

**COMMISSIONERS COURT
JUNE 10, 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-ABSENT
LORIE GRINNAN	COMMISSIONER PCT #2
BRUCE BEATY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4
LISA CONSTANT	COUNTY CLERK

- THE INVOCATION WAS GIVEN BY JUDGE FLORANCE.
- THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE TEXAS FLAG WERE LED BY COMMISSIONER MAGNESS.
- GUESTS THAT WERE PRESENT AND REQUESTED THE OPPORTUNITY TO ADDRESS THE COURT: NONE

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 TO ACCEPT EMILY NICHOLS AS THE NEW FAMILY CONSUMER SCIENCE AGENT FOR ROCKWALL COUNTY, REPLACING JANIE SQUIERS WHO RETIRED NINE MONTHS AGO. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #2

THE ITEM REGARDING APPROVING FINAL PLAT FOR POETRY RANCH WAS SKIPPED BY JUDGE FLORANCE SINCE IT WAS NOT READY FOR THE COURT.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 TO SET THIS ITEM ASIDE REGARDING THE CITY OF ROCKWALL DRAINAGE PROBLEM ON WASHINGTON STREET. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 TO APPROVE THE MEETING ROOM POLICY FOR THE NEW LIBRARY. COMMISSIONER WIMPEE WAS ABSENT,

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 TO ACCEPT THE RESOLUTION DECLARING THE ROCKWALL COUNTY LIBRARY, LOCATED AT 1215 YELLOWJACKET LANE A SMOKE FREE PROPERTY. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #6

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

THE CONSTRUCTION MANAGER AT RISK METHOD AS THE PROJECT DELIVERY METHOD FOR BUILDING THE NEW JUSTICE CENTER.

COMMISSIONER WIMPEE WAS ABSENT. IT WAS NOTED BY COMMISSIONER MAGNESS AND COMMISSIONER GRINNAN THAT THIS ACTION WAS NOT CHOOSING AN ARCHITECT OR A CONSTRUCTION COMPANY, JUST THE METHOD.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 TO APPROVE COMMISSIONER MAGNESS AS COMMISSIONER BEATY'S REPLACEMENT ON THE COUNTY BENEFITS COMMITTEE. COMMISSIONER BEATY RETIRES AT THE END OF 2008 AND THE ISSUES DISCUSSED BY THE COMMITTEE ADDRESS FISCAL YEAR 2009 AND BEYOND.

COMMISSIONER WIMPEE WAS ABSENT.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO SET ASIDE THIS ITEM REGARDING AN ADDITIONAL ELECTION SITE AT LAKE POINTE HOSPITAL. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE A NEW MASTER AGREEMENT WITH AT&T DUE TO THE COMPANY NAME

CHANGE, THIS AGREEMENT REPLACES THE PRIOR MASTER AGREEMENT WITH SBC GLOBAL SERVICES. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 TO SET ASIDE THIS ITEM REGARDING THE APPROVAL OF A CERTIFICATE OF RESOLUTION AND AGREEMENT WITH JPMORGAN CHASE BANK, NA FOR PARTICIPATION IN THE STATE OF TEXAS TRAVEL CARD PROGRAM. COMMISSIONER GRINNAN WOULD LIKE TO HAVE A WRITTEN POLICY IN PLACE BEFORE THE COUNTY APPROVES THE USE OF A CREDIT CARD. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO AUTHORIZE UP TO \$10,000.00 FOR EXPENDITURES AT THE COUNTY SERVICES BUILDING FOR CLEAN UP AND PREPARATION; INCIDENTAL COSTS WILL BE INCURRED FOR CLEAN-UP AND PREPARATION OF THE COUNTY SERVICES BUILDING LOCATED AT 915 WHITMORE PRIOR TO THE EXPENSE OF ARCHITECTURAL PLANNING. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 TO APPROVE A 36-MONTH SUBSCRIPTION AGREEMENT WITH THOMSON WEST FOR ONLINE LAW BOOK UPDATES AT AN ANNUAL COST OF \$5,728.80 FOR THE LAW LIBRARY. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 TO APPROVE AN AGREEMENT FOR THE ANNUAL QEI STATE INSPECTION OF ELEVATORS LOCATED IN THE GOVERNMENT CENTER, HISTORIC COURTHOUSE AND COUNTY LIBRARY AT A COST OF \$1,518.75. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO AWARD BID #08-05-003 TO DOLESE BROTHERS FOR AGGREGATE FOR SURFACE TREATMENT. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 TO AWARD BID #08-05-004 FOR ASPHALTS, OILS AND EMULSIONS TO SEM MATERIALS FOR CRS2H+ EMULSION AND P2 EMULSION PLANT LLC FOR THE REJUVENATING AGENT. THE MOTION WAS MADE BY

COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 TO AWARD BID #08-05-005 TO SOUTHWEST CRUSHING, LLC AND NAME BIG CITY CRUSHED CONCRETE AS AN ALTERNATE FOR FLEXIBLE BASE. NOTE: A ROCKWALL COUNTY TRUCK CAN DELIVER \$7.50 MATERIAL (SOUTHWEST CRUSHING) FOR LESS COST THAN \$7.00 MATERIAL (BIG CITY CRUSHED CONCRETE) BECAUSE OF THE MILEAGE DIFFERENCE. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 TO AWARD BID #08-05-006 FOR HOT MIX ASPHALT CONCRETE TO APAC – TEXAS, INC. FOR ITEM 340 AND FOR DMS 9202 WITH R.K. HALL CONSTRUCTION AS AN ALTERNATE FOR ITEM 340. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 TO AWARD BID #08-05-007 FOR GAS, OIL AND DIESEL TO MILLEN OIL COMPANY, INC. BID #08-05-008 RECEIVED NO BIDDERS FOR CORRUGATED METAL PIPE. THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO AWARD BID #08-05-009 FOR LIME SLURRY TYPE B TO CHEMICAL LIME COMPANY. BID #08-05-010 RECEIVED NO BIDDERS FOR AGGREGATE HAULING. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #15

COMMISSIONER GRINNAN REPORTED THAT A WORKSHOP WOULD BE SET UP TO DISCUSS CONTRACT AWARD GUIDELINES FOR COUNTY ROAD BOND ISSUES.

ITEM #16

A WORKSHOP WILL BE SET UP TO DISCUSS COUNTY SPACE ISSUES AND TO REVIEW THE STATE FIRE MARSHAL RECOMMENDATIONS.

ITEM #7 RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE RECONSTITUTING THE COUNTY BENEFITS COMMITTEE TO INCLUDE HUMAN RESOURCE DIRECTOR RANDY JENNINGS, COMMISSIONER WIMPEE, COMMISSIONER MAGNESS AND COUNTY TREASURER BILL SINCLAIR; WITH RANDY JENNINGS DESIGNATED AS THE ADMINISTRATOR OF THE COMMITTEE. COMMISSIONER WIMPEE WAS ABSENT.

ITEM #17

EXECUTIVE SESSION – 9:45AM TO 10:45AM

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

- DISCUSSION OF ROAD AND BRIDGE ADMINISTRATOR PERSONNEL ISSUES, AND ALL RELATED ISSUES.

ITEM #18

ACTION OF EXECUTIVE SESSION:

- NO ACTION TAKEN ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.
- THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE THE FAMILY MEDICAL LEAVE ACT GUIDELINES AS PRESENTED BY RANDY JENNINGS, HUMAN RESOURCE DIRECTOR. COMMISSIONER WIMPEE WAS ABSENT.
- NO ACTION TAKEN ON ROAD AND BRIDGE ADMINISTRATOR PERSONNEL ISSUES.

ITEM #19

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

- a) Minutes of previous meeting(s);
- b) Librarian's monthly report(s);
- c) J.P. Pct. 1, acknowledge the deputation of Justice Clerk Ruby McCord;
- d) J.P. Pct. 1, monthly report(s);
- e) Environmental Health Coordinator's monthly report(s);
- f) Auditor's monthly report(s);

ITEM #20

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

NONE

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

2008-26 - Transfer \$52,632 of budgeted funds for County Treasurer **TO** Assistants @ \$34,736 & Social Security Taxes @ \$2,656 & Group Insurance @ \$5,015 & Retirement @ \$3,121 & Workers Comp Insurance @ \$160 & Unemployment @ \$86 & Professional Fees @ \$368 & Contract Labor @ \$6,490 **FROM** General Government/Contingency @ \$31,948 & Human Resources/Human Resources Manager @ \$13,340 & Social Security Taxes @ \$1,020 & Group Insurance @ \$5,015 & Retirement @ \$1,201 & Workers Comp Insurance @ \$67 & Unemployment @ \$41 resulting from expenditures during FY2008 that exceeded budgeted funds approved and allowed.

- **EMERGENCY BUDGET AMENDMENTS:** NONE
- THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED JUDGE FLORANCE, WITH THE COURT VOTING 4-0 TO APPROVE **PAID CLAIMS** IN THE AMOUNT OF \$32,462.35, COMMISSIONER WIMPEE WAS ABSENT;
- THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 TO APPROVE **UNPAID CLAIMS** IN THE AMOUNT OF \$294,668.92, COMMISSIONER WIMPEE WAS ABSENT;

- THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE THE **PAYROLL** ENDING MAY 31, 2008 IN THE AMOUNT OF \$469,092.96, COMMISSIONER WIMPEE WAS ABSENT.

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

LISA CONSTANT, COUNTY CLERK