

COMMISSIONERS COURT  
FEBRUARY 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 - 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 GRINNAN.

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

**ITEM #1**

ROCKWALL HISTORIAN, SHERI FOWLER SPOKE TO THE COURT AND  
ANSWERED QUESTIONS PERTAINING TO PROPOSED PLANS TO CREATE A  
ROCKWALL COUNTY COURTHOUSE MUSEUM TO BE LOCATED OFF THE  
ROTUNDA OF THE COURTHOUSE. MS. FOWLER EXPLAINED DIFFERENT  
ELEMENTS THAT MIGHT BE DISPLAYED TO CONTAIN BOTH HISTORICAL AND  
NEW ITEMS AND GAVE THE COURT AN ANTICIPATED COST OF \$3,500. THE  
MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY  
COMMISSIONER SEVIER TO APPROVE COMMISSIONER GRINNAN TO WORK  
WITH SHERI FOWLER TO ESTABLISH A BUDGET OF UP TO \$4,000.00 FOR

SPECIFIC ITEMS AND BRING BACK FOR THE COURTS FINAL APPROVAL. COMMISSIONER MAGNESS AMENDED THE MOTION TO INCLUDE THAT THE HISTORICAL COMMISSION WILL BE THE CURATOR OF THE MUSEUM, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 4-0 IN FAVOR OF THE AMENDED MOTION.

\*COMMISSIONER MAGNESS LEFT THE MEETING AT 9:20 A.M.

**ITEM #2**

ROCKWALL COUNTY LIBRARIAN MARCINE MCCULLEY EXPLAINED TO THE COURT A CHILDREN'S PROGRAM CALLED TRANSPORTATION STATION TO BE HELD AT THE LIBRARY AND ASKED THE COURT TO PERMIT THE USE OF A PORTION OF THE COURTHOUSE PARKING LOT FOR VEHICLES TO BE DISPLAYED DURING THE EVENT. THE MOTION WAS MADE BY COMMISSIONER SEVIER, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF ALLOWING THE CHILDREN'S LIBRARY TO USE THE COURTHOUSE PARKING LOT ON SATURDAY APRIL 13, 2013 FOR THE TRANSPORTATION STATION EVENT.

**ITEM #3**

PAINT THE TOWN PURPLE EVENT CHAIR TERRI DAVIS EXPLAINED A PROPOSED EVENT TO THE COURT STATING THAT IT IS A KICK-OFF PEP RALLY FOR THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE EVENT AND ASKED THE COURT TO CONSIDER ALLOWING THE USE OF THE STEPS AND PARKING LOT AREA OF THE HISTORIC COURTHOUSE. THE MOTION WAS MADE BY COMMISSIONER SEVIER, SECONDED BY COMMISSIONER GRINNAN WITH THE

COURT VOTING 3-0 IN FAVOR OF ALLOWING PAINT THE TOWN PURPLE TO USE THE FRONT STEPS, THE SIDEWALK AND THE PARKING AREA IN FRONT OF THE HISTORIC COURTHOUSE FOR A KICK-OFF PEP RALLY FOR THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE, CONTINGENT UPON RECEIVING A SIGNED LETTER OF AGREEMENT BETWEEN ROCKWALL COUNTY AND THE AMERICAN CANCER SOCIETY. SEE ATTACHED\_\_\_\_\_.

**ITEM #4**

THE MOTION WAS MADE BY JUDGE HOGAN THAT THE COURT REQUIRE THE COUNTY CONSTABLE VEHICLES TO BE MARKED WITH ROCKWALL COUNTY CONSTABLE. THE COURT DISCUSSED WHETHER OR NOT THE CONSTABLE'S CARS SHOULD BE MARKED STATING SAFETY CONCERNS AND IF IT SHOULD BE UP TO THE INDIVIDUAL CONSTABLE TO MAKE THAT DECISION FOR THEMSELVES. AFTER MUCH DISCUSSION, THE MOTION DIED FOR LACK OF A SECOND.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., TO PROVIDE ASSISTANCE REGARDING THE COUNTY'S PHASE II SMALL MUNICIPAL SEPARATE STORM WATER SYSTEMS (MS4) PERMIT APPLICATION PROCESS. SEE ATTACHED\_\_\_\_\_.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A SERVICE AGREEMENT WITH GRANICUS, INC., TO PROVIDE SOFTWARE FOR AUTOMATION OF COUNTY CLERK'S COMMISSIONERS COURT MINUTE PREPARATION TO BE PAID FROM THE COUNTY CLERK'S RECORDS MANAGEMENT AND PRESERVATION FUND. SEE ATTACHED\_\_\_\_\_.

\*COMMISSIONER MAGNESS RETURNED TO THE MEETING AT 10:03 A.M.

**ITEM #9**

THE MOTION WAS MADE BY COMMISSIONER SEVIER, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING A PROPOSAL FROM GILBERT CONSTRUCTION IN THE AMOUNT OF \$5,580.00 TO RENOVATE TWO COUNTY COMMISSIONER'S OFFICES AT THE HISTORIC COURTHOUSE. COMMISSIONER GRINNAN ABSTAINED FROM THE VOTE STATING "FOR THE RECORD, I AM ABSTAINING FROM THE VOTE NOT BECAUSE I AM NOT IN FAVOR OF GILBERT CONSTRUCTION, BUT BECAUSE I AM NOT IN FAVOR OF REMOVING THE ORIGINAL WALL IN THE HISTORIC COURTHOUSE". SEE ATTACHED\_\_\_\_\_.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A REVISED SOFTWARE MAINTENANCE AGREEMENT FOR THE

INTEGRATED LIBRARY SYSTEM FOR THE ROCKWALL COUNTY LIBRARY THROUGH OF SEPTEMBER 30, 2013 AT A COST OF \$4,993.31. SEE ATTACHED\_\_\_\_\_.

**ITEMS #5 AND #6**

COMMISSIONER MAGNESS EXPLAINED TO THE COURT A CRUDE OIL PIPELINE TO BE INSTALLED IN ROCKWALL COUNTY ADJACENT TO EXISTING PIPELINE. COMMISSIONER MAGNESS STATED THAT THEY WOULD BE CROSSING THREE ROADS IN PRECINCT 4 AND FOUR ROADS IN PRECINCT 3 AND ADVISED THAT BOTH ROAD AND BRIDGE DIRECTOR PAT NESMITH AND HEALTH COORDINATOR RON MERRITT FOUND NO ISSUES WITH WHAT WAS BEING PROPOSED. ASSISTANT DISTRICT ATTORNEY JON THATCHER WILL CONTACT SEAWAY CRUDE PIPELINE COMPANY LLC IN AN EFFORT TO GET A WRITTEN DOCUMENT SIGNED TO BRING BACK TO THE COURT OR WILL REPORT BACK TO THE COURT OTHERWISE ON MARCH 12<sup>TH</sup>. THIS WAS A DISCUSSION ITEM ONLY. NO ACTION TAKEN.

**CONSENT AGENDA;**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS A-H:

- a) Minutes of previous meeting(s);
- b) Co. Clerk, monthly fee report(s);
- c) Treasurer, monthly report(s);
- d) J.P. Pct. 4, monthly judicial activity report(s);
- e) J.P. Pct. 3, monthly judicial activity report(s);
- f) Auditor, Approve payment to Halff Associates, Inc. for engineering services provided thru 1/27/13 at SH 66 from SH 205 to FM 1777 in the amount of \$11,180.89;

- g) Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during December 2012 at FM 549 from SH 276 to SH 205 in the amount of \$1,523.35;
- h) Auditor, monthly report(s);

SEE ATTACHED\_\_\_\_\_.

**ITEM #11**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-1 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS:

- A. Justice of the Peace Pct. #2 to purchase from Justice Court Technology Fund Capital Outlay: keyboard, case, stylus and car charger for iPad @ an estimated cost of \$125.00.
- B. Justice of the Peace Pct. #4 to purchase from Justice Court Technology Fund Capital Outlay: LaserJet Pro 200 color printer & toner @ a quoted cost of \$654.29.
- C. Justice of the Peace Pct. #4 to purchase from Justice Court Technology Fund Capital Outlay: Plantronics CS50 wireless headset @ an actual cost of \$158.52.
- D. Constable Pct. #3 to purchase from the Constable Pct. #3 General Fund Capital Outlay: MFC 7860DW Compact wireless all-in-one printer @ a quoted cost of \$346.72.
- E. Constable Pct. #4 to purchase from the Constable Pct. #4 General Fund Capital Outlay: (2) Dual Avenger lights including installation @ a quoted cost of \$567.02.
- F. Surplus to transfer to Maintenance & Operations: 2007 Ford Crown Victoria.

JUDGE HOGAN VOTED AGAINST.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 3-1 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

**2013-09** – Transfer \$2,100 of funds within the General Fund budget **TO** Justice Of the Peace Pct. #3/Capital Outlay > \$200 < \$5,000 **FROM** General Government/Contingency resulting from the purchase of office furniture for the new Justice of the Peace #3 office approved in Commissioners Court on January 22, 2013.

**2013-10** – Transfer \$2,200 of funds within the General Fund budget **TO** Justice of the Peace Pct. #4/Capital Outlay > \$200 < \$5,000 **FROM** General Government/Contingency resulting from the purchase of office furniture for the new Justice of the Peace #4 office approved in Commissioners Court on January 22, 2013.

**2013-11** – Transfer \$1,400 of funds **TO** Law Library/Library Attendant **FROM** General Government/ Contingency due to an overpayment error from within the Law Library fund; budget transfer action as authorized by Commissioners Court on February 12, 2013.

**2013-12** – Transfer \$1,050 of funds within the Constable Pct. #1 General Fund budget **TO** Capital Outlay > \$5,000 **FROM** Gas, Oil & Maintenance resulting from the purchase of equipment/installation for new Constable vehicle.

**2013-13** – Transfer \$1,050 of funds within the Constable Pct. #2 General Fund budget **TO** Capital Outlay > \$5,000 **FROM** Gas, Oil & Maintenance resulting from the purchase of equipment/installation for new Constable vehicle.

**2013-14** – Transfer \$1,900 of funds within the Constable Pct. #3 General Fund budget **TO** Capital Outlay > \$5,000 **FROM** Gas, Oil & Maintenance resulting from the purchase of equipment/installation for new Constable vehicle & replacement of trunk tray.

**2013-15** – Transfer \$1,900 of funds within the Constable Pct. #4 General Fund budget **TO** Capital Outlay > \$5,000 **FROM** Gas, Oil & Maintenance resulting from the purchase of equipment/installation for new Constable vehicle & replacement of trunk tray.

JUDGE HOGAN VOTED AGAINST.

### **ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER SEVIER WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$360,381.15. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$244,686.82. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT

VOTING 4-0 IN FAVOR OF APPROVING PAYROLL FOR THE PAY PERIOD ENDING  
FEBRUARY 16, 2013 IN THE AMOUNT OF \$522,830.75.

**ITEM #14**

**NO ANNOUNCEMENTS**

**ITEM #15**

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN  
ADJOURNED THE MEETING AT 10:20 A.M.

---

SHELLI MILLER  
ROCKWALL COUNTY CLERK