

**COMMISSIONERS COURT
MARCH 11, 2008**

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

ITEM #3

LUCILLE BELL, REPRESENTATIVE FOR LONESTAR CASA, (COURT APPOINTED SPECIAL ADVOCATE), WOULD LIKE TO PLACE A DISPLAY IN THE GOVERNMENT CENTER FOR THE MONTH OF APRIL; APRIL IS CHILD ABUSE AWARENESS AND PREVENTION MONTH. THERE IS APPROXIMATELY 50 CHILDREN IN CPS CARE IN ROCKWALL COUNTY RANGING IN AGES FROM 14 MONTHS TO 18 YEARS OF AGE. THE COURT SUGGESTED THAT THIS ITEM BE PLACED ON THE NEXT AGENDA.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE SUBMISSION OF THE GRANT APPLICATION FOR THE GARDENING AND MENTORING THROUGH COMMUNITY SERVICE PROGRAM TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION. THIS GRANT MONEY FUNDS PART OF A SALARY, A CELL PHONE FOR THE USE OF THE SOCIAL WORKER, A WHEELBARROW AND SHOVELS.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE SUBMISSION OF THE GRANT APPLICATION FOR THE FAMILY PRESERVATION SERVICES PROGRAM TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION. THIS GRANT MONEY FUNDS A SALARY WITH BENEFITS FOR A FULL TIME SOCIAL WORKER.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 3-2, JUDGE FLORANCE AND COMMISSIONER WIMPEE VOTED AGAINST, TO APPROVE THE SUBMISSION OF THE GRANT APPLICATION FOR THE EXPERIENTIAL EDUCATION PROGRAM TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION. THIS IS A NEW GRANT. COMMISSIONER WIMPEE

QUESTIONED IF THIS HAS BEEN APPROVED BY THE JUVENILE BOARD. ANGIE SCALF, JUVENILE SERVICES DIRECTOR STATED THAT IT HAS NOT BEEN APPROVED BY THE JUVENILE BOARD BUT WILL BE PLACED ON THE JUVENILE BOARD AGENDA AT A LATER DATE, DUE TO TIME CONSTRAINTS FOR THE GRANT, MS. SCALF WANTED THE COMMISSIONERS COURT RESOLUTION SIGNED PRIOR TO SUBMISSION OF THE GRANT BUT IT WAS NOT MANDATORY.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-1, JUDGE FLORANCE VOTED AGAINST, TO APPROVE THE LIBRARY POLICY PRESENTED BY KATHY MELSTON, LIBRARY DIRECTOR, ON UNATTENDED CHILDREN AND/OR DISRUPTIVE BEHAVIOR. COMMISSIONER WIMPEE QUESTIONED WHETHER THE POLICY WAS STRINGENT ENOUGH. JUDGE FLORANCE QUESTIONED HOW THIS WOULD BE ENFORCED IF THE LIBRARY STAFF DOES NOT HAVE CONTACT INFORMATION ON ALL LIBRARY VISITORS.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO CANCEL THE ROUNDTABLE WORKSHOP SCHEDULED FOR MARCH 18, 2008 DUE TO THE DISTRICT 4-H PHOTOGRAPHY JUDGING CONTEST.

ITEM #9

DISCUSSION OF ELECTION ADMINISTRATOR EXPANDING THE BOUNDARY OF PRECINCT 3 ALONG THE RAILROAD TRACKS TO INCLUDE HALF OF THE COUNTY SERVICES BUILDING LOCATED AT 915 WHITMORE DRIVE: THIS ITEM WILL BE PLACED ON THE NEXT AGENDA.

COMMISSIONER BEATY STATED THAT THIS EXPANSION WOULD PLACE THE COUNTY SERVICES BUILDING LOCATION IN PRECINCTS 3 AND 4 AND ALLOW USE OF THE COUNTY SERVICES BUILDING FOR ALL OFFICE HOLDERS. NO RESIDENTIAL AREA WOULD BE INVOLVED; THEREFORE, NO VOTERS WOULD BE AFFECTED.

ITEM #10

DISCUSSION ONLY REGARDING ADOPTING A SPECIFIC PAYMENT POLICY TO BE FOLLOWED FOR BUSINESS CELL PHONE USAGE BY ROCKWALL COUNTY CONSTABLES. THIS DISCUSSION IS A RESULT FROM THE DENIAL OF AN UNPAID CLAIM AT THE LAST COURT MEETING. COMMISSIONER MAGNESS STATED THAT ANY INCREASES FOR A COUNTY CELL PHONE SHOULD BE HANDLED AT BUDGET TIME. COMMISSIONER WIMPEE STATED THAT UNTIL THE CONSTABLES HAD A PERMANENT LOCATION TO OFFICE, THEY SHOULD BE REIMBURSED FOR THEIR ADDITIONAL COSTS DUE TO THEIR LACK OF A LAND LINE. JUDGE FLORANCE STATED THAT AN ITEMIZED INVOICE SHOULD BE SUBMITTED AND AUDITED; HE STATED FURTHER THAT A BLIND BILL SHOULD NOT BE PAID UNDER ANY CIRCUMSTANCES. COMMISSIONER GRINNAN

SUGGESTED THAT THE CONSTABLES COME AND ADDRESS THE COURT AT THE NEXT MEETING.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO AWARD A BID FOR STEEL SHELVING IN THE NEW COUNTY LIBRARY TO CULTURAL SURROUNDINGS AT THE RECOMMENDATION OF KATHY MELSTON, LIBRARY DIRECTOR AND PSA DEWBERRY ARCHITECTS.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A ONE-YEAR INTERLOCAL AGREEMENT WITH THE CITY OF MCLENDON-CHISHOLM FOR ROAD REPAIRS AS NEEDED TO KLUTTS, LEAGUE, PULLEN AND SOUTH SMITH ROADS PER WRITTEN COST ESTIMATES FROM THE COUNTY.

ITEM #13

DISCUSSION ITEM ONLY REGARDING COUNTY ROAD BOND ISSUES.

ITEM #14

DISCUSSION ITEM ONLY REGARDING COUNTY SPACE ISSUES. THIS ITEM WILL BE ADDRESSED IN THE WORKSHOP.

ITEM #15

EXECUTIVE SESSION – 10:00AM TO 10:45AM

- DISCUSSION OF PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, AND ALL RELATED ISSUES.
- DISCUSSION OF EXCEPTION TO PART-TIME PAY POLICY, AND ALL RELATED ISSUES.
- DISCUSSION OF LEAVE FOR FAMILY MEDICAL LEAVE ACT (FMLA), AND ALL RELATED ISSUES.

ITEM #16

ACTION OF EXECUTIVE SESSION:

NO ACTION TAKEN REGARDING PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OR LEAVE FOR FMLA. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE RECOMMENDATION OF THE HUMAN RESOURCE DEPARTMENT REGARDING THE EXCEPTION TO THE PART-TIME PAY POLICY AS FOLLOWS: 1) RESTORE MR. WATKINS PAY TO THE RATE PRIOR TO THE OCTOBER 1 SALARY REDUCTION; 2) DO NOT GIVE OCTOBER 1, 2007 COLA INCREASE SINCE HE WAS ALREADY ABOVE THE MAXIMUM PAY RATE FOR THE POSITION; 3) PAY BACK PAY; 4) FREEZE MR. WATKINS' PAY RATE UNTIL IT DOES NOT EXCEED THE LEVEL 10 MAXIMUM FOR THE POSITION; 5) AT THAT POINT, IF PERFORMANCE IS SATISFACTORY, MAINTAIN AND ADMINISTER MR. WATKINS' PAY RATE AT LEVEL 10 AS HE CONTINUES IN THIS POSITION.

ITEM #17

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 MEETING(S)
- B) RON MERRITT, CO. ENVIRONMENTAL HEALTH COORDINATOR, RECEIVE FEBRUARY 2008 MONTHLY REPORT;
- C) DAVID KARR, JP PCT 1, RECEIVE FEBRUARY 2008 MONTHLY REPORT;
- D) JOHN BLACKWOOD, CO. AUDITOR, APPROVE PAYMENT TO BUCHER, WILLIS, RATLIFF CORPORATION FOR ROAD IMPROVEMENTS DURING JANUARY 2008 IN THE AMOUNT OF \$5,658.11;

ITEM #18

PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS: NONE

ITEM #19

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

2008-09 TRANSFER \$7,900 OF BUDGETED FUNDS **TO** PUBLIC SAFETY/DPS UTILITIES **FROM** MAINTENANCE & OPERATIONS/UTILITIES RESULTING FROM FY2008 EXPENDITURES BUDGETED IN FACILITY MAINTENANCE INSTEAD OF DPS.

2008-10 TRANSFER \$6,200 OF BUDGETED FUNDS **TO** CONSTABLES #1 AND #2 UTILITIES-YELLOW JACKET @ \$1,300 EACH AND RENT-YELLOW JACKET @ \$1,800 EACH **FROM** MAINTENANCE & OPERATIONS/UTILITIES-YELLOW JACKET @ \$2,600 AND RENT-YELLOW JACKET @ \$3,600 RESULTING FROM THE RELOCATION OF THE CONSTABLES TO THE RENTAL PROPERTY ON YELLOW JACKET LANE WHICH WAS APPROVED IN COMMISSIONERS COURT ON JUNE 11, 2007.

2008-11 TRANSFER \$30,000 OF BUDGETED FUNDS **TO** COUNTY LIBRARY/UTILITIES **FROM** MAINTENANCE & OPERATIONS/UTILITIES RESULTING FROM FY2008 EXPENDITURES BUDGETED IN FACILITY MAINTENANCE INSTEAD OF LIBRARY.

ITEM #20

EMERGENCY BUDGET AMENDMENTS: NONE

ITEM #21

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE PAID CLAIMS IN THE AMOUNT OF \$ 546,907.75 WHICH INCLUDES PCA REIMBURSEMENTS TOTALING \$ 52,989.12

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$290,197.95.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAYROLL ENDING FEBRUARY 23, 2008 IN THE AMOUNT OF \$ 446,162.55.

WITH NO OTHER ITEMS ON THE AGENDA, JUDGE FLORANCE ADJOURNED THE REGULAR MEETING AT 10:50AM.

LISA CONSTANT, COUNTY CLERK