

**COMMISSIONERS COURT  
MARCH 12, 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:**

<b>CHRIS FLORANCE</b>	<b>COUNTY JUDGE</b>
<b>JERRY WIMPEE</b>	<b>COMMISSIONER PCT #1</b>
<b>BRUCE BEATY</b>	<b>COMMISSIONER PCT #3</b>
<b>DAVID MAGNESS</b>	<b>COMMISSIONER PCT #4</b>
<b>LEA CARLSON</b>	<b>CHIEF DEPUTY COUNTY CLERK</b>
<b>LORIE GRINNAN, COMMISSIONER PCT #2 WAS ABSENT.</b>	

**ITEM #1**

THE INVOCATION WAS GIVEN BY JUDGE FLORANCE.

**ITEM #2**

THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE TEXAS FLAG WERE LED BY JUDGE FLORANCE.

**ITEM #3**

NO GUESTS WERE PRESENT TO SPEAK.

**ITEM #4**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 TO APPOINT DENISE NOBLES TO THE ROCKWALL COUNTY LIBRARY ADVISORY BOARD.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 TO APPROVE THE CREATION OF A PART-TIME (EQUIVALENT TO TWO DAYS A WEEK) ASSISTANT DISTRICT ATTORNEY POSITION WITH THE SALARY TO BE PRO-RATED BASED UPON THE CURRENT ASSISTANT DISTRICT ATTORNEY'S (CATHY PENN) SALARY (40% OF CURRENT SALARY) AND THIS WOULD BE EFFECTIVE DURING THIS CURRENT FISCAL BUDGET YEAR. THIS WILL BE REVIEWED AGAIN DURING THE NEXT BUDGET. AS A PART TIME EMPLOYEE, MRS. PENN WILL BE REQUIRED TO SUBMIT A BI-WEEKLY TIME SHEET TO VALIDATE TIME WORKED.

**ITEM #6**

BRIAN WILLIAMS EXPLAINED THAT CATHY PENN WILL BE MOVING FROM A FULL TIME EMPLOYEE TO A PART TIME EMPLOYEE. SHE WILL SELL HER OFFICE FURNITURE TO THE COUNTY, WHICH SHE HAD PURCHASED FOR HERSELF AS AN ASSISTANT DISTRICT ATTORNEY. THE DISTRICT ATTORNEY'S OFFICE WOULD LIKE TO PURCHASE THIS OFFICE FURNITURE, PAYMENT FOR THE FURNITURE WILL BE FROM THE DISTRICT ATTORNEY'S HOT CHECK FUND. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 TO PURCHASE THE COMPUTER DESK, COMPUTER HUTCH, EXECUTIVE CHAIR AND TWO GUEST CHAIRS FOR

THE DISTRICT ATTORNEY'S OFFICE FROM CATHY PENN FOR \$600.00 TO BE INVENTORIED INTO THE COUNTY'S PROPERTY LIST.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 TO TABLE THIS ITEM ON BUILDING INSPECTION PERMITS FOR THE NEW LIBRARY UNTIL THE COURT HAS MORE DETAILS.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER BEATY TO GRANT AN EXCEPTION TO THE LONGEVITY PAY POLICY FOR THREE INDIVIDUALS (MR. TRAMMEL, MR. KNIGHT AND MR. MONTANA), NO ONE SECONDED THE MOTION. THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-1 TO NOT ACCEPT THE PROPOSED EXCEPTIONS TO THE LONGEVITY PAY POLICY, COMMISSIONER BEATY VOTED AGAINST. COMMISSIONER MAGNESS COMMENTED THAT THE POLICY CLEARLY STATES THAT FRACTIONAL YEARS WILL NOT BE ACCEPTED.

**ITEM #9**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 TO APPROVE THE COSTS OF FUNDING THE RELOCATION AND CAPITAL EXPENDITURES NOT TO EXCEED \$3,080.00 FOR THE MOVE OF THE

INFORMATION TECHNOLOGY/911 ADDRESSING DEPARTMENT TO THE COUNTY ANNEX.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 TO APPROVE THE CERTIFICATION OF GRANT MONEY AVAILABLE FROM THE CITIES READINESS INITIATIVE (CRI) PROJECT AND ADOPTION OF A SPECIAL BUDGET FOR THE LIMITED PURPOSE OF SPENDING THE GRANT MONEY FOR ITS INTENDED PURPOSE PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 111.0106.

**ITEM #11**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 TO TABLE THE ITEM ON APPROVING AN AGREEMENT WITH ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION FOR THE PROVISION OF EMERGENCY MANAGEMENT SERVICES.

**ITEM #12**

POTENTIAL LITIGATION WITH DAVID WHITEHEAD WILL BE DISCUSSED IN EXECUTIVE SESSION.

**ITEM #13**

ROCKWALL COUNTY LAND ACQUISITION WILL BE DISCUSSED IN EXECUTIVE SESSION.

**ITEM #14**

PARKER CREEK ESTATES LAWSUIT WILL BE DISCUSSED IN EXECUTIVE SESSION.

**ITEM #15**

EXECUTIVE SESSION

**ITEM #16**

ACTION OF EXECUTIVE SESSION:

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO NEGOTIATE A SETTLEMENT WITH DAVID WHITEHEAD. (ITEM #12)

NO ACTION WAS NECESSARY FOLLOWING THE EXECUTIVE SESSION ON ITEMS #13 AND #14.

**ITEM #17**

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 MEETINGS;
- B) LISA CONSTANT, COUNTY CLERK, RECEIVE FEBRUARY 2007 MONTHLY REPORT;

- C) KAY MCDANIEL, DISTRICT CLERK, RECEIVE FEBRUARY 2007 MONTHLY REPORT;
- D) DAVID KARR, JP PCT 1, RECEIVE FEBRUARY 2007 MONTHLY REPORT;
- E) JANIE SQUIER, COUNTY AGENT, RECEIVE FEBRUARY 2007 MONTHLY REPORT;
- F) TODD WILLIAMS, COUNTY AGENT, RECEIVE DECEMBER 2006, JANUARY AND FEBRUARY 2007 MONTHLY REPORTS;
- G) KATHY MELSTON, LIBRARIAN, RECEIVE FEBRUARY 2007 MONTHLY REPORT;
- H) RON MERRITT, ENVIRONMENTAL COUNTY HEALTH COORDINATOR, RECEIVE FEBRUARY 2007 MONTHLY REPORT;
- I) JOHN BLACKWOOD, COUNTY AUDITOR, APPROVE PAYMENT TO PSA-DEWBERRY INC. FOR CONSTRUCTION DOCUMENTS FOR THE NEW LIBRARY IN THE AMOUNT OF \$117,945.30;
- J) JOHN BLACKWOOD, COUNTY AUDITOR, APPROVE PAYMENT TO BUCHER, WILLIS & RATLIFF CORPORATION FOR ROAD IMPROVEMENTS DURING JANUARY 2007 IN THE AMOUNT OF \$37,715.64;

**ITEM #18**

PROPERTY ACQUISITIONS AND DISPOSITIONS OF FIXED ASSETS: NONE

**ITEM #19**

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

**2007-06**      TRANSFER \$3823.00 OF BUDGETED FUNDS FOR PUBLIC SAFETY   **TO** EMERGENCY SERVICES CORP   **FROM** ESC AMBULANCE SUBSIDY @ \$3,000.00 & ESC FIRING RANGE OPERATIONS @ \$506.00 & GENERAL GOVERNMENT / CONTINGENCY @ \$317.00

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

**2007-07**      TRANSFER \$41,594.00 OF BUDGETED FUNDS FOR COUNTY JAIL   **TO** OFFICE MANAGER / CLERICAL   **FROM** DETENTION OFFICERS

**ITEM #20**

EMERGENCY BUDGET AMENDMENTS: NONE

**ITEM #21**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE THE PAID CLAIMS IN THE AMOUNT OF \$24,860.75.

THE MOTION MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$447,943,36.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE THE PAYROLL ENDING FEBRUARY 28, 2007 IN THE AMOUNT OF \$405,257.20.

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

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**LISA CONSTANT, COUNTY CLERK**