

**COMMISSIONERS COURT
MAY 29, 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 GRINNAN.

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.

- **JUDGE FLORANCE CALLED THE PUBLIC HEARING TO ORDER ON THE ADOPTION OF THE ROCKWALL COUNTY FIRE CODE AND THE PUBLIC HEARING ON THE ADOPTION OF THE PROPOSED AMENDMENTS OF THE ROCKWALL COUNTY SUBDIVISION AND LAND DEVELOPMENT RULES AND REGULATIONS.**

ITEM #6 AND #7

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

ORDER A LOCAL OPTION ELECTION FOR THE CITY OF ROCKWALL FOR LEGAL SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY AND A LOCAL OPTION ELECTION FOR THE CITY OF ROCKWALL FOR LEGAL SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY ON NOVEMBER 6, 2007. COMMISSIONER WIMPEE STATED THAT THE LAW REQUIRES THE COURT TO VOTE ON THE ISSUE BUT THE LAW DOES NOT ALLOW THE COURT ANY DISCRETION OVER THE VOTE THEREFORE THE COURT MUST APPROVE.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN ORDER DESIGNATING THE ROCKWALL COUNTY FIRE MARSHAL'S DEPARTMENT AS THE FIRE INVESTIGATOR UNIT FOR ROCKWALL COUNTY.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO SET ASIDE THIS ISSUE FOR FURTHER CLARIFICATION REGARDING THE ROCKWALL COUNTY BAR ASSOCIATION PROVIDING THE INSTALLATION OF A DLS LINE FOR THE GOVERNMENT CENTER.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO ALLOW THE COUNTY CLERK TO USE THE COUNTY CLERK RECORDS MANAGEMENT FUND AS PAYMENT FOR THE AUTOMATIC REDACTION OF SOCIAL SECURITY NUMBERS ON THE PROPERTY RECORD COMPUTER IMAGES BACK TO 1990.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RESOLUTION FOR GARDENING AND MENTORING THROUGH COMMUNITY SERVICE. ANGIE SCALF, JUVENILE SERVICES DIRECTOR EXPLAINED THAT THIS IS A PENDING APPLICATION FOR A GRANT THAT WILL COVER THE EXPENSES OF THE PARTNERSHIP WITH ROCKWALL INDEPENDENT SCHOOL DISTRICT TO BUILD A DISCOVERY GARDEN.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RESOLUTION FOR SUBSTANCE ABUSE EDUCATION AND RECOVERY PROGRAM. ANGIE SCALF, JUVENILE SERVICES DIRECTOR EXPLAINED THAT THIS IS A PENDING APPLICATION FOR A GRANT THAT PROVIDES A PARTIAL SALARY FOR A FULL TIME CHEMICAL

DEPENDENCY COUNSELOR. THE REMAINDER OF THE SALARY COMES FROM FEDERAL FUNDS NOT COUNTY FUNDS.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RESOLUTION FOR FAMILY PRESERVATION SERVICES.

ANGIE SCALF, JUVENILE SERVICES DIRECTOR EXPLAINED THAT THIS IS PENDING APPLICATION FOR A GRANT TO PROVIDE FOR A FULL TIME SOCIAL WORKER.

ITEM #9 (RE-ADDRESSED)

DAVID SMITH, ROCKWALL COUNTY BAR ASSOCIATION ADDRESSED THE COURT REGARDING THE ASSOCIATION PAYING FOR A DSL LINE AT THE GOVERNMENT CENTER FOR ATTORNEYS TO USE THEIR COMPUTERS WHILE AT THE GOVERNMENT CENTER. THE PHONE SYSTEM WILL BE DISCUSSED LATER IN A WORKSHOP MEETING.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO ACCEPT THE ROCKWALL COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FY2006. MIKE CONWAY, CPA PRESENTED THE REPORT TO THE COMMISSIONERS COURT.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO ACCEPT THE CERTIFICATION OF GRANT MONEY AVAILABLE FROM THE CLICK IT OR TICKET (CIOT) GRANT AND THE 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 #16

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO AUTHORIZE A PRELIMINARY ASSESSMENT WITH NORESCO, LLC AT NO COST, TO EXPLORE THE INFRASTRUCTURE IMPROVEMENTS TO THE COUNTY'S EXISTING FACILITIES/UTILITIES AND TO DETERMINE THE ECONOMIC VIABILITY FOR A POTENTIAL PROJECT.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO RENEW THE MAINTENANCE AGREEMENT WITH TYLER TECHNOLOGIES, INC. ON THE RS/6000 SERVER FOR THE SOFTWARE GROUP USERS EFFECTIVE MAY 30, 2007 AT AN ANNUAL COST OF \$3,389.52.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO RENEW THE MAINTENANCE AGREEMENT WITH TYLER TECHNOLOGIES INC ON THE TAPE CARTRIDGE AUTOLOADER FOR THE SOFTWARE GROUP USERS EFFECTIVE MAY 30, 2007 AT AN ANNUAL COST OF \$820.62.

ITEM #19

EXECUTIVE SESSION:

DISCUSSION OF LAND ACQUISITION FOR ROCKWALL COUNTY.

ITEM #19A

ACTION OF EXECUTIVE SESSION:

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO AUTHORIZE COMMISSIONER MAGNESS TO NEGOTIATE FOR THE ACQUISITION OF PROPERTY FOR ROCKWALL COUNTY.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE ADOPTION OF THE ROCKWALL COUNTY FIRE CODE.

ITEM #5

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

APPROVE THE REVISION OF THE ROCKWALL COUNTY SUBDIVISION AND LAND DEVELOPMENT RULES AND REGULATIONS. THE COURT WILL NO LONGER DEFER ACTION ON FURTHER LAND DEVELOPMENT AS PREVIOUSLY VOTED ON OCTOBER 23, 2006.

ITEM #20

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) KAY MCDANIEL, DISTRICT CLERK, APPROVE DEPUTATION OF DEPUTY CLERK NADINE M. PAYNE;
- C) KATHRYN FELDPAUSCH, COUNTY TAX ASSESSOR, RECEIVE APRIL 2007 MONTHLY REPORT;
- D) LARRY HOLLOWAY, JP PCT 2, RECEIVE APRIL 2007 MONTHLY REPORT;
- E) TODD WILLIAMS, COUNTY AGENT, RECEIVE MARCH AND APRIL 2007 MONTHLY REPORTS;

ITEM #21

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

APPROVE THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS OF
FIXED ASSETS:

- A. TEXAS DEPARTMENT OF PUBLIC SAFETY PURCHASED FROM
GENERAL FUND: (1) DVR, MICROPHONE, AND CAMERA
EQUIPMENT FOR THE BREATHALYZER SYSTEM INCLUDING
SHIPPING / INSTALLATION @ A COST OF \$3,951.01.

(EMERGENCY PURCHASE)

ITEM #22

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

2007-13 Transfer \$91,114.00 of budgeted funds **TO** General
Government/Contingency @ \$44,099.00 & General Government /
Transfer to Emergency Management @ \$47,015.00 **FROM** Public
Safety/ESC Emergency Management, as a result of the final approval of
the Emergency Management Services contract which was approved by
Commissioners Court on April 23, 2007.

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

2007-14 Transfer \$136,513.00 of budgeted funds for Emergency
Management Fund to **Decrease** revenue by \$88,198.00 And **Decrease**
expenditures by \$88,198.00, as a result of the final approval of the
Emergency Management Services contract which was approved by
Commissioners Court on April 23, 2007.

ITEM #23

EMERGENCY BUDGET AMENDMENTS: NONE

ITEM #24

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 \$225,043.70.

THE MOTION MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$272,882.89.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAYROLL ENDING MAY 5, 2007 IN THE AMOUNT OF \$396,754.89 AND THE PAYROLL ENDING MAY 19, 2007 IN THE AMOUNT OF \$391,158.56.

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

LISA CONSTANT, COUNTY CLERK