

**COMMISSIONERS COURT  
MARCH 26, 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>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 JUDGE FLORANCE.

**ITEM #2**

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

**ITEM #3**

NO GUESTS WERE PRESENT TO SPEAK.

**ITEM #4**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO RELOCATE THE COUNTY FIRE MARSHAL'S OFFICE TO THE COUNTY ANNEX.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER BEATY TO MOVE THE CONSTABLE'S OFFICE TO THE RENTAL PROPERTY LOCATED ON YELLOW JACKET LANE, THIS WOULD GIVE THE SHERIFF'S OFFICE SOME MUCH NEEDED SPACE FOR STORAGE. BRIAN CRENSHAW, IT DIRECTOR REMINDED THE COURT THAT THERE WERE NO TELEPHONE/INTERNET CONNECTIONS AT THIS RENTAL SPACE, WHICH WOULD BE AN ADDED EXPENSE TO THE RELOCATION COSTS, THE MOTION FAILED FOR THE LACK OF A SECOND. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO DEFER ACTION ON THIS ITEM AND ADDRESS IT AT THE NEXT WORKSHOP MEETING.

**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO ENTER INTO A CONTRACT WITH BUREAU VERITAS FOR BUILDING PLAN REVIEW AND INSPECTION OF THE NEW LIBRARY ALLOWING BUREAU VERITAS TO SUB THE FIRE ALARM AND SPRINKLER INSPECTION THROUGH REED FIRE PROTECTION ENGINEERING SUBJECT TO APPROVAL BY THE DISTRICT ATTORNEY'S OFFICE AND A LETTER OF APPROVAL FROM THE CITY OF ROCKWALL DETAILING THEIR AGREEMENT WITH THE INSPECTION PROCESS.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY THAT THE COUNTY JUDGE AND COMMISSIONER MAGNESS BE AUTHORIZED TO DEVELOP A SCOPE OF WORK FOR AN AUDIT, SEARCH FOR A SUITABLE AUDIT FIRM, SECURE ASSOCIATED COST AND TO BRING BACK THEIR FRUIT TO THE COMMISSIONERS COURT AS SOON AS POSSIBLE.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN AGREEMENT WITH ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION FOR PROVISION OF EMERGENCY MANAGEMENT SERVICES SUBJECT TO APPROVAL BY THE DISTRICT ATTORNEY.

**ITEM #9**

COMMISSIONER WIMPEE EXPLAINED THAT THE BALFOUR BEATTY CONSTRUCTION COMPANY ASKED TO USE A PORTION OF THE COUNTY'S PROPERTY ON I-30. BALFOUR BEATTY OFFERED FREE FILL DIRT IN A PILE ON THE PROPERTY OR BALFOUR BEATTY WOULD PUT THE FILL DIRT ON THE PROPERTY PER THE COUNTY'S GRADING SITE PLAN. THIS GIVES THE COUNTY THE OPPORTUNITY TO IMPROVE THE LAND WITH THE FILL DIRT. THE AGREEMENT'S ESTIMATED COST WOULD BE \$4,500 TO \$6,000. THE MOTION WAS MADE BY

COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN AGREEMENT WITH DOUPHRATE AND ASSOCIATES, INC. TO PROVIDE A GRADING SITE PLAN FOR THE I-30/TOWNSEND BOULEVARD PROPERTY.

**ITEM #10**

THE COURT DISCUSSED APPROVING A REQUEST FROM BALFOUR BEATTY CONSTRUCTION COMPANY TO USE COUNTY PROPERTY TO FACILITATE THE 205 ROAD PROJECT SUBJECT TO THE ROCKWALL COUNTY GRADING PLAN FOR THE SITE AND A DETAILED AGREEMENT PROVIDED BY BALFOUR BEATTY AND APPROVED BY THE ROCKWALL COUNTY DISTRICT ATTORNEY. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPOINT COMMISSIONER WIMPEE TO WORK OUT A DETAILED AGREEMENT WITH BALFOUR BEATTY CONSTRUCTION COMPANY. THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO LEAVE ITEM #10 AS A DISCUSSION ITEM.

**ITEM #11**

BRIAN WILLIAMS, ASSISTANT DISTRICT ATTORNEY STATED THAT HE WOULD LIKE TO CONFER WITH THE COUNTY'S BOND COUNSEL AND WOULD LIKE THE COURT TO HOLD OFF ON THIS ITEM. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO DEFER ACTION

FOR 2 WEEKS ON THE ISSUE OF REPLENISHING THE JUDICIAL CENTER BOND FUND WITH EITHER ½ ACRE OF LAND OR APPROXIMATELY \$100,000.00 OF BUDGETED FUNDS.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A NEW RESOLUTION ALLOWING THE COUNTY JAIL NURSE TO ORDER AND TO ADMINISTER FLU SHOTS ON AN ANNUAL BASIS FOR COUNTY EMPLOYEES ONLY.

**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A SIX MONTH AGREEMENT WITH AVIAN FLYAWAY, INC. FOR MIGRATORY BIRD REMOVAL SERVICES AT THE ROCKWALL COUNTY HISTORIC COURTHOUSE EFFECTIVE APRIL 1, 2007 AT A FEE OF \$8,275.00 AND THE COURT WILL CONSIDER, AT A LATER DATE, EXTENDING THOSE SAME SERVICES TO THE GOVERNMENT CENTER.

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO USE STEVE M. DANN FOR APPRAISAL SERVICES AND REPORTS ON THREE SPECIFIED PROPERTIES AND AUTHORIZE PAYMENT FOR SERVICES WHEN PROVIDED.

**ITEM #15**

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

**ITEM #16**

EXECUTIVE SESSION 9:55 AM TO 10:30 AM

**ITEM #17**

ACTION OF EXECUTIVE SESSION: NO ACTION WAS NECESSARY.

**ITEM #18**

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

- A) MINUTES OF PREVIOUS MEETINGS;
- B) DONNA MUSSOTTER, INDIGENT HEALTH, RECEIVE FEBRUARY 2007 MONTHLY REPORT;
- C) KATHRYN FELDPAUSCH, COUNTY TAX ASSESSOR, RECEIVE FEBRUARY 2007 MONTHLY REPORT;
- D) BILL SINCLAIR, COUNTY TREASURER, RECEIVE REPORT ON LIABILITY AND PROPERTY INSURANCE RENEWALS;
- E) JOHN BLACKWOOD, COUNTY AUDITOR, APPROVE PAYMENT IN THE AMOUNT OF \$50,988.58 TO THE CITY OF ROCKWALL FOR THE 2006 TAX INCREMENT FINANCING OF THE HARBOR PROJECT;
- F) JOHN BLACKWOOD, COUNTY AUDITOR, APPROVE PAYMENT TO BUCHER, WILLIS & RATLIFF CORPORATION FOR ROAD

IMPROVEMENTS DURING FEBRUARY 2007 IN THE AMOUNT OF  
\$28,526.53;

G) JOHN BLACKWOOD, COUNTY AUDITOR, RECEIVE FEBRUARY 2007  
MONTHLY REPORT;

**ITEM #19**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED  
BY COMMISSIONER WIMPEE WITH THE COURT VOTING UANIMOUSLY  
TO APPROVE:

A) CRIMINAL DISTRICT ATTORNEY PURCHASED FROM GENERAL  
FUND: (1) MICROSOFT OFFICE PRO PLUS 2007 EDITION  
(SOFTWARE) @ AN ACTUAL COST OF \$326.91;

B) TEXAS GAME WARDEN TO PURCHASE FROM GENERAL FUND:  
(1) CANON MINIDV DIGITAL CAMCORDER @ AN ESTIMATED COST  
OF \$300.00;

C) TEXAS GAME WARDEN TO PURCHASE FROM GENERAL FUND:  
(1) SONY DIGITAL VOICE RECORDER @ AN ESTIMATED COST OF  
\$50.00;

D) COUNTY JAIL PURCHASED FROM GENERAL FUND: (1) 17"  
STRAIGHT SHAFT TRIMMER @ AN ACTUAL COST OF \$286.71;

E) COUNTY JAIL PURCHASED FROM GENERAL FUND: (1) DESK @  
AN ACTUAL COST OF \$261.37;

F) COUNTY LIBRARY PURCHASED FROM FY2007 CAPITAL  
PURCHASE FUND: (5) BOOK CARTS @ AN ACTUAL COST OF  
\$1,131.41.

**ITEM #20**

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

**2006-27** TRANSFER \$14,250.00 OF BUDGETED FUNDS FOR ELECTION  
ADMINISTRATOR TO CLERK'S SALARY @ \$3,900 & PART  
TIME CLERKS @ \$9,600 & GROUP INSURANCE @ \$450 &  
WORKERS COMP INSURANCE @ \$200 & UNEMPLOYMENT @  
\$100 FROM POSTAGE EXPENSE @ \$5,250 & CAPITAL OUTLAY  
@ \$9,000 RESULTING FROM OVERTIME WAGES IN EXCESS  
OF BUDGET

**ITEM #21**

EMERGENCY BUDGET AMENDMENTS: NONE

**ITEM #22**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY  
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO  
APPROVE THE PAID CLAIMS IN THE AMOUNT OF \$225,053.81.

THE MOTION MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$350,940.51.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAYROLL ENDING MARCH 10, 2007 IN THE AMOUNT OF \$395,799.77.

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

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**LISA CONSTANT, COUNTY CLERK**