

COMMISSIONERS COURT
July 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:

Jerry Hogan County Judge
Cliff Sevier Commissioner Pct 1
Lorie Grinnan Commissioner Pct 2
Dennis Bailey Commissioner Pct 3
David Magness Commissioner Pct 4
Shelli Miller County Clerk

- A. CALL TO ORDER;--Judge Hogan called the meeting to order at 9:00 a.m.
- B. INVOCATION; -- Commissioner Grinnan
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG; -- Commissioner Bailey
- D. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG; -- Commissioner Bailey

AGENDA:

- 1. Discuss-Act on accepting the EASE 2.0 Grant (Effective Absentee Systems for Elections) offered by the Federal Voting Assistance Program, a division of the Department of Defense; approval of agreements with Democracy Live to facilitate the grant, and all related issues; (Denton)

Elections Administrator Glenda Denton introduced Democracy Live representative Ingrid Giordano to the Court and explained that Rockwall was asked to lead a consortium of 50 counties with the application of a grant to fund a pilot program providing a web based, on demand delivery system that allows military and overseas voters faster access to ballots and enables their timely return. Ms. Giordano answered questions from the Court and further explained that Rockwall County currently uses the same system to provide sample ballots. The Court discussed the grant and funding the software. Assistant District Attorney Jon Thatcher stated that the Democracy Live contract had a clause saying the agreement was contingent upon the awarding of the EASE 2.0 Grant. The Court asked Ms. Denton to advise the party chairs and bring back to the Court for further explanation and discussion. This was a discussion item only. No action taken.

- E. RECOGNITION OF GUESTS;
 - a. Rockwall County Employee of the Second Quarter: Kevin Brown-Sheriff's Dept.

Judge Hogan explained the County's process for different opportunities to recognize employees for outstanding service. The Judge then recognized Sgt. Kevin Brown as Employee of the Quarter for working diligently to establish security procedures and processes for the new Courthouse.

2. Discuss/Act on adjusting County per diem rate for meals: Breakfast \$8.00 to \$10.00, Lunch \$12.00 to \$15.00 and Dinner \$15.00 to \$20.00. A total of a \$10.00 a day increase, and all related issues; (Sevier)

Commissioner Sevier led the discussion relating to resetting the per diem rate for meals.

The motion was made by Commissioner Sevier, seconded by Commissioner Magness with the court voting 3-2 in favor of approving an amendment to the Travel Policy for FY2014 to reflect an adjustment to the County per diem rate for meals: Breakfast \$8.00 to \$10.00, Lunch \$12.00 to \$15.00 and Dinner \$15.00 to \$20.00, a total of \$10.00 a day increase. Judge Hogan and Commissioner Grinnan voted against.

3. Discuss/Act on allowing ample time for budget request presentations from Elected Officials/Department Heads to the Court, and all related issues; (Sevier)

Commissioner Sevier discussed with the Court the time allowed for County Elected Officials and Department Heads to present their budget requests.

The motion was made by Commissioner Sevier to allow a minimum of an hour for budget request presentations from Elected Officials/Department Heads to the Court. Commissioner Bailey seconded the motion for discussion.

After further discussion the Court felt the allowed time should be unlimited. Judge Hogan will send another e-mail out to the County Elected Officials and Department Heads clarifying the schedule. Commissioner Sevier rescinded his motion.

4. Discuss/Act on the Texas Regional Public Defender Office Program for Capital Cases, and all related issues; (Hogan)
5. Discuss/Act on parking around the Historic Courthouse, and all related issues; (Magness)

Commissioner Magness led the discussion regarding parking around the square and stated his concerns that the Tax Assessor/Collector's office customers have ample parking. Commissioner Magness suggested designating the north side parking of the Historic Courthouse for County business to ensure parking was available for tax office customers.

The motion was made by Commissioner Sevier, seconded by Commissioner Magness with the court voting 3-2 in favor of approving designating the parking spaces on the north side of the Historic Courthouse for County business only. Judge Hogan and Commissioner Bailey voted against.

6. Discuss/Act on setting the salary for a re-hire to a vacant deputy position in the Sheriff's Office, and all related issues; (Jennings)

The motion was made by Judge Hogan, seconded by Commissioner Sevier with the court voting 5-0 in favor of approving that Randy Kirby be re-hired at level 10 by the Sheriff's Department.

7. Discuss/Act on renewing the Interlocal Agreement with Star Transit for an additional one-year term (year 3 of 3) effective October 1, 2013, at a contribution amount of \$10,000.00, and all related issues; (Auditor)

The motion was made by Commissioner Magness, seconded by Judge Hogan with the court voting 5-0 in favor of approving the renewal of the Interlocal Agreement with Star Transit for an additional one-year term (year 3 of 3) effective October 1, 2013, at a contribution amount of \$10,000.00.

8. Discuss/Act on approving a one-year renewal of the Professional Services Agreement with James Simmons to perform Fire Marshal duties for the County at a monthly fee of \$1,000.00 effective October 1, 2013, and all related issues; (Auditor)

The motion was made by Commissioner Sevier, seconded by Commissioner Grinnan with the court voting 5-0 in favor of approving a one-year renewal of the Professional Services Agreement with James Simmons to perform Fire Marshal duties for the County at a monthly fee of \$1,000.00 effective October 1, 2013.

9. Discuss/Act on approving Amendment Number 06 to the Inter-Governmental Cooperative Reimbursement Agreement with the Texas Commission on Environmental Quality (TCEQ) for the LIRAP Local Initiative Projects, and all related issues;

The motion was made by Commissioner Grinnan, seconded by Commissioner Bailey with the court voting 5-0 in favor of approving Amendment Number 06 to the Inter-Governmental Cooperative Reimbursement Agreement with the Texas Commission on Environmental Quality (TCEQ) for the LIRAP Local Initiative Projects.

10. Discuss/Act on approving Amendment Number 01 to the Intergovernmental Cooperative Reimbursement agreement with the Texas Commission on Environmental Quality (TCEQ) for the administration of the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP), and all related issues; (Auditor)

The motion was made by Commissioner Magness, seconded by Commissioner Grinnan with the court voting 5-0 in favor of approving Amendment Number 01 to the Intergovernmental Cooperative Reimbursement agreement with the Texas Commission on Environmental Quality (TCEQ) for the administration of the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP).

11. Discuss/Act on approving quotes from Tropical John's Garden Therapy regarding necessary work at the Historic Courthouse for drainage repair at \$2,250.00 and the continuation of an annual organic feeding program at \$550.00, and all related issues; (Auditor)

The motion was made by Commissioner Grinnan, seconded by Commissioner Bailey with the court voting 5-0 in favor of approving quotes from Tropical John's Garden Therapy regarding

necessary work at the Historic Courthouse for drainage repair at \$2,250.00 and the continuation of an annual organic feeding program at \$550.00.

12. Discuss/Act on renewing the Interlocal Agreement with the City of Royse City regarding septic system inspections for an additional one-year term, effective August 18, 2013, and all related issues; (Auditor)

The motion was made by Commissioner Magness, seconded by Commissioner Bailey with the court voting 5-0 in favor of approving the renewal of the Interlocal Agreement with the City of Royse City regarding septic system inspections for an additional one-year term, effective August 18, 2013.

13. Discuss/Act on approving a two-year renewal contract effective September 1, 2013, with the Texas Department of Public Safety (DPS) allowing the County to purchase materials and supplies to use in the Breath Testing and Laboratory Alcohol and Drug Testing Program, and all related issues; (Auditor)

The motion was made by Commissioner Magness, seconded by Commissioner Grinnan with the court voting 5-0 in favor of approving the two-year renewal contract effective September 1, 2013, with the Texas Department of Public Safety (DPS) allowing the County to purchase materials and supplies to use in the Breath Testing and Laboratory Alcohol and Drug Testing Program.

14. Discuss/Act on adopting a \$15,004,013.01 budget of proposed expenditures for the improvement of roads in Rockwall County pursuant to Section §111.0105 of the Texas Local Government Code, and all related issues; (Auditor)

County Auditor Lisa Constant Wylie gave the Court an explanation of the road improvement proposed expenditures budget.

The motion was made by Commissioner Grinnan, seconded by Commissioner Magness with the court voting 5-0 in favor of approving the adoption of a \$15,004,013.01 budget of proposed expenditures for the improvement of roads in Rockwall County pursuant to Section §111.0105 of the Texas Local Government Code.

15. EXECUTIVE SESSION: Executive Session, under Texas Government Code Chapter 551, the County Commissioners may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- a. Discussion regarding the evaluation of appointed officials and department heads including: Human Resources Director, Library Director, Indigent Health Care Director, Information Technology Director, Maintenance Director, Environmental Health Coordinator, Road and Bridge Administrator, and all related issues (Tex. Gov't Code §551.074);

Judge Hogan postponed the Executive Session until all members of the Court could be present.

16. ACTION OF EXECUTIVE SESSION; Executive Session was postponed.

Commissioner Bailey left the meeting.

17. CONSENT AGENDA;

- a) Minutes of previous meeting(s);
- b) Constable Pct. 3, Acknowledge State of Texas Peace Officer License;
- c) Librarian, activity monthly report(s);
- d) District Clerk, monthly fee report(s);
- e) J.P. Pct. 1, monthly judicial activity report(s);
- f) J.P. Pct.2, monthly judicial activity report(s);
- g) J.P. Pct. 3, monthly judicial activity report(s);
- h) Indigent Health, monthly expenditure/case report(s);
- i) J.P. Pct. 4, monthly judicial activity report(s);
- j) Auditor, Acknowledge Chief Goelden attending the ROCIC 22nd Annual Homicide Training Conference October 27th - 30th, 2013, in Shreveport, LA with all expenses paid out of the LEOSE account;
- k) Auditor, Approve payment to CH2M HILL, Inc. for engineering services provided thru May 2013 at SH 276 from SH 205 to FM 549 in the amount of \$20,299.38;
- l) Auditor, Approve payment to Texas Department of Transportation for additional construction funding for the FM 551 interchange project in the amount of \$5,000,000.00;
- m) Auditor, monthly report(s);

The motion was made by Commissioner Magness, seconded by Commissioner Sevier with the court voting 4-0 in favor of approving Consent Agenda Items A-M.

Commissioner Bailey rejoined the meeting.

18. PROPERTY ACQUISITIONS/DISPOSITIONS; Discuss/Act on approving the following property acquisitions and dispositions of fixed assets;

- A. District Clerk to purchase from District Clerk General Fund Capital Outlay: passport printer including shipping @ an estimated cost of \$719.00. EMERGENCY PURCHASE
- B. Commissioner Pct. 4 to purchase from Commissioner Pct. 4 General Fund Capital Outlay: computer system CPU and software including shipping @ a quoted cost of \$1,024.66.

- C. Justice of the Peace #1 to purchase from Justice Court Technology Fund Capital Outlay: time/date stamp machine @ a quoted cost of \$779.00.
- D. Justice of the Peace Pct. 4 to purchase from Justice Court Technology Fund Capital Outlay: computer system CPU, monitor, software and printer @ an estimated cost of \$2,234.33.
- E. General Government to purchase from General Government Capital Outlay: tempered glass display case & lighted showcase with inside lighting for Courthouse Museum @ an estimated cost of \$1,500.00.

The motion was made by Commissioner Magness, seconded by Commissioner Sevier with the court voting 5-0 in favor of approving Property Acquisitions Items A, C, D and E.

Commissioner Magness explained Item B to the Court regarding his laptop.

The motion was made by Commissioner Magness, seconded by Commissioner Grinnan with the court voting 5-0 in favor of approving Item B of Property Acquisitions and Dispositions of fixed assets.

19. NON-EMERGENCY BUDGET TRANSFER(S);

- a. **2013-41** - Transfer \$500.00 of funds within the General Fund Tax Assessor budget **TO** Travel & Training **FROM** Office Supplies resulting from expenditures exceeding budgeted funds.
- b. **2013-42** - Transfer \$16,420.00 of funds within the General Fund budget **TO** Justice of the Peace #4/personnel costs **FROM** Justice of the Peace #1/personnel costs as a result of transferring one employee from Precinct #1 to precinct #4 approved in Commissioners Court on March 26, 2013.

The motion was made by Commissioner Magness, seconded by Commissioner Grinnan with the court voting 5-0 in favor of approving Non-Emergency Budget Transfers 2013-41 and 2013-42.

20. APPROVAL OF ACCOUNTS, BILLS, CLAIMS, AND PAYROLL(S);

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 \$320,179.31.

The motion was made by Commissioner Grinnan, seconded by Commissioner Sevier with the court voting 5-0 in favor of approving Unpaid Claims in the amount of \$1,881,761.00.

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 July 6, 2013 in the amount of \$549,543.32.

21. ANNOUNCEMENTS; Announcements regarding County news, and upcoming County events.

Judge Hogan announced that Texas Association of Counties (TAC) representative Lonnie Hunt will meet with County Department Heads and Elected Officials on Wednesday, July 24th at 10:30 at the Library. The Judge also reiterated the budget timeline and asked the Court to help keep the schedule. Once again the Judge encouraged Court members to include back-up for their agenda items and to keep interruptions to a minimum. Commissioner Magness updated the Court on the NACO Conference he attended, saying it was a good and informative event. Judge Hogan stated that performance reviews will be done at the next regular meeting.

22. ADJOURN There being no further business before the Court, Judge Hogan adjourned the meeting at 10:51 a.m.

SHELLI MILLER
ROCKWALL COUNTY CLERK