

**COMMISSIONERS COURT  
APRIL 8, 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:**

<b>CHRIS FLORANCE</b>	<b>COUNTY JUDGE</b>
<b>JERRY WIMPEE</b>	<b>COMMISSIONER PCT #1-ABSENT</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>

- THE INVOCATION WAS GIVEN BY COMMISSIONER BEATY.
- THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE TEXAS FLAG WERE LED BY COMMISSIONER MAGNESS.
- NO GUESTS WERE PRESENT THAT REQUESTED TO ADDRESS THE COURT AT THIS TIME.

**ITEM #1**

J.O. RITCHEY, DEVELOPER OF REMINGTON PARK, ADDRESSED THE COURT STATING THAT THE FINAL PLAT OF THIS COMMERCIAL PARK IS READY FOR COURT APPROVAL. PAT NESMITH, ASSISTANT ROAD AND BRIDGE ADMINISTRATOR, STATED THAT IT HAS BEEN INSPECTED AND EVERYTHING IS PER THE COUNTY SPECS. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN

WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO APPROVE THE FINAL PLAT FOR REMINGTON PARK, PHASE TWO.

**ITEM #2**

PAT NESMITH, ASSISTANT ROAD AND BRIDGE ADMINISTRATOR, STATED THAT THE ROADS IN PHASE ONE OF REMINGTON PARK WERE INSPECTED AND ARE UP TO COUNTY STANDARDS. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO ACCEPT THE ROADS IN REMINGTON PARK, PHASE ONE AS COUNTY ROADS.

**ITEM #3**

ANY ADDITIONAL EQUIPMENT FOR THE NEW PHONE SYSTEM CAN BE ORDERED BY EACH DEPARTMENT. THIS ADDITIONAL EQUIPMENT COULD INCLUDE HEADSETS AND/OR ADD-ON MODULES. COMMISSIONER MAGNESS STATED THAT EACH DEPARTMENT SHOULD BE OFFERED THE SAME FEATURES THAT THEY PREVIOUSLY UTILIZED WITH THE OLD PHONE SYSTEM. OTHER DEPARTMENTS MAY WANT TO PURCHASE ADDITIONAL FEATURES FOR THEIR NEW PHONES BUT SHOULD WAIT UNTIL THE NEXT BUDGET PROCESS TO DO SO.

JUDGE FLORANCE CALLED A 15 MINUTE RECESS DUE TO A POWER OUTAGE IN THE BUILDING - 9:15AM – 9:30AM.

**ITEM #3 –CONTINUED**

COMMISSIONER MAGNESS SUGGESTED THAT THIS BE REFERRED TO A WORKSHOP, WHICH WILL BE HELD APRIL 14<sup>TH</sup> AT 1:30PM TO DISCUSS ADDITIONAL PHONE EQUIPMENT.

**ITEM #4**

CONSTABLE CULLINS AND CONSTABLE PARKS WERE PRESENT TO ANSWER QUESTIONS FROM THE COURT REGARDING THEIR CELL PHONE USAGE AND REIMBURSEMENT REQUEST. CONSTABLE CULLINS EXPLAINED THAT HE UPGRADED HIS PERSONAL CELL PHONE PLAN TO INCLUDE UNLIMITED LONG DISTANCE AND UNLIMITED MINUTES SINCE HE WAS MOVED TO AN OFFICE WITHOUT A LANDLINE PHONE. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO APPROVE THE REIMBURSEMENT OF \$40 PER MONTH TO CONSTABLE JOHN CULLINS FOR HIS ADDITIONAL CELL PHONE CHARGES INCURRED WITH THE NEW CELL PHONE PLAN THAT CONSTABLE CULLINS TOOK OUT TO COVER HIS EXCESS CELL PHONE USAGE, THESE REIMBURSEMENTS SHALL BE RETROACTIVE TO THE DATE THAT THE CONSTABLES WERE MOVED TO THE YELLOW JACKET LOCATION AND CONTINUE UNTIL THE CONSTABLES ARE MOVED TO ANOTHER LOCATION, AS RECOMMENDED BY JOHN BLACKWOOD, COUNTY AUDITOR.

**ITEM #5**

JERRY HUBBARD, PHONE CONSULTANT PRESENTED AN OPTION TO USE OPT-E-MAN FOR INTERNET ACCESS IN LIEU OF THE TWO T-1 LINES THAT THE COUNTY CURRENTLY USES. MR. HUBBARD WANTED TO SEE IF THE COURT WOULD BE INTERESTED IN CHANGING TO OPT-E-MAN. THE MONTHLY COST FOR ACCESS WOULD CHANGE FROM \$1,400.00 PER MONTH TO \$1,100.00 PER MONTH, WITH A ONE TIME PROGRAMMING FEE OF \$1,000.00. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO ACCEPT THE PROPOSAL AS PRESENTED BY JERRY HUBBARD, PHONE CONSULTANT TO USE OPT-E-MAN FOR INTERNET ACCESS IN PLACE OF TWO T-1 LINES. A CONTRACT FOR THIS SERVICE WILL BE SUBMITTED TO THE COURT FOR APPROVAL AT A LATER DATE.

**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO APPROVE AN AGREEMENT WITH CIRRO ENERGY TO PROVIDE ELECTRICITY TO 915 WHITMORE DRIVE.

**ITEM #7**

GLEND A DENTON, ELECTIONS ADMINISTRATOR, WOULD LIKE TO ATTEND THE PROFESSIONAL EDUCATION PROGRAM IN FT. MYERS, FLORIDA, JULY 12-19, 2008 FOR COURSES TO GAIN CERA STATUS. MS. DENTON PROPOSED TO USE THE ELECTION SERVICES CONTRACT FUND MONEY TO PAY FOR THE SEMINAR. THE GUIDELINES FOR THE USE OF THIS FUND IS LIMITED. EXAMPLES OF ALLOWABLE USE: TRAVEL TO ELECTION SEMINARS, VOTING EQUIPMENT CHANGES AND EQUIPMENT UPGRADES. THE MOTION WAS MADE BY COMMISSIONER BEATY TO APPROVE THIS REQUEST CONTINGENT UPON THE ELECTION COMMISSION'S RECOMMENDATION. COMMISSIONER GRINNAN SUGGESTED THAT GLEND A DENTON SEEK THE RECOMMENDATION OF THE ELECTION COMMISSION FIRST AND THEN BRING IT BACK TO COURT FOR APPROVAL. COMMISSIONER BEATY CONCURRED AND WITHDREW HIS MOTION. JUDGE FLORANCE WILL CALL A MEETING OF THE ELECTION COMMISSION NEXT WEEK.

**ITEM #8**

COMMISSIONER BEATY STATED THAT THE CONSORTIUM MEETING WILL BE HELD ON APRIL 30<sup>TH</sup>, 2008 AT 6:00PM. HE FURTHER STATED THAT THE COMMISSIONERS COURT WILL MEET ON APRIL 14<sup>TH</sup> TO INTERVIEW POTENTIAL ENGINEERS FOR THE FM549 AND INTERSTATE 30 INTERCHANGE PROJECT.

**ITEM #9**

A WORKSHOP MEETING WILL BE HELD TODAY AT 10:00AM. THIS ITEM REGARDING COUNTY SPACE ISSUES WILL BE HELD OPEN AND RE-ADDRESSED FOLLOWING THE WORKSHOP.

**ITEM #10**

**EXECUTIVE SESSION – 10:00AM TO 10:55AM**

- DISCUSSION OF PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, AND ALL RELATED ISSUES.
- DISCUSSION OF LEAVE FOR FAMILY MEDICAL LEAVE ACT.

**ITEM #11**

**ACTION OF EXECUTIVE SESSION:**

- NO ACTION TAKEN ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OR LEAVE FOR FAMILY MEDICAL LEAVE ACT.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0; COMMISSIONER

WIMPEE WAS ABSENT TO APPROVE THE FOLLOWING CONSENT AGENDA

ITEMS:

- a) Minutes of previous meeting(s);
- b) KAY MCDANIEL, District Clerk, Acknowledge Deputation of Deputy Clerk Nancy Lee Canavan;
- c) RANDY JENNINGS, Human Resources Director, Receive County Property and Liability Insurance Coverage report;
- d) HAROLD EAVENSON, Sheriff, Acknowledge Deputation of Deputy Dennis Hoffman;
- e) BILL SINCLAIR, Treasurer, Receive Certificate of Liability Insurance/Thomas Technologies LTD.;
- f) BARBARA BARBER, Tax Assessor, Receive January, February, March 2008 monthly reports;
- g) RON MERRITT, Co. Environmental Health Coordinator, March 2008 monthly report;
- h) JOHN BLACKWOOD, Auditor, Consent to obtain a \$5,000.00 bond payable to the Governor/State of Texas for First Assistant Craig Stoddart conducting the affairs of the Criminal District Attorney's Office;
- i) JOHN BLACKWOOD, Auditor, Approve payment to Pogue Construction for work in progress on the new County Library in the amount of \$1,099,170.17;

**ITEM #13**

- THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO APPROVE THE FOLLOWING (ITEMS A-M) PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS WITH ITEMS C-L BEING FROM BIDS THAT WERE AWARDED:

A. General Government purchased from General Fund: (1) 3 ton Carrier roof top air conditioning unit for the new telephone equipment room including installation @ a quoted cost of \$6,950.00. (Emergency Purchase)

- B. County Jail purchased from General Fund: (1) 6 ton Carrier air conditioning unit including installation @ a quoted cost of \$6,000.00. (Emergency Purchase)
- C. Tax Office to purchase from General Fund: (2) HP Compaq Business Desktop Computers including delivery @ a quoted cost of \$1,764.00.
- D. County Library to purchase from Library Bond Funds: Furniture, fixtures, and equipment for the new County Library from TUSA Office Solutions, Inc. @ a bid of \$172,883.80.
- E. County Library to purchase from Library Bond Funds: Furniture, fixtures, and equipment for the new County Library from Royer & Schutts @ a bid of \$1,790.82.
- F. County Library to purchase from Library Bond Funds: Furniture, fixtures, and equipment for the new County Library from Libra-Tech Corporation @ a bid of \$9,740.84.
- G. County Library to purchase from Library Donated Funds: Furniture, fixtures, and equipment for the new County Library from Wilson Office Interiors @ a bid of \$10,006.20.
- H. County Library to purchase from Library Bond Funds: Furniture, fixtures, and equipment for the new County Library from Workplace Resource @ a bid of \$105,467.88.
- I. County Library to purchase from Library Donated Funds: Signage and related equipment for the new County Library from Takeform Architectural Graphics @ a bid of \$34,285.15.
- J. County Library to purchase from Library Donated Funds: Furniture, fixtures, and equipment for the new County Library from TUSA Office Solutions, Inc. @ a bid of \$2,945.90.
- K. County Library to purchase from Library Donated Funds: Furniture, fixtures, and equipment for the new County Library from Wilson Office Interiors @ a bid of \$1,844.92.
- L. County Library to purchase from Library Donated Funds: Furniture, fixtures, and equipment for the new County Library from Workplace Resource @ a bid of \$6,063.93.
- M. Surplus transfer to Road and Bridge: (1) 5 drawer legal vertical file cabinet and (1) 4 drawer legal vertical file cabinet @ an estimated cost of \$350.00.

- NON-EMERGENCY BUDGET AMENDMENTS:

**2008-18** Transfer \$26,300 of budgeted funds for General Fund/Capital Improvements TO Leasehold Improvements FROM General Government/Contingency resulting from renovations and window treatments for the 107 E. Kaufman St. leased property which were approved in Commissioners Court on November 27, 2007 and January 22, 2008.

- EMERGENCY BUDGET AMENDMENTS: NONE
- THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO APPROVE PAID CLAIMS IN THE AMOUNT OF \$ 145,256.89.
- THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO APPROVE UNPAID CLAIMS IN THE AMOUNT OF \$ 1,372,338.51.
- THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO APPROVE THE PAYROLL ENDING MARCH 22, 2008 IN THE AMOUNT OF \$455,608.81.

AT 11:05, JUDGE FLORANCE RECESSED THE REGULAR MEETING TO HOLD THE WORKSHOP MEETING. AT 11:15AM JUDGE FLORANCE RECONVENED THE REGULAR MEETING

**ITEM #9- RE-ADDRESSED**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER WIMPEE WAS ABSENT, TO HIRE AN ARCHITECT, UP TO \$50,000.00, TO DEVELOP A FLOOR PLAN FOR THE BUILDING AT 915 WHITMORE DRIVE TO IMPLEMENT PROPOSAL #5, WHICH IS AN INTERIM PLAN THAT WAS PRESENTED BY COMMISSIONER GRINNAN AT AN EARLIER WORKSHOP MEETING.

WITH NO OTHER ITEMS ON THE AGENDA, JUDGE FLORANCE ADJOURNED THE REGULAR MEETING AT 11:20AM.

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**LISA CONSTANT, COUNTY CLERK**