

**COMMISSIONERS COURT  
APRIL 23, 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:**

<b>JERRY HOGAN</b>	<b>COUNTY JUDGE</b>
<b>CLIFF SEVIER</b>	<b>COMMISSIONER PCT #1</b>
<b>LORIE GRINNAN</b>	<b>COMMISSIONER PCT #2</b>
<b>DENNIS BAILEY</b>	<b>COMMISSIONER PCT #3</b>
<b>DAVID MAGNESS</b>	<b>COMMISSIONER PCT #4</b>
<b>SHELLI MILLER</b>	<b>COUNTY CLERK</b>

1. THE MEETING WAS CALLED TO ORDER BY JUDGE HOGAN AT 9:00 A.M.
2. THE INVOCATION WAS GIVEN BY JUDGE HOGAN.
3. THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE TEXAS FLAG WERE LED BY COMMISSIONER SEVIER.

**PRESENTATIONS/RECOGNITIONS**

CRIMINAL DISTRICT ATTORNEY KENDA CULPEPPER RECOGNIZED CHIEF INVESTIGATOR DAVID MILLHORN AS COUNTY EMPLOYEE OF THE QUARTER FOR THE FIRST QUARTER 2013. MS. CULPEPPER WENT ON TO CONGRATULATE AND THANK MR MILLHORN FOR THE HEIGHTENED SAFETY MEASURES HE PUT INTO PLACE AFTER THE RECENT MURDERS IN KAUFMAN COUNTY TO PROTECT THE DISTRICT ATTORNEY AND THE ENTIRE STAFF.

**ITEM #7** PATTILLO, BROWN & HILL, L.L.P. REPRESENTATIVE JOHN MANNING PRESENTED THE COURT WITH THE ANNUAL FINANCIAL AUDIT REPORT FOR THE FISCAL YEAR 2012 AND STATED THAT THE COUNTY HAD BEEN GIVEN THE HIGHEST RATING THAT CAN BE GIVEN. MR. MANNING GAVE FINANCIAL

HIGHLIGHTS AND AN OVERVIEW OF THE FINANCIAL STATEMENTS. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 5-0 IN FAVOR OF RECEIVING AND ACCEPTING ROCKWALL COUNTY'S ANNUAL FINANCIAL AUDIT REPORT FOR FISCAL YEAR 2012 AS PREPARED AND PRESENTED BY PATTILLO, BROWN & HILL L.L.P. CPA.

**ITEM #1** JUDGE HOGAN PRESENTED THE COURT WITH A LIST OF COUNTYWIDE FACILITIES AND OFFICES THAT NEED TO BE LOOKED AT FOR POSSIBLE FUTURE MOVES. THE JUDGE DISCUSSED WITH THE COURT A COMPREHENSIVE OUTLINE OF POTENTIAL CHANGES TO CONSIDER AS A SOLUTION TO RELOCATING OFFICES AND RECORDS TO CREATE THE NEEDED SPACE. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN.

**ITEM #2** THIS ITEM CONCERNING PROPOSALS RECEIVED TO PERFORM ARCHITECT SERVICES AT THE COUNTY SERVICES BUILDING WAS PULLED UNTIL ITEM 1 CAN BE DISCUSSED FURTHER.

**ITEM #3** THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 5-0 IN FAVOR OF AUTHORIZING THE COUNTY AUDITOR TO HIRE A FIRM TO SURVEY THE EXISTING COUNTY PROPERTY CONTAINING THE ROCKWALL COUNTY LAW ENFORCEMENT CENTER AND THE ADJACENT PURCHASED PROPERTY TO BE FUNDED OUT OF PROFESSIONAL SERVICES.

**ITEM #4** COMMISSIONER MAGNESS EXPLAINED A PROPOSED FORMULA TO BE USED TO CALCULATE COMPENSATION FOR THE FIRE DEPARTMENTS WITHIN ROCKWALL COUNTY THAT WOULD BE FAIR AND EQUITABLE. COMMISSIONER MAGNESS ADVISED THAT ALL CITIES HAD AGREED WITH THE FORMULA AND WERE AWAITING ACTION FROM THE COURT. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE HOGAN FOR DISCUSSION.

AFTER FURTHER DISCUSSION THE COURT VOTED 5-0 IN FAVOR OF ADOPTING A PROPOSED FORMULA FOR COMPENSATING FATE, HEATH, MCLENDON-CHISOLM, ROCKWALL AND ROYSE CITY FIRE DEPARTMENTS \$300,000.00 FOR 2014 PER THE FORMULA PRESENTED AND TO SEND A LETTER STATING THE AMOUNT AND THE FORMULA TO EACH CITY.

**ITEM #5** THE COURT DISCUSSED A REQUEST FROM THE NORTH TEXAS COUNCIL OF GOVERNMENTS' AREA AGENCY ON AGING (NCTAAA) TO PROVIDE WHAT THEY CONSIDER TO BE A PROPORTIONATE SHARE OF \$3,860.00 TO HELP SUPPORT THEIR PROGRAMS. COUNTY AUDITOR LISA CONSTANT WYLIE WILL RESEARCH WHAT AMOUNT HAS BEEN BUDGETED AND REPORT BACK TO THE COURT.

**ITEM #6** SHERIFF EAVENSON DISCUSSED WITH THE COURT A REQUEST FROM ROCKWALL INDEPENDENT SCHOOL DISTRICT (RISD) FOR THE COUNTY TO CONSIDER PROVIDING A DEPUTY SHERIFF ON A PERMANENT BASIS TO PROVIDE SECURITY AT ROCKWALL SCHOOLS. THE SHERIFF STATED THAT THE ARRANGEMENT ASKED FOR 75% OF THE DEPUTY'S SALARY TO BE PAID BY RISD AND THE REMAINING 25% AND THE OFFICER'S VEHICLE TO BE PAID BY THE COUNTY. SHERIFF EAVENSON ADVISED THAT THERE MAY BE GRANT MONEY AVAILABLE AND HE WOULD GET MORE INFORMATION AND BRING IT BACK TO THE COURT FOR FURTHER DISCUSSION. ASSISTANT DISTRICT ATTORNEY JON THATCHER WILL LOOK INTO AN ADDITIONAL FEE THAT THE STATE ALLOWS TO BE ASSESSED ON VEHICLE REGISTRATIONS TO BE USED FOR PUBLIC SAFETY ISSUES AND SEE IF THIS WOULD BE A VALID USE OF THOSE FUNDS. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN.

**ITEM #8** THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE REQUEST FOR PROPOSAL FOR FINANCIAL AUDIT SERVICES AS PRESENTED.

**ITEM #9** THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN AGREEMENT WITH TELLMEMORE TO PROVIDE A REMOTE ONLINE LANGUAGE LEARNING SERVICE FOR THE COUNTY LIBRARY IN THE AMOUNT OF \$1,500.00 EFFECTIVE MAY 1, 2013.

**ITEM #10** THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A MAINTENANCE AGREEMENT WITH NETDATA CORPORATION FOR THE RVI SOFTWARE AT A COST OF \$3,542.00, EFFECTIVE MAY 1, 2013.

**ITEM #11** THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER TO APPROVE A PROPOSAL FROM KNIGHT SECURITY SYSTEMS REGARDING THE INSTALLATION OF A SECURITY SYSTEM AT THE JUVENILE SERVICES OFFICE AT A COST OF \$5,738.99. THE COURT VOTED 1-4 AGAINST THE SAID MOTION WITH JUDGE HOGAN, COMMISSIONER MAGNESS, COMMISSIONER BAILEY AND COMMISSIONER SEVIER VOTING AGAINST.

\*JUDGE HOGAN RECESSED THE MEETING TO GO INTO EXECUTIVE SESSION AT 11:10 A.M.

**ITEM #12 – EXECUTIVE SESSION 11:10 A.M. - 11:25 A.M.**

Consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071);

- (1) Pending litigation Haley v. Rockwall County;
- (2) Pending litigation Blank v. Rockwall County;
- (3) Status of County contract for vending services.
- (4) Change of contract terms with TATUM Professional Services.

\*JUDGE HOGAN RECONVENED THE MEETING AT 11:25 A.M.

**ITEM #13 – ACTION OF EXECUTIVE SESSION;**

NO ACTION TAKEN.

**ITEM #14** THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY JUDGE HOGAN 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. 3, monthly judicial activity report(s);
- c) J.P. Pct. 2, monthly judicial activity report(s);
- d) Co. Clerk, monthly fee report(s);
- e) District Clerk, monthly fee report (s);
- f) Librarian, activity monthly report(s);
- g) J.P. Pct. 1, monthly judicial activity report(s);
- h) Auditor, Approve payment to HNTB Corporation for engineering services provided during February 2013 at FM 552 from SH 205 to SH 66 in the amount of \$6,800.00;
- i) Auditor, Amendment to Corrected Court Order dated April 9, 2013, regarding Lisa Constant, County Auditor now also known as Lisa Constant Wylie, is attached for your acknowledgement;
- j) Auditor, monthly report(s);

**ITEM #15** THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS:

- A. District Attorney to purchase from District Attorney General Fund Capital Outlay: indoor mounted Texas State flag set and Freedom US Flag including shipping @ an estimated cost of \$410.00.
- B. County Auditor to purchase from County Auditor General Fund Capital Outlay: HP Compaq 6300 Pro computer system including monitor, software and delivery @ an estimated cost of \$1,200.00.
- C. County Treasurer to purchase from County Treasurer General Fund Capital Outlay: HP LaserJet Enterprise 600 printer including toner and delivery @ a quoted cost of \$1,670.00.
- D. Emergency Management to purchase from CRI Grant: (12) AVON FM53 air purifying respirators @ an estimated cost of \$11,945.00.
- E. Maintenance & Operations to transfer to Surplus: 2003 Chevy Impala.
- F. Maintenance & Operations to transfer to Surplus: 2004 Ford Crown Victoria.
- G. Surplus to transfer to Constable #1: (3) lights from surplus vehicle.

**ITEM #16** THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

1. **2013-27** – Transfer \$5,200 of funds within the General Fund budget **TO** Tax Assessor-Collector/Capital Outlay > \$5,000 **FROM** General Government/ Contingency resulting from the purchase of a cash safe including delivery & installation approved in Commissioners Court on March 12, 2013.
2. **2013-28** – Transfer \$10,000 of funds within the Judicial Software Fund budget **TO** Travel & Training **FROM** Contingency due to site visits needed for County project team.
3. **2013-29** – Transfer \$1,050 of funds within the General Fund budget **TO** County Sheriff/Capital Outlay > \$200 < \$5,000 **FROM** General Government/Contingency resulting from the installation of a covered shelter for the existing livestock impound facility approved in Commissioners Court on December 20, 2012.
4. **2013-30** – Transfer \$17,950 of funds within the General Fund budget **TO** County Jail/Capital Outlay > \$5,000 **FROM** General Government/ Contingency @ \$8,975 & County Jail/Maintenance & Repairs @ \$8,975 resulting from the purchase of 2 Dexter front load washers approved in Commissioners Court on February 12, 2013.

**ITEM #17** 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 \$339,792.80. 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 \$294,895.12. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING PAYROLL FOR THE PAY PERIOD ENDING APRIL 13, 2013 IN THE AMOUNT OF \$526,798.22.

**ITEM #18** JUDGE HOGAN ANNOUNCED THAT THE COUNTY FLAGS WILL FLY AT HALF MAST ON THURSDAY, APRIL 25<sup>TH</sup> TO HONOR THE TRAGEDY IN WEST,

TEXAS. THE JUDGE ALSO ADVISED THE COURT THAT REGULAR COMMISSIONERS COURT MEETINGS MAY BE USED AS A FORUM FOR DISCUSSIONS.

**ITEM #19** THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN ADJOURNED THE MEETING AT 11:34 A.M.

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SHELLI MILLER  
ROCKWALL COUNTY CLERK