

COMMISSIONERS COURT
November 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
Shelli Miller County Clerk

- **CALL TO ORDER;** Judge Hogan called the meeting to order at 9:00 a.m.
- **INVOCATION;** The Invocation was given by Commissioner Bailey.
- **PLEDGES OF ALLEGIANCE;** The Pledges of Allegiance to the American Flag and to the Texas Flag were given by Commissioner Grinnan.
- **RECOGNITION OF GUESTS;**

No guests were present that wished to address the Court.

AGENDA:

1. Discuss/Act on Farmers Electric Cooperative, Inc. requesting permission to conduct an Underground bore under Howell Road, located at the corner of Jones and Howell, in Rockwall County, and all related issues; (Bailey-NeSmith)

The motion was made by Commissioner Bailey, seconded by Commissioner Sevier with the Court voting 5-0 in favor of giving Farmers Electric Cooperative, Inc. permission to conduct an underground bore under Howell Road, located at the corner of Jones and Howell, in Rockwall County.

2. Discuss/Act on Benefits Committee recommendation to change the Cafeteria Plan Premium Reduction Option Plus Flexible Spending Accounts effective January 1, 2014, to allow carryover for plan participants of up to \$500.00 of unused amounts remaining at the end of a plan year in a health Flexible Spending Account to be used for qualified expenses incurred during the following plan year, and all related issues; (Jennings)

Human Resource Director Randy Jennings addressed the Court and explained the County's current Flexible Spending Account Benefit Plan and a new ruling by the

Department of Treasury that allows a carryover for plan participants of up to \$500.00 of unused amounts remaining in their accounts at the end of a plan year to be used for qualified expenses during the following plan year.

The motion was made by Commissioner Magness, seconded by Commissioner Bailey with the Court voting 5-0 in favor of approving the Benefits Committee recommendation to change the Cafeteria Plan Premium Reduction Option Plus Flexible Spending Accounts effective January 1, 2014, to allow carryover for plan participants of up to \$500.00 of unused amounts remaining at the end of a plan year in a Flexible Spending Account to be used for qualified expenses incurred during the following plan year.

Mr. Jennings advised the Court that changes and additions by employees would be accepted until December, 18, 2013 and that all employees would be notified.

3. Discuss/Act on approving request from Information Services to allow a three-week overlap beginning December 16, 2013 for an employee leaving on January 3, 2014, and the IT Technician who will be hired for replacement, to allow for a smooth transition (funds for the extra hours are available in the Information Services personnel budget), and all related issues; (Jennings-Crenshaw)

Information Services Director Brian Crenshaw advised the Court that Chris Reynolds would be ending his employment with the County to attend Bible school and stated that he was proud of Chris and hated to lose such a valuable employee. Mr. Crenshaw asked the Court to approve an overlap by hiring a new employee early for training purposes.

The motion was made by Commissioner Magness, seconded by Commissioner Sevier with the Court voting 5-0 in favor of approving a request from the Information Services Director allowing a three-week overlap beginning December 16, 2013 for an employee leaving on January 3, 2014, and the IT Technician who will be hired for replacement with funds available for the extra hours in the Information Services personnel budget.

4. Discuss/Act on the utilization of consultation services to aid in the development of a consolidated dispatch center for Rockwall County, and all related issues; (Hogan-Griffith)

Judge Hogan led the discussion on consultant services to help with the consolidated dispatch center for the County. Judge Hogan recommended using two different firms to address the two different issues. One entity would address the technical issues and the second would address the public policy issues of the network. Sheriff Eavenson spoke to the Court and added more information to the discussion.

The motion was made by Commissioner Grinnan, seconded by Commissioner Sevier with the Court voting 5-0 in favor of authorizing Judge Hogan to seek proposals from consulting firms to provide technical consultation for radio equipment for a consolidated dispatch center and to address overall dispatch goals and policies for Rockwall County.

5. Discuss/Act on approving an Interlocal Agreement with the City of Wylie for subdivision regulation within the extraterritorial jurisdiction of the City of Wylie, and all related issues; (Auditor)

Assistant District Attorney Jon Thatcher explained that Interlocal Agreements regarding subdivision regulation enforcement with the cities within the County had been discussed at a prior Commissioners Court. Mr. Thatcher advised that an item for the City of Wylie had been left off the agenda of that meeting and that action is now being requested.

The motion was made by Commissioner Grinnan, seconded by Commissioner Bailey with the Court voting 5-0 in favor of approving an Interlocal Agreement with the City of Wylie for subdivision regulation within the extraterritorial jurisdiction of the City of Wylie.

6. Discuss/Act on approving a resolution requesting the Rockwall County Auditor's Office perform an audit under Chapter 59 of the Texas Code of Criminal Procedure, and all related issues; (Auditor)

County Auditor Lisa Constant Wylie spoke to the Court and explained the need for action to approve an order to direct the Auditor to perform an annual forfeiture and seizure funds audit.

The motion was made by Commissioner Grinnan, seconded by Commissioner Magness with the Court voting 5-0 in favor of approving a resolution requesting the Rockwall County Auditor's Office to perform an audit under Chapter 59 of the Texas Code of Criminal Procedure.

7. Discuss/Act on approving an Interlocal Agreement with the City of McLendon-Chisholm for trimming over-hanging tree limbs and shrubs on City owned right-of-ways when needed to be performed by the County Road and Bridge Department at an agreed upon cost and available schedule, and all related issues; (Auditor)

Road and Bridge Director Pat NeSmith discussed with the Court an agreement for tree trimming in McLendon Chisholm.

The motion was made by Commissioner Grinnan, seconded by Commissioner Sevier with the Court voting 5-0 in favor of approving an Interlocal Agreement with the City of McLendon-Chisholm for trimming over-hanging tree limbs and shrubs on City owned right-of-ways when needed to be performed by the County Road and Bridge Department at an agreed upon cost and available schedule.

8. Discuss/Act on bid received for the removal and replacement of the 96" culvert at Troy Road in Rockwall County, and all related issues; (Auditor)

County Auditor Lisa Constant Wylie and Road and Bridge Director Pat NeSmith discussed with the Court the only bid received for repair work to a culvert on Troy Road.

The motion was made by Commissioner Grinnan, seconded by Commissioner Sevier with the Court voting 5-0 in favor of approving Double R Utilities, Inc. to remove and replace the 96" culvert at Troy Road in Rockwall County in the amount of \$158,928.00.

9. Discuss/Act on approving Payment Guarantee Agreements with Election Systems & Software, LLC ("ES&S") for election-related services provided to both the Republican and Democratic parties, and all related issues; (Auditor)

Election Administrator Glenda Denton explained to the Court a vendor's request for a Payment Guarantee Agreement to be approved by the Court.

The motion was made by Commissioner Magness, seconded by Commissioner Sevier with the Court voting 5-0 in favor of approving Payment Guarantee Agreements with Election Systems & Software, LLC ("ES&S") for election-related services provided to both the Republican and Democratic parties.

10. Discuss/Act on approving an updated Business Associate Agreement with Envision Pharmaceutical Services Inc., effective September 23, 2013, and all related issues; (Auditor)

Human Resource Director Randy Jennings spoke to the Court to explain a needed update on an agreement for pharmaceutical services.

The motion was made by Commissioner Magness, seconded by Commissioner Grinnan with the Court voting 5-0 in favor of approving an updated Business Associate Agreement with Envision Pharmaceutical Services Inc., effective September 23, 2013.

11. Discuss/Act on approving a one-year subscription renewal with Recorded Books, LLC to continue providing digital downloadable books for the Rockwall County Library at \$6,200.00 per year effective January 1, 2014, and all related issues; (Auditor)

County Librarian Marcine McCulley gave the Court a brief update on the current trends seen in regards to e-books and books in print. Ms. McCulley discussed a subscription renewal for downloadable books with Recorded Books, LLC.

The motion was made by Commissioner Grinnan, seconded by Commissioner Sevier with the Court voting 5-0 in favor of approving a one-year subscription renewal with Recorded Books, LLC to continue providing digital downloadable books for the Rockwall County Library at \$6,200.00 per year effective January 1, 2014.

12. Discuss/Act on approving a Commercial Sales Agreement with Knight Security Systems for monitoring services of the Juvenile Probation department at the County Services Building, and all related issues; (Auditor)

County Auditor Lisa Constant Wylie discussed with the Court a sales agreement for monitoring services for the panic buttons at the Juvenile Services Department.

The motion was made by Commissioner Magness, seconded by Commissioner Grinnan with the Court voting 5-0 in favor of approving a Commercial Sales Agreement with Knight Security Systems for monitoring services of the Juvenile Services Department at the County Services Building.

13. Discuss/Act on approving the acceptance of a MRAP (Mine Resistant Ambush Protection) armored vehicle by the Sheriff's Office through the Texas 1033 Surplus Property Program including acceptance of the 1033 Program Plans, Policies and Procedures, and all related issues; (Auditor)

Assistant District Attorney Jon Thatcher explained the Texas 1033 Surplus Property Program to the Court and gave a brief overview of the policies and procedures to accept government property at no cost to the County.

The motion was made by Commissioner Grinnan, seconded by Commissioner Sevier with the Court voting 5-0 in favor of approving the acceptance of a MRAP (Mine Resistant Ambush Protection) armored vehicle by the Sheriff's Office through the Texas 1033 Surplus Property Program including acceptance of the 1033 Program Plans, Policies and Procedures.

14. CONSENT AGENDA;

- a) Minutes of previous meeting(s);
- b) Indigent Health, monthly expenditure/case report(s);
- c) District Clerk, monthly fee report (s);
- d) J.P. Pct. 4, monthly judicial activity report(s);
- e) J.P. Pct. 3, monthly judicial activity report(s);
- f) J.P. Pct. 2, monthly judicial activity report(s);
- g) J.P. Pct. 1, monthly judicial activity report(s);
- h) Co. Clerk, monthly fee report(s);
- i) Auditor, Approve payment to Halff Associates, Inc. for engineering services Provided thru 10/27/13 at SH 66 from SH 205 to FM 1777 in the amount of \$1,587.95;
- j) Auditor, Approve payment to HNTB Corporation for engineering services provided thru 10/25/13 at FM 552 from SH 205 to SH 66 in the amount of \$5,013.93;

The motion was made by Commissioner Magness, seconded by Commissioner Bailey with the Court voting 5-0 in favor of approving Consent Agenda items a-j.

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

- A. County Jail to purchase from SCAAP Grant Funded Expenses: (9) radios for jailers @ a quoted cost of \$4,023.00. Emergency Purchase
- B. Emergency Management to purchase from CRI Grant Fund: radio equipment for CRI trailer @ an estimated cost of \$854.95.

The motion was made by Commissioner Bailey, seconded by Commissioner Magness with the Court voting 5-0 in favor of approving Property Acquisitions items A and B.

16. NON-EMERGENCY BUDGET TRANSFER(S);

- a) 2013-70 - Transfer \$3,300 of funds within the Information Services General Fund budget TO Technicians Salary FROM Contract Services resulting from personnel costs exceeding budgeted funds during FY2013.
- b) 2013-71 - Transfer \$225 of funds within the Health Coordinator General Fund budget TO Coordinator Salary FROM Advertisement resulting from personnel costs exceeding budgeted funds during FY2013.
- c) 2013-72 - Transfer \$2,100 of funds within the County Clerk General Fund budget TO Deputies Salaries FROM Postage Expense resulting from personnel costs exceeding budgeted funds during FY2013.
- d) 2013-73 - Transfer \$1,300 of funds within the Commissioners Court General Fund budget TO Chief Assistant FROM Travel & Training resulting from personnel costs exceeding budgeted funds during FY2013.
- e) 2013-74 - Transfer \$3,778 of funds within the General Fund budget TO County Sheriff/Capital Outlay > \$200 < \$5,000 FROM General Government/Contingency resulting from the emergency purchase of switches for the Law Enforcement Center approved in Commissioners Court on August 15, 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 items 2013-70 - 2013-74.

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

The motion was made by Commissioner Grinnan, seconded by Commissioner Magness with the Court voting 5-0 in favor of approving Paid Claims in the amount of \$268,809.26.

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 \$311,481.21.

The motion was made by Commissioner Grinnan, seconded by Commissioner Bailey with the Court voting 5-0 in favor of approving Payroll Report for the pay period ended November 9, 2013 in the amount of \$571,999.78.

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

Judge Hogan announced the County Christmas Tree Lighting Ceremony would be that afternoon at 4:30 at the Courthouse and that the tree would be lit by the County Employee of the Year Kevin Rowan. Judge Hogan also commented on his personal experience with pneumonia and encouraged employees to get pneumonia and flu shots.

19. ADJOURN

There being no further business before the Court, Judge Hogan adjourned the meeting at 10:56 a.m.

**SHELLI MILLER
ROCKWALL COUNTY CLERK**