

**COMMISSIONERS COURT
APRIL 23, 2007**

**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:**

CHRIS FLORANCE	COUNTY JUDGE
JERRY WIMPEE	COMMISSIONER PCT #1
LORIE GRINNAN	COMMISSIONER PCT #2
BRUCE BEATY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4
LISA CONSTANT	COUNTY CLERK

ITEM #1

THE INVOCATION WAS GIVEN BY COMMISSIONER MAGNESS.

ITEM #2

THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE
TEXAS FLAG WERE LED BY COMMISSIONER WIMPEE.

ITEM #3

NO GUESTS WERE PRESENT TO SPEAK.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO
APPROVE A REQUEST THAT THE COUNTY ADOPT ROADWAY AND RIGHT-
OF-WAY MAINTENANCE FOR PRESTON FARMS SUBDIVISION.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN ORDER AUTHORIZING AN INDEPENDENT AUDIT FOR ROCKWALL COUNTY.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO AUTHORIZE PAYMENT OF THE RETAINER TO WHITLEY PENN LLP FOR THEIR SERVICES IN RELATION TO THE INDEPENDENT AUDIT.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO CHANGE THE DATE FOR COMMISSIONERS COURT FROM MAY 28, 2007, MEMORIAL DAY, WHICH IS A COUNTY HOLIDAY, TO TUESDAY, MAY 29, 2007.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO MODIFY THE COMPUTER OPERATIONS AND SECURITY POLICY TO READ
***ALL EMPLOYEES ARE PROHIBITED FROM INSTALLING OR RUNNING NON COUNTY OWNED/LEASED SOFTWARE OR HARDWARE, EXCEPT WHEN SPECIFIICALLY REQUESTED BY A DEPARTMENT HEAD AND

AUTHORIZED BY THE ROCKWALL COUNTY INFORMATION SYSTEMS DEPARTMENT.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE UP TO \$15,000.00 TO THE TREASURER'S OFFICE FOR CONTRACT LABOR TO BRING BANK RECONCILIATIONS UP TO CURRENT STATUS.

ITEM #10

THE SHERIFF RECEIVED THE RESIGNATION FROM THE JAIL NURSE LINDA BELL DUE TO INCREASED WORKLOAD AT THE JAIL, STRESS LEVEL AND AN OPPORTUNITY FOR A HIGHER PAYING POSITION ELSEWHERE. COMMISSIONER GRINNAN ADVISED THAT SHE HAD MET WITH A MEDICAL RECRUITER AND LEARNED THAT THE JAIL NURSE WAS A UNIQUE POSITION AND REQUIRED AT LEAST FIVE YEARS EXPERIENCE. THE STEP PLAN MODIFICATION AND ADDITIONAL STAFFING WILL BE ADDRESSED IN THE NEXT BUDGET. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-1, COMMISSIONER MAGNESS VOTED AGAINST, TO RECOGNIZE THIS POSITION AS A SPECIAL AND UNIQUE POSITION IN TERMS OF QUALIFICATIONS, EXPERIENCE AND AVAILABILITY, THAT THE SALARY STRUCTURE IS

BELOW MARKET AND NEEDS TO BE RAISED TO \$62,000.00 EFFECTIVE IMMEDIATELY.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO ADOPT THE FOLLOWING AMENDMENT TO THE POLICY ON OVERTIME COMPENSATION: UNDER THE CURRENT CAPTION "OTHER ISSUES" OF THE POLICY, ADD THE FOLLOWING PARAGRAPH: "14. WHEN THE COUNTY PARTICIPATES IN A GRANT OR OTHER FUNDING MECHANISM WHICH PERMITS THE PAYMENT OF OVERTIME, THE COUNTY SHALL PAY THE ASSIGNED EMPLOYEES AT THE OVERTIME RATE FOR HOURS WORKED DURING THE PERIOD OF PERFORMANCE OF THE SPECIAL FUNDING. THE HOURS WORKED ON THE SPECIALLY FUNDED ACTIVITY SHALL BE CONSIDERED OVERTIME EVEN IF NOT IN COMPLIANCE WITH PARAGRAPH 3 OF "POLICY ON HOURS WORKED AND OVERTIME".

EMPLOYEES ARE REQUIRED TO ANNOTATE TIMESHEETS TO CLEARLY INDICATE THE NUMBER OF HOURS WORKED ON SUCH ASSIGNMENT. AN EXAMPLE OF SUCH A SPECIAL FUNDING SITUATION IS THE CLICK IT OR TICKET GRANT."

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A CLICK IT OR TICKET GRANT WITH TXDOT TO REIMBURSE

LAW ENFORCEMENT PERSONNEL OVERTIME UP TO \$5,000.00 FOR TICKETING SEATBELT OFFENDERS FROM MAY 21ST THROUGH JUNE 3RD, 2007.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN INTERLOCAL AGREEMENT WITH THE CITY OF ROCKWALL REGARDING THIRD PARTY PLAN REVIEW AND INSPECTIONS FOR THE NEW COUNTY LIBRARY .

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FRONT PAGE OF THE CONTRACT, THE CONTRACT ITSELF AND THE LAST PAGE WHICH IS A BINDING LETTER FROM THE BUREAU VERITAS TO PROVIDE THE PLAN REVIEW AND INSPECTIONS FOR THE NEW COUNTY LIBRARY AT A COST OF \$30,964.00.

ITEM #15

COMMISSIONER BEATY STATED THAT CHANGES WERE MADE IN THE EMERGENCY MANAGEMENT CONTRACT WITH THE ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION CHANGING THE METHOD OF FUNDING REQUIRING ROCKWALL COUNTY TO PAY THE COUNTY'S PORTION UP FRONT WHICH REQUIRED A NEW AGREEMENT. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY

COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO RESCIND THE ACTION OF COMMISSIONERS COURT ON MARCH 26, 2007 WHICH ADOPTED AN EMERGENCY MANAGEMENT SERVICES CONTRACT. THE MOTION WAS MADE BY COMMISSIONER BEATY TO APPROVE A NEW AGREEMENT WITH ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION FOR THE EMERGENCY MANAGEMENT SERVICES, SUBJECT TO APPROVAL BY THE DISTRICT ATTORNEY AND THE COUNTY AUDITOR. THE COUNTY AUDITOR WANTS THE COURT TO VOTE ON THE INTENT AND ALLOW THE AUDITOR TO MAKE CHANGES TO THE WORDING. THE COURT ASKED FOR DOCUMENTS TO BE READY AND PRESENTED TO THEM IN A TIMELY MANNER, THERE WAS NO SECOND. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1, COMMISSIONER BEATY VOTED AGAINST, TO SET ASIDE ANY FURTHER ACTION ON THIS ITEM UNTIL THE END OF THIS MEETING SINCE THE COURT HAS NOT HAD TIME TO REVIEW THE FINAL AGREEMENT. SEE ITEM #15 (CONTINUED) VOTED ON AFTER EXECUTIVE SESSION.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RENEWAL AGREEMENT AT NO COST TO THE COUNTY THROUGH SEPTEMBER 30, 2007 WITH GOVERNMENT PAYMENT SERVICE, INC. TO CONTINUE PROVIDING THE PROCESSING OF CREDIT

OR DEBIT CARD PAYMENTS FOR ROCKWALL COUNTY CASH BAIL, FINES AND OTHER FEES.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN INTERLOCAL AGREEMENT FOR THE BENEFIT OF BASTROP COUNTY, TEXAS SO THEY MAY UTILIZE ROCKWALL COUNTY'S BID PROCESS.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A NEW SOFTWARE AND SERVICES CONTRACT WITH VOTEC CORPORATION FOR A VOTERS REGISTRATION, ELECTION MANAGEMENT AND COMPLIANCE SYSTEM WHICH SUPERSEDES THE CONTRACT AGREED TO ON FEBRUARY 12, 2007. THE COUNTY AUDITOR ASSURED THE COURT THAT THE ONLY CHANGE TO THE CONTRACT WAS THE REDUCTION IN THE COST OF THE SYSTEM BY APPROXIMATELY \$4,000.00.

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN ORDER PROVIDING FOR THE ISSUANCE OF ROCKWALL COUNTY, TEXAS PERMANENT IMPROVEMENT BONDS, SERIES 2007

(LIMITED TAX), IN THE APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$11,500,000; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT AND BOND PURCHASE AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT. BOYD LONDON WILL PROVIDE A LETTER TO THE COUNTY DETAILING THE SAVINGS.

ITEM #20

PARKER CREEK ESTATES LAWSUIT WILL BE DISCUSSED IN EXECUTIVE SESSION.

ITEM #21

LAND ACQUISITION WILL BE DISCUSSED IN EXECUTIVE SESSION.

ITEM #22

EXECUTIVE SESSION – 10:35AM TO 11:45AM

ITEM #23

NO ACTION WAS NECESSARY FOLLOWING THE EXECUTIVE SESSION.

ITEM #15 (CONTINUED)

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE NEW EMERGENCY MANAGEMENT AGREEMENT AS PRESENTED BY THE COUNTY AUDITOR.

ITEM #24

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:

- A) MINUTES OF PREVIOUS MEETINGS;
- B) LISA CONSTANT, COUNTY CLERK, RECEIVE MARCH 2007 MONTHLY REPORT;
- C) KAY MCDANIEL, DISTRICT CLERK, RECEIVE MARCH 2007 MONTHLY REPORT;
- D) DONNA MUSSOTTER, INDIGENT HEALTH DIRECTOR, RECEIVE MARCH 2007 MONTHLY REPORT;
- E) DAVID KARR, JP PCT 1, RECEIVE MARCH 2007 MONTHLY REPORT;
- F) KATHY MELSTON, COUNTY LIBRARIAN, RECEIVE MARCH 2007 MONTHLY REPORT;
- G) HAROLD EAVENSON, SHERIFF, ACKNOWLEDGE DEPUTATION OF DEPUTY SHERIFF JOSEPH R. WILLIS AND CHRIS R. BARRERA;
- H) BILL SINCLAIR, TREASURER, RECEIVE TREASURER'S QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING 3-31-07;
- I) JOHN BLACKWOOD, COUNTY AUDITOR, APPROVE PAYMENT TO PSA-DEWBERRY INC. FOR CONSTRUCTION DOCUMENTS FOR THE NEW LIBRARY IN THE AMOUNT OF \$60,122.65;

ITEM #25

PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS:

NONE

ITEM #26

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER:

2007-08 Transfer \$13,000.00 of budgeted funds to the County Judge **TO** State Supplement @ \$11,250.00 & Social Security Taxes @ \$900.00 & Retirement @ \$800.00 & Workers Comp Insurance @ \$50.00 **FROM** General Government/Contingency resulting from the County Judge affidavit affirming at least 40% of the functions performed by the Judge are judicial thereby claiming a \$15,000.00 annual supplement.

ITEM #27

EMERGENCY BUDGET AMENDMENTS: NONE

ITEM #28

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAID CLAIMS IN THE AMOUNT OF \$44,845.84.

THE MOTION MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$709,339.36.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO

APPROVE THE PAYROLL ENDING APRIL 7, 2007 IN THE AMOUNT OF \$402,841.12.

WITH NO OTHER ITEMS ON THE AGENDA, JUDGE FLORANCE ADJOURNED.

LISA CONSTANT, COUNTY CLERK