

**COMMISSIONER COURT  
FEBRUARY 26, 2007**

**STATE OF TEXAS  
COUNTY OF ROCKWALL**

**BE IT REMEMBERED THERE WAS HELD A REGULAR  
MEETING OF THE COMMISSIONER COURT ON THE ABOVE DATE WITH  
THE FOLLOWING MEMBERS OF THE COURT PRESENT:**

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

**ITEM #1**

THE INVOCATION WAS GIVEN BY COMMISSIONER WIMPEE.

**ITEM #2**

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

**ITEM #3**

VIVIAN CRAIG SPOKE TO THE COURT. JUDGE FLORANCE INFORMED HIM THAT THE COMMISSIONERS COURT DID NOT HAVE ANY JURISDICTION OVER MR. CRAIG'S CLAIM. HE WAS INFORMED TO SPEAK WITH THE DISTRICT ATTORNEY'S OFFICE OR TO SEEK AN ATTORNEY.

**ITEM #9**

THE MOTION WAS BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO

MOVE THE IT/GIS 911 ADDRESSING DEPARTMENT FROM THE GOVERNMENT CENTER TO THE COUNTY ANNEX BUILDING. BRIAN CRENSHAW, DIRECTOR OF THAT DEPARTMENT SPOKE TO THE COURT INFORMING THE COURT THAT A SCANNER AND 42" PRINTER IS SHARED BETWEEN THE COUNTY CLERK'S OFFICE AND THE IT/GIS 911 ADDRESSING DEPARTMENT, EACH DEPARTMENT OWNS ½ OF THE EQUIPMENT. THE COUNTY CLERK'S OFFICE USES IT DAILY BUT DOES NOT HAVE THE ROOM TO STORE THE EQUIPMENT. ANOTHER PRINTER COULD BE PURCHASED FOR THE IT/GIS 911 ADDRESSING DEPARTMENT AT A COST RANGE OF \$1,200 TO \$6,300. LISA CONSTANT, COUNTY CLERK, OFFERED TO TRAVEL TO THE ANNEX ON A DAILY BASIS TO USE THE EQUIPMENT. BRIAN CRENSHAW ALSO INFORMED THE COURT THAT TO MOVE THE GIS 911 ADDRESSING DIVISION OF HIS DEPARTMENT REQUIRES A 30 DAY NOTICE BE GIVEN TO COG TO REMAIN WITHIN THE GUIDELINES OF THEIR GRANT. THE ESTIMATED COSTS OF THE MOVE CAN BE DISCUSSED AT FUTURE MEETING.

**ITEM #4**

A PLAQUE WAS PRESENTED TO THANK AND RECOGNIZE MARVIS KESSELBURGH AS AN OUTGOING LIBRARY BOARD MEMBER FOR HER HARD WORK AND SERVICE.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO

APPOINT TAYLOR MCCLURE, PRECINCT 2, TO THE ROCKWALL COUNTY LIBRARY BOARD.

**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPOINT MARY ELLIS TO THE ROCKWALL COUNTY LIBRARY BOARD.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE TO APPROVE A REQUEST BY THE BALFOUR BEATTY COMPANY TO USE COUNTY PROPERTY AS A STORAGE/WORK OPERATION FOR A PERIOD OF TWO YEARS TO FACILITATE THE 205 ROAD IMPROVEMENT PROJECT. COMMISSIONER WIMPEE QUESTIONED WHEN A FORMAL DECISION WOULD BE NEEDED; HE PREFERRED THAT A PROPER AGREEMENT BE DRAWN UP. COMMISSIONER GRINNAN CONCURRED WITH WAITING FOR A PROPER AGREEMENT, COMMISSIONER WIMPEE WITHDREW HIS SECOND AND COMMISSIONER BEATY WITHDREW HIS MOTION. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO SET ASIDE THIS ITEM UNTIL A FUTURE MEETING.

**ITEM #8**

PRESENTATION WAS MADE BY MAYOR BILL CECIL AND DALE MORGAN OF THE FINE ARTS COALITION FOR THE POSSIBILITY OF A FINE ARTS

FACILITY IN ROCKWALL COUNTY. A SURVEY HAD BEEN TAKEN BY THE CITY OF ROCKWALL WITH A LARGE PERCENTAGE OF THE CITIZENS SHOWING A STRONG INTEREST. JUDGE FLORANCE OFFERED TO MEET WITH THE ALLIANCE FOR THE ARTS REGIONAL FINE ARTS COALITION TO PARTICIPATE IN FURTHER DISCUSSIONS. SEE ATTACHED \_\_\_\_\_.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO RETAIN THE DALLAS COUNTY SOUTHWESTERN INSTITUTE OF FORENSIC SCIENCES FOR LAB TESTING ON A PER USAGE BASIS BY THE DISTRICT ATTORNEY'S OFFICE. BRIAN WILLIAMS, ASSISTANT DISTRICT ATTORNEY, EXPLAINED THAT NO CONTRACT WAS NECESSARY WITH THE COMPANY AND THAT USING THIS SERVICE WOULD EXPEDITE PROCEEDINGS.

**ITEM #11**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPOINT FIVE CITIZENS, INCLUDING JOSE MELINA, DAVID WHITE, JEAN DE LEON, DANNELL MAYHALL AND JAMES MURKEL FROM ROCKWALL LAKE ESTATES TO MEET WITH THE CITY OF ROCKWALL REGARDING ANNEXATION BY THE CITY. SEE ATTACHED \_\_\_\_\_.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PROPOSED ALIGNMENT PRESENTED BY BUCHER, WILLIS, AND APPROVED BY THE ROCKWALL PLANNING CONSORTIUM AS THE APPROVED CORRIDOR THROUGH ROCKWALL COUNTY. THE ROCKWALL PLANNING CONSORTIUM INCLUDES ALL THE CITY MAYORS AND COLLIN AND KAUFMAN COUNTIES. COMMISSIONER WIMPEE REMINDED EVERYONE THAT THIS OUTER LOOP HAS NOTHING TO DO WITH THE TRANS-TEXAS CORRIDOR WHICH IS AN INITIATIVE OF GOVERNOR PERRY'S AND MAY OR MAY NOT BE BUILT. SEE ATTACHED

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**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE TAC HEBP (HEALTH EMPLOYEE BENEFITS POOL) MEMBER CONTACT DESIGNATION FOR ROCKWALL COUNTY TO BE BILL SINCLAIR, COUNTY TREASURER.

**ITEM #14**

THE COUNTY POLICY WAS INTERPRETED DIFFERENTLY BY THE CURRENT COUNTY TREASURER; THEREBY QUESTIONS WERE RAISED BY THE SHERIFF SINCE IT AFFECTED A RETIRING EMPLOYEE OF HIS DEPARTMENT. THE COUNTY TREASURER WISHES TO CLARIFY THE

POLICY WITH THE COURT. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY TO SUPPORT THE TREASURER'S INTERPRETATION AND EXAMPLES IN ORDER TO CLARIFY THE LONGEVITY POLICY AND THAT THE CURRENT PENDING RETIREE BE GRANTED AN EXCEPTION TO THIS STRICT INTERPRETATION AND BE GIVEN HIS LONGEVITY PAY BASED ON PRACTICES FROM THE PRIOR TREASURER. THE FOLLOWING QUESTION WAS RAISED WHETHER OTHER EXCEPTIONS WOULD BE GIVEN BASED ON ANOTHER EMPLOYEE THAT MAY BE RETIRING SOON. THE COUNTY TREASURER REQUESTED THAT THE COURT VOTE ON THIS AS TWO SEPARATE ACTIONS.

COMMISSIONER GRINNAN AMENDED HER MOTION TO UPHOLD THE TREASURER'S INTERPRETATION AND EXAMPLES SET FORTH IN THE POLICY INVOLVING THE LONGEVITY PAY AND EXCLUDING THE PART REGARDING ANY EXCEPTIONS AND TO REDRAFT THE PART OF THE POLICY TO MAKE THE LONGEVITY BENEFIT CLEAR AND TO COMMUNICATE IT TO THE EMPLOYEES. COMMISSIONER BEATY WITHDRAWS HIS SECOND TO THE FIRST MOTION AND MAKES A SECOND TO THE AMENDED MOTION. THE COURT VOTED UNANIMOUSLY TO APPROVE THE AMENDED MOTION. THE NEXT MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN TO APPROVE TRAMMELL AND KNIGHT'S LONGEVITY PAY RETIREMENTS AS THE PREVIOUS TREASURER APPLIED THE POLICY; WHICH WOULD BE A PRORATA SHARE. THE TREASURER REQUESTED THAT PRORATA

SHARE MAY NOT HAVE BEEN THE PRIOR TREASURER'S POLICY. COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-1 TO SET ASIDE THE LAST MOTION MADE, COMMISSIONER MAGNESS VOTED AGAINST. COMMISSIONER BEATY REQUESTED THAT THE TREASURER DISCERN WHETHER IT HAD BEEN PRORATA OR NOT AND TO PUT THIS ITEM ON THE NEXT AGENDA TO DISCUSS.

**ITEM #15**

RANDY TOUCHSTONE OF DAEDELUS CORPORATION WAS PRESENT. COMMISSIONER MAGNESS RECOMMENDS THAT THE CITY OF HEATH MUST ANNEX THE ENTIRE ROAD FROM FM550 TO FALCON POINT AND BE IN TOTAL CONTROL OF MACDONALD ROAD, THEN THE COUNTY WILL RELEASE THE CHECK. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO SET THIS AGENDA ITEM ASIDE UNTIL FURTHER CONSULTATION WITH THE CITY OF HEATH.

**ITEM #16**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RESOLUTION TO ALLOW THE CONSOLIDATION OF PRECINCTS AND TO ALLOW A JOINT ELECTION WITH THE CITIES AND SCHOOLS IN A MAY COUNTY WIDE ELECTION, TO APPROVE JOINT

ELECTION AGREEMENTS AND FOR THE COUNTY TO FUND THE COSTS OF THE ELECTION.

**ITEM #17**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A MAINTENANCE AGREEMENT WITH IMAGE TEK FOR LASERFICHE SOFTWARE UPGRADES AND SUPPORT AT THE COUNTY CLERK'S OFFICE EFFECTIVE JANUARY 1, 2007 THROUGH SEPTEMBER 30, 2008 AT A COST OF \$2,362.50. THE COUNTY AUDITOR WILL PAY ONLY THE PORTION DUE FOR 2007 FROM THE COUNTY CLERK'S FY2007 BUDGET. SEE ATTACHED \_\_\_\_\_.

**ITEM #18**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A MAINTENANCE AGREEMENT WITH IMAGE TEK FOR LASERFICHE SOFTWARE UPGRADES AND SUPPORT FOR THE COMMISSIONERS COURT ADMINISTRATOR EFFECTIVE JANUARY 1, 2007 THROUGH SEPTEMBER 30, 2008 AT A COST OF \$175.06. SEE ATTACHED \_\_\_\_\_.

**ITEM #19**

LAND ACQUISITION FOR ROCKWALL COUNTY WILL BE DISCUSSED IN THE EXECUTIVE SESSION.

**ITEM #20**

EXECUTIVE SESSION – 11:20AM – 11:55AM

**ITEM #21**

NO ACTION WAS NECESSARY FOLLOWING THE EXECUTIVE SESSION'S DISCUSSION OF LAND ACQUISITION.

**ITEM #22**

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

- A) MINUTES OF PREVIOUS MEETING;
- B) LARRY HOLLOWAY, JP PCT 2, RECEIVE JANUARY 2007 MONTHLY REPORT;
- C) KATHY MELSTON, LIBRARIAN, RECEIVE JANUARY 2007 MONTHLY REPORT;
- D) KATHY MELSTON, LIBRARIAN, RECEIVE ROCKWALL COUNTY LIBRARY'S 2006 ANNUAL REPORT;
- E) KATHY MELSTON, LIBRARIAN, RECEIVE ANNUAL STATEMENT OF BENEFITS FROM THE NORTHEAST TEXAS LIBRARY SYSTEM;
- F) KATHRYN FELDPAUSCH, COUNTY TAX ASSESSOR, RECEIVE NOVEMBER 2006, DECEMBER 2006 AND JANUARY 2007 MONTHLY REPORTS;
- G) JOHN BLACKWOOD, COUNTY AUDITOR, APPROVE PAYMENT TO BUCHER, WILLIS & RATLIFF CORPORATION FOR ROAD BOND

IMPROVEMENTS DURING DECEMBER 2006 IN THE AMOUNT OF \$33,937.68;

H) JOHN BLACKWOOD, COUNTY AUDITOR, RECEIVE JANUARY 2007 MONTHLY REPORT;

**ITEM #23**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING PROPERTY ACQUISITIONS AND DISPOSITIONS OF FIXED ASSETS:

- A. COUNTY SHERIFF PURCHASED FROM FY2007 CAPITAL PURCHASE FUND: (1) LICENSE AND WEIGHT SCALES @ AN ACTUAL COST OF \$5,714.00.
- B. COUNTY JAIL PURCHASED FROM FY2007 CAPITAL PURCHASE FUND (1) CONTROL BOARD MODULE FOR CELL DOORS @ AN ACTUAL COST OF \$770.30.

**ITEM #24**

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

**2007-05** TRANSFER \$200 OF BUDGETED FUNDS FOR COUNTY LIBRARY TO SOFTWARE TRAINING FROM TRAVEL & TRAINING

**ITEM #25**

NO EMERGENCY BUDGET AMENDMENTS.

**ITEM #26**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAID CLAIMS IN THE AMOUNT OF \$1,608,751.43.

THE MOTION MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$201,304.37..

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAYROLL ENDING FEBRUARY 10, 2007 IN THE AMOUNT OF \$386,770.76.

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED COMMISSIONER MAGNESS BY WITH THE COURT VOTING UNANIMOUSLY TO ADJOURN.

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**LISA CONSTANT, COUNTY CLERK**