

**COMMISSIONERS COURT
APRIL 22, 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:

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|-----------------------|-----------------------------------|
| CHRIS FLORANCE | COUNTY JUDGE |
| JERRY WIMPEE | COMMISSIONER PCT #1 |
| LORIE GRINNAN | COMMISSIONER PCT #2 |
| BRUCE BEATY | COMMISSIONER PCT #3-ABSENT |
| DAVID MAGNESS | COMMISSIONER PCT #4 |
| LISA CONSTANT | COUNTY CLERK |

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

ITEM #1

MARY JOHNSON, MAYOR PRO TEM OF ROYSE CITY AND CAROL EDWARDS, BOTH REPRESENTATIVES OF HOUSE WARMERS OF ROCKWALL COUNTY, PRESENTED THEIR ORGANIZATION TO THE COURT. HOUSE WARMERS OF ROCKWALL COUNTY OFFICIALLY WELCOMES RESIDENTS TO THE ROCKWALL COUNTY AREA AND TO THE COMMUNITY. PROFESSIONAL GREETERS VISIT NEW HOMEOWNERS

AND GIVE THEM INFORMATION ABOUT THE COMMUNITY, BUSINESSES AND GENERAL INFORMATION ABOUT ROCKWALL COUNTY.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO GIVE THE GIFT CERTIFICATE RECEIVED BY THE DISTRICT ATTORNEY'S OFFICE FROM STAPLES TO THE AUDITOR'S OFFICE TO BE USED BY THE COUNTY.

ITEM #3

THIS ITEM WAS DISCUSSED PREVIOUSLY AT THE APRIL 8TH, 2008 REGULAR MEETING. AT THAT MEETING, IT WAS SUGGESTED THAT THE ELECTION COMMISSION SHOULD MEET AND GIVE THEIR RECOMMENDATION TO THE COMMISSIONERS COURT. THE ELECTION COMMISSION UNANIMOUSLY RECOMMENDED THAT GLENDA DENTON, ELECTION ADMINISTRATOR BE APPROVED TO ATTEND THE PROFESSIONAL EDUCATION PROGRAM. COMMISSIONER GRINNAN RECOMMENDED THAT GLENDA DENTON, ELECTION ADMINISTRATOR ATTEND THE COURSE THIS YEAR IN DALLAS, TEXAS INSTEAD OF TRAVELLING TO FT. MYERS, FLORIDA. GLENDA DENTON, ELECTION ADMINISTRATOR PREFERRED TO TRAVEL SINCE MORE COURSES WERE OFFERED AT ONE TIME AT THE FLORIDA VENUE. THE MOTION WAS MADE BY JUDGE FLORANCE TO ALLOW GLENDA DENTON, ELECTION ADMINISTRATOR TO ATTEND THE PROFESSIONAL EDUCATION

PROGRAM IN FT. MYERS, FLORIDA. THE MOTION DIED FOR LACK OF A SECOND.

ITEM #4

A NEW EMPLOYEE WAS APPROVED FOR THE IT/TECHNOLOGY DEPARTMENT. BRIAN CRENSHAW REPORTED THAT HE HAD SELECTED JAN BOLES FROM THE AUDITOR'S OFFICE AS THE NEW TECHNICIAN. BRIAN CRENSHAW WOULD LIKE TO OFFER HER A HIGHER SALARY THAN WHAT IS OFFERED AS THE CURRENT STARTING SALARY OF \$28,000 DUE TO HER EXTENSIVE EXPERIENCE AND QUALIFICATIONS. RANDY JENNINGS, HUMAN RESOURCE DEPARTMENT RECOMMENDED THAT HER SALARY BE SET AT THE CLOSEST SALARY LEVEL TO HER CURRENT SALARY WITHOUT GIVING HER A PAY CUT. BRIAN CRENSHAW REQUESTED TIME TO GET THE STEP PLAN FOR THE TECHNICIAN POSITION AND REPORT BACK TO THE COURT. THIS ITEM WILL BE TABLED AND RE-ADDRESSED BEFORE ADJOURNING.

ITEM #5

KATHY MELSTON, LIBRARY DIRECTOR, WOULD LIKE TO REQUEST PROPOSALS FROM MOVING COMPANIES FOR RELOCATING THE COUNTY LIBRARY WITHOUT UTILIZING THE FORMAL BID PROCESS BECAUSE THE ESTIMATED COST IS EXPECTED TO BE LESS THAN THE MINIMAL BID REQUIREMENTS FOR FORMAL BIDS. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO

ALLOW KATHY MELSTON, LIBRARY DIRECTOR TO TAKE BIDS, WITHOUT ADVERTISING, FROM MOVING COMPANIES FOR THE MOVE INTO THE NEW COUNTY LIBRARY.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE AN INTERLOCAL AGREEMENT WITH THE CITY OF FATE FOR REPAIRS TO BEN PAYNE ROAD; THE MONEY MAY BE DEDUCTED FROM CURRENT FUNDS HELD IN ESCROW BY THE COUNTY FOR PRIOR REPAIRS TO BEN PAYNE ROAD. ANY REMAINING MONEY CAN BE REFUNDED AFTER THE REPAIRS ARE COMPLETED.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE THE COUNTY AUDITOR'S OFFICE TO ADVERTISE BY PUBLIC NOTICE FOR BIDS ON ROAD CONSTRUCTION MATERIALS FOR THE ROAD AND BRIDGE DEPARTMENT.

ITEM #8

THE COUNTY AUDITOR REQUESTED THAT THE ITEM REGARDING A FIVE-YEAR AGREEMENT WITH RAYBURN COUNTRY ELECTRIC COOPERATIVE BE PULLED AND DEFERRED TO THE NEXT COURT AGENDA.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO SELECT CP&Y, INC. BASED ON THEIR KNOWLEDGE AND FAMILIARITY WITH THE PROJECT AS THE FIRST CHOICE TO PROVIDE ENGINEERING SERVICES ON THE IH 30/FM 549 INTERCHANGE; HALF & ASSOCIATES WOULD BE THE COURT'S SECOND CHOICE; AND THAT THE COURT DIRECTS THE AUDITOR TO NEGOTIATE AN AGREEMENT, SECURE THE NECESSARY PAPERWORK AND BRING IT BACK TO THE COURT FOR APPROVAL. COMMISSIONER GRINNAN REPORTED THAT CP&Y, INC.'S WAS GIVEN A GOOD REFERENCE BY TXDOT.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE AMENDMENT NUMBER 05 TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) GRANT AGREEMENT FOR ADMINISTRATION OF THE LOW INCOME REPAIR AND REPLACEMENT PROGRAM (LIRAP).

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE A ONE-YEAR

INTERLOCAL AGREEMENT WITH THE CITY OF WYLIE FOR ROAD REPAIRS AS NEEDED TO TROY AND VINSON ROADS.

ITEM #12

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE THE AGREEMENT WITH KONE, INC. FOR THE INSTALLATION OF AN ADA COMPLIANT EMERGENCY COMMUNICATION DEVICE IN THE ELEVATOR AT THE CURRENT COUNTY LIBRARY. THE COST OF THE AGREEMENT INCLUDES NECESSARY LABOR, MATERIALS, TOOLS, PERMIT FEES AND SUPERVISION TO PERFORM THIS WORK.

ITEM #13

NO DISCUSSION ON COUNTY ROAD ISSUES.

ITEM #14

JUDGE FLORANCE REPORTED ON COUNTY SPACE ISSUES THAT HE HAS MET WITH THE JAIL REGARDING USING INMATES FOR SOME OF THE RENOVATION WORK TO BE COMPLETED AT 915 WHITMORE BUILDING.

ITEM #15

EXECUTIVE SESSION – 9:45AM TO 10:20AM

- DISCUSSION OF PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, AND ALL RELATED ISSUES.
- DISCUSSION OF POTENTIAL LITIGATION REGARDING KING ROAD VEHICLE DAMAGE, AND ALL RELATED ISSUES.

- DISCUSSION OF LEAVE FOR FAMILY MEDICAL LEAVE ACT.

ITEM #16

ACTION OF EXECUTIVE SESSION:

- NO ACTION TAKEN ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.
- THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO AUTHORIZE ONE ADDITIONAL DETENTION OFFICER FOR THE SHERIFF'S DEPARTMENT FOR THE REMAINDER OF THE CURRENT FISCAL YEAR, RELATING TO FMLA (FAMILY MEDICAL LEAVE).
- THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-1, COMMISSIONER MAGNESS WAS AGAINST AND COMMISSIONER BEATY WAS ABSENT, TO AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO NEGOTIATE ANY RESOLUTION AND SETTLEMENT FOR VEHICLE DAMAGE SUSTAINED ON KING ROAD IN OCTOBER, 2007.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE THE FOLLOWING CONSENT AGENDA

ITEMS:

- a) Minutes of previous meeting(s);
- b) KATHY MELSTON, Co. Librarian, Receive February/March 2008 monthly

- reports;
- c) DONNA MUSSOTTER, Indigent Health, Receive February/March 2008 monthly reports;
 - d) DAVID KARR, J.P. Pct. 1, Receive March 2008 monthly report;
 - e) LARRY HOLLOWAY, J.P. Pct. 2, Receive March 2008 monthly report;
 - f) BILL SINCLAIR, Treasurer, Receive Quarterly Investment Report for period ending 3/31/08;
 - g) JOHN BLACKWOOD, Auditor, Approve payment to Bucher, Willis & Ratliff Corporation for road improvements during February 2008 in the amount of \$7,092.71;

ITEM #18

- **PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS:**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE ITEM 18B ONLY:

- B. Fire Marshal to purchase from General Fund: (1) Bushmaster Texas M4 Patrolman's Rifle @ a quoted cost of \$825.50.

ITEM 18A WILL BE PLACED ON THE NEXT AGENDA TO DISCUSS:

- A. Constable #1 purchased from General Fund: (2) LED mirror beam lights for vehicle including installation @ an actual cost of \$379.35.

- **NON-EMERGENCY BUDGET AMENDMENTS:** THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE:

2008-19 Transfer \$1,800 of budgeted funds for Tax Assessor TO Capital Outlay FROM Equipment Lease/Rental resulting from the purchase of 2 HP Compaq Computers which was approved in Commissioners Court on April 8, 2008.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS,
SECONDED BY COMMISSIONER GRINNAN WITH THE COURT
VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE

2008-20 Transfer \$200,000 of budgeted funds for Library Building Fund TO Capital Outlay FROM Contingency resulting from Capital Equipment purchases for the new Library that were not originally budgeted when FY2008 budget was adopted.

- **EMERGENCY BUDGET AMENDMENTS:** NONE
- THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE **PAID CLAIMS** IN THE AMOUNT OF \$ 71,851.42.
- THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE **UNPAID CLAIMS** IN THE AMOUNT OF \$ 356,759.15.
- THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE THE **PAYROLL** ENDING APRIL 5, 2008 IN THE AMOUNT OF \$446,952.20.

ITEM #4- RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, TO APPROVE THE HIRING OF THE NEW TECHNICIAN FOR THE IT/TECHNOLOGY DEPARTMENT AT A

TECHNICIAN GRADE, LEVEL 9 INSTEAD OF LEVEL 1 BASED ON HER EXPERIENCE.

WITH NO OTHER ITEMS ON THE AGENDA, JUDGE FLORANCE ADJOURNED THE REGULAR MEETING AT 10:40AM.

LISA CONSTANT, COUNTY CLERK