVE THE CARPET REPAIRED IN COMMISSIONER GRINNAN'S AND COMMISSIONER SEVIER'S OFFICES AT A COST NOT TO EXCEED \$3,500.00.

ITEM # 14

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) J.P. Pct. 1, monthly judicial activity report(s);
- c) J.P. Pct. 2, monthly judicial activity report(s);
- d) J.P. Pct. 3, monthly judicial activity report(s);
- e) J.P. Pct. 4, monthly judicial activity report(s);
- f) Constable Pct. 3, Acknowledge Peace Officer License from the State of Texas;
- g) Auditor, Approve payment to CH2M HILL, Inc. for engineering services provided thru January 2013 at SH 276 from SH 205 to FM 549 in the amount of \$23,616.37;
- h) Auditor, Approve payment to Halff Associates, Inc. for engineering services provided thru 2/24/13 at SH 66 from SH 205 to FM 1777 in the amount of \$11,590.71;
- i) Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during February 2013 at FM 549 from SH 276 to SH 205 in the amount of \$1,163.49;
- j) Auditor, monthly report(s);

ITEM #15

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

- A. County Sheriff to purchase from County Sheriff General Fund Capital Outlay: VHF base antenna with accessories @ a quoted cost of \$1,975.00.
- B. Emergency Management to purchase from CRI Grant Fund Capital Outlay: multi-function printer/scanner/copier/fax for EOC @ a quoted cost of \$1,738.16.
- C. General Government to transfer to Surplus: furniture remaining from office relocations.
- D. General Government to transfer to Surplus: (6) boxes of miscellaneous obsolete law books.
- E. General Government to transfer to Surplus: (6) pallets of computers (hard-drives removed) and computer related equipment.
- F. Road & Bridge to transfer to Surplus: miscellaneous scrap materials.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY

COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

- 2013-17** – Transfer \$1,100 of funds within the General Fund budget **TO** Justice of the Peace #4/Capital Outlay > \$200 < \$5,000 **FROM** General Government/ Contingency resulting from the purchase of a safe approved in Commissioners Court on February 12, 2013.
- 2013-18** – Transfer \$435 of funds within the General Fund budget **TO** Consolidated Collections/Capital Outlay > \$200 < \$5,000 **FROM** General Government/Contingency resulting from the purchase of a telephone including licensing approved in Commissioners Court on March 12, 2013.
- 2013-19** – Transfer \$500 of funds within the General Fund budget **TO** Commissioners Court/Capital Outlay > \$200 < \$5,000 **FROM** General Government/ Contingency resulting from the purchase of a desk chair approved in Commissioners Court on November 13, 2012.
- 2013-20** – Transfer \$1,100 of funds within the General Fund budget **TO** Justice of the Peace #3/Capital Outlay > \$200 < \$5,000 **FROM** General Government/Contingency resulting from the purchase of a safe approved in Commissioners Court on February 12, 2013.
- 2013-21** – Transfer \$2,350 of funds within the County Jail General Fund budget **TO** Capital Outlay > \$200 < \$5,000 **FROM** Physicals for Detention Officers @ \$775 & Miscellaneous @ \$1,575 resulting from the emergency purchase of a DVR approved in Commissioners Court on February 12, 2013.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$491,544.62. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$684,846.30. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL FOR THE PAY PERIOD ENDING MARCH 16, 2013 IN THE AMOUNT OF \$529,227.52.

ITEM #18

ANNOUNCEMENTS:

JUDGE HOGAN ANNOUNCED THAT FRIDAY, 3/29 WAS A HOLIDAY AND THAT SATURDAY, 3/30 COUNTY AUDITOR LISA CONSTANT WAS GETTING MARRIED AND WISHED HER WELL.

ITEM #19

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 9:00 P.M.

SHELLI MILLER
ROCKWALL COUNTY CLERK