

**COMMISSIONERS COURT
JUNE 24, 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-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.
- GUESTS THAT WERE PRESENT AND REQUESTED THE OPPORTUNITY TO ADDRESS THE COURT: NONE

ITEM #1

POETRY RANCH REPRESENTATIVES HAD NOT YET ARRIVED THEREFORE THIS ITEM REGARDING APPROVING THE FINAL PLAT FOR POETRY RANCH WAS PASSED UNTIL THE REPRESENTATIVES ARRIVED.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF ESTABLISHING LAKE POINTE MEDICAL CENTER AS AN EARLY VOTING

SITE FOR ROCKWALL COUNTY AND AS THE POLLING SITE FOR PRECINCT 1A. COMMISSIONER BEATY WAS ABSENT. GLENDA DENTON-ELECTION ADMINISTRATOR WILL SEND A CARD TO EACH REGISTERED VOTER IN THE PRECINCT, PLACE AN AD IN THE NEWSPAPER AND PUT UP SIGNAGE/BANNERS NEAR THE SITE.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF ESTABLISHING CULLINS LAKE POINTE ELEMENTARY AS THE POLLING PLACE FOR PRECINCT 2B. COMMISSIONER BEATY WAS ABSENT.

ITEM #4

COMMISSIONER WIMPEE EXPLAINED THAT THERE IS DRAINAGE/SEEPAGE ISSUE ON WASHINGTON STREET AND THAT THE CITY NEEDS TO HAVE AUTHORITY TO COME ACROSS COUNTY PROPERTY TO REPAIR THE PROBLEM. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF ENTERING INTO THE APPROPRIATE LETTER OF AGREEMENT BETWEEN THE COUNTY AND THE CITY OF ROCKWALL TO ALLOW THE CITY TO COME ACROSS THE COUNTY'S TRIANGULAR PIECE OF PROPERTY LOCATED BETWEEN RUSK STREET AND WASHINGTON STREET WITH A TEMPORARY 4 INCH DRAINAGE LINE/PIPE, THE AGREEMENT WOULD BE THAT AT ANY SUCH TIME THE COUNTY WANTED THIS LINE/PIPE REMOVED THE CITY WOULD

REMOVE IT AT THE CITY'S EXPENSE UPON WRITTEN NOTICE BY THE COUNTY. COMMISSIONER BEATY WAS ABSENT.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPOINTING JUDGE FLORANCE AS THE OFFICIAL VOTING REPRESENTATIVE TO NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS. COMMISSIONER BEATY WAS ABSENT.

ITEM #6

A RESIDENT ACCIDENTALLY PAID HER VEHICLE REGISTRATION TWICE, ONCE BY MAIL AND ONCE IN PERSON. THE STATE HAS REIMBURSED HER THE REGISTRATION FEE BUT ONLY THE COMMISSIONERS COURT CAN AUTHORIZE REIMBURSEMENT OF THE \$10.00 ROAD AND BRIDGE FEE. BARBARA BARBER-TAX ASSESSOR/COLLECTOR CONCURRED THAT THE MONEY SHOULD BE REIMBURSED. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF REIMBURSING THE \$10.00 ROCKWALL COUNTY ROAD AND BRIDGE FEE TO MARILYN CALDWELL. COMMISSIONER BEATY WAS ABSENT.

ITEM #7

COMMISSIONER GRINNAN WOULD LIKE TO HAVE A CONTRACT AWARD POLICY IN EFFECT, WHICH WOULD COVER ARCHITECTURAL, ENGINEERING AND SURVEYING FOR COUNTY PROJECTS. JOHN

POLSTER OF INNOVATIVE TRANSPORTATION SERVICES (ITS) STATED THAT THIS WOULD BE A FORMAL POLICY AND THAT THIS POLICY MIRRORED OTHER COUNTY POLICIES. THIS ITEM WILL BE DISCUSSED IN THE WORKSHOP FOLLOWING TODAY'S COURT MEETING ON JUNE 24, 2008. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 TO SET ASIDE THIS ITEM. COMMISSIONER BEATY WAS ABSENT.

ITEM #8

COMMISSIONER GRINNAN STATED THAT IN HER OPINION OTHER ARCHITECTURE FIRMS SHOULD BE GIVEN AN OPPORTUNITY TO BID THE NEW JUSTICE CENTER, SHE STATED THAT THE \$30 MILLION PROJECT WILL MEAN MORE THAN \$1.5 MILLION IN ARCHITECTURE FEES AND THE COURT SHOULD SEEK THE MOST COMPETITIVE FIRM. COMMISSIONER BEATY SENT A LETTER TO THE COURT, SINCE HE WAS NOT ABLE TO BE PRESENT, JUDGE FLORANCE READ THE FOLLOWING LETTER –

Dear Judge:

I will be unable to attend the Commissioners Court meeting on June 24th, 2008 at 9:00 a.m. There is an important agenda item (#8) about awarding the contract for professional architect services for the new Justice Center to be built on the County property located at T.L. Townsend Drive/Yellowjacket Lane to Brinkley Sargent Architects that I would like to address.

I support the hiring of Brinkley Sargent for the following reasons:

1. Commissioners Court in 2003 interviewed eight firms for the job of site planning for the new Justice Center complex on T.L. Townsend and Yellowjacket Lane.
2. Three firms were selected as finalist. The Court checked the references, quality of work and experience of each of these three firms. Out of the three, Brinkley Sargent

was chosen.

3. Brinkley Sargent then interviewed all elected and appointed officials to determine how each department interfaces with other functions, who interacts with each other frequently so that efficient traffic flow could be identified and incorporated.
4. The site plan and building cost were projected and the bond issues was developed and put on the ballot.
5. Brinkley Sargent has the expertise and the past history with this site to provide the best and most cost effective planning to accomplish this project.

It is in the best interests of the County to retain Brinkley Sargent for this project.

Respectfully,

Bruce Beaty
County Commissioner, Pct. 3

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 3-1 IN FAVOR OF RETAINING THE SERVICES OF BRINKLEY SARGENT ARCHITECTS FOR THE PURPOSE OF SITE PLANNING AND DESIGNING THE NEW JUSTICE CENTER ON COUNTY LAND ADJACENT TO THE NEW COUNTY LIBRARY; SUBJECT TO A NEGOTIATED CONTRACT THAT THE COURT WILL APPROVE AT A LATER DATE. COMMISSIONER GRINNAN VOTED AGAINST AND COMMISSIONER BEATY WAS ABSENT.

ITEM #9

COMMISSIONER GRINNAN STATED THAT THE REPRESENTATIVE FROM CAREFLITE SERVICES HAD NOT ARRIVED AND ASKED IF THE COURT WOULD PASS THIS ITEM UNTIL THE REPRESENTATIVE ARRIVES.

ITEM #10

THIS WAS A DISCUSSION ITEM ONLY REGARDING COUNTY ROAD BOND ISSUES: COMMISSIONER GRINNAN REPORTED THAT SHE HAS GIVEN A 2008 ROAD BOND INITIATIVE PRESENTATION TO THE BREAKFAST ROTARY AND THE PRESENTATION WAS WELL RECEIVED.

ITEM #11

COMMISSIONER MAGNESS REQUESTED THAT THE COURT HOLD THE MEETING OPEN UNTIL AFTER THE WORKSHOP SO THAT SPACE ISSUES COULD BE DISCUSSED AND POSSIBLY ACTED UPON AFTER DISCUSSION IN THE WORKSHOP. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 2-2 TO HOLD THE MEETING OPEN UNTIL AFTER THE WORKSHOP. COMMISSIONER WIMPEE AND JUDGE FLORANCE VOTED AGAINST. COMMISSIONER BEATY WAS ABSENT. COMMISSIONER WIMPEE REMINDED THE COURT TO JUST SET ASIDE THE ITEM AND RE-ADDRESS IT AFTER THE WORKSHOP.

ITEM #12

THIS ITEM WAS ORIGINALLY DISCUSSED AT THE MAY 20, 2008 WORKSHOP. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN INTER-GOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TO ACQUIRE MATCHING GRANT FUNDS OF

APPROXIMATELY \$25,000.00. THESE ADDITIONAL FUNDS ARE TO BE MATCHED BY THE COUNTY EITHER WITH MONEY, SUPPORT OR EQUIPMENT AND USED TO ADMINISTER LOCAL INITIATIVE PROJECTS WHICH CAN IMPROVE AIR QUALITY. THIS AGREEMENT EXPIRES AUGUST 31, 2009. COMMISSIONER BEATY WAS ABSENT.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A CERTIFICATE OF RESOLUTION AND AGREEMENT WITH JPMORGAN CHASE BANK, N.A. FOR PARTICIPATION IN THE STATE OF TEXAS TRAVEL CARD PROGRAM AND ADOPTING A COUNTY POLICY FOR THE USE THEREOF. COMMISSIONER BEATY WAS ABSENT. THE MAIN USE OF THE CARD WILL BE TO SECURE HOTEL RESERVATIONS FOR COUNTY TRAVEL AND WILL NOT BE USED FOR CHARGES.

ITEM #14

NO EXECUTIVE SESSION WAS HELD TO DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

ITEM #15

NO EXECUTIVE SESSION WAS HELD.

JUDGE FLORANCE STATED THAT HE WILL LEAVE OPEN ITEMS #1, #9 AND #11

ITEM #16

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

- a) Minutes of previous meeting(s);
- b) County Clerk's monthly report(s);
- c) District Clerk's monthly report(s);
- d) J.P. Pct. 2 monthly report(s);
- e) Indigent Health's monthly report(s);
- f) Tax Assessor-Collector's monthly report(s);
- g) District Judge acknowledge for the record/Court Order/Oath of Office appointing Jeffrey Lee Davidson as assistant to the County Auditor;
- h) Treasurer's report of net proceeds received from sale of \$30 million Limited Tax Notes (LTN) for the County Justice Center/deposited via wire transfer into TexStar account 19912-8888-080 labeled 2008 CRTS BLDG 30M LTN;
- i) Auditor's monthly report(s);

ITEM #17

• **PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS**

(EXHIBIT A): THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 IN FAVOR OF RESCINDING PREVIOUS COMMISSIONER COURT APPROVED PURCHASES ON MAY 13, 2008 OF FOUR (4) BLUETOOTH HEADSETS.

- e) THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE PURCHASE FROM THE

GENERAL FUND FOR THE FOLLOWING EQUIPMENT FOR THE NEW TELEPHONE SYSTEM:

- GENERAL GOVERNMENT – 1 TELEPHONY MANAGER SERVER AT \$2,125.34
- GENERAL GOVERNMENT – 1 TELEPHONY MANAGER SOFTWARE AT \$4,146.35
- INFORMATION SERVICES – 1 BLUETOOTH HEADSET AT \$267.00
- INFORMATION SERVICES- 1 1140E TELEPHONE AT \$477.00
- COUNTY JAIL- 1 HEARING IMPAIRED HEADSET AT \$98.00
- COUNTY LIBRARY – 1-KLM ADD ON MODULE AT \$217.00

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING #5 (INCREASE \$472.00 FOR ADDITIONAL EQUIPMENT FOR THE COMMISSIONERS COURT) AND #6 (INCREASE \$1,317.50 FOR ADDITIONAL LABOR TICKETS) FOR THE COUNTY –WIDE TELEPHONE SYSTEM. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A “NET CHANGE ORDER” TO AFFILIATED COMMUNICATIONS CONTRACT FOR \$2,904.85 BASED ON THE FOLLOWING: (#1) DECREASE \$8,156.00 FOR NEW LIBRARY BATTERY REDUCTION AND CLOSET CLEANUP AT GOVERNMENT

CENTER, (#2) INCREASE \$3,125.00 FOR ADDITIONAL EQUIPMENT APPROVED ON MAY 13, 2008, (#3) INCREASE \$5,205.35 FOR ADDITIONAL EQUIPMENT APPROVED ON JUNE 24, 2008 (#4) INCREASE \$941.00 FOR ADDITIONAL EQUIPMENT FOR JUSTICE OF THE PEACE PRECINCT 2, (#5) INCREASE \$472.00 FOR ADDITIONAL EQUIPMENT FOR COMMISSIONERS COURT, (#6) INCREASE \$1,317.50 FOR ADDITIONAL LABOR TICKETS.

a-d) THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER BEATY WAS ABSENT, IN FAVOR OF APPROVING THE FOLLOWING:

- a. District Attorney to purchase from General Fund: HP Compaq Business Desktop dx2400 computer system including MS Standard 2007 license and shipping @ a quoted cost of \$813.08.
- b. Election Administrator to purchase from General Fund and Chapter 19 Fund: Audiovisual equipment for training new and temporary voter registration workers @ a quoted cost of \$4,447.25.
- c. County Jail to purchase from General Fund: 40lb. capacity kitchen fryer including shipping @ a quoted cost of \$1,637.00.
- d. Emergency Management to purchase from Cities Readiness Initiative Grant Fund: (2) laptops and (1) digital camera with associated equipment including delivery @ a quoted cost of \$9,892.33.

- **NON-EMERGENCY BUDGET AMENDMENTS:** THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFER, COMMISSIONER BEATY WAS ABSENT:

2008-77 Transfer \$50,000 of budgeted funds in the General Fund TO

Capital Expenditures/Open Space Plan FROM General Government/Contingency resulting from the approval of the Greenprinting Interlocal Agreement with NCTCOG, which was approved in Commissioners Court on November 27, 2007.

- **EMERGENCY BUDGET AMENDMENTS: NONE**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED COMMISSIONER WIMPEE, WITH THE COURT VOTING 4-0 TO APPROVE **PAID CLAIMS** IN THE AMOUNT OF \$262,301.40, COMMISSIONER BEATY WAS ABSENT;

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 TO APPROVE **UNPAID CLAIMS** IN THE AMOUNT OF \$275,123.41, COMMISSIONER BEATY WAS ABSENT;

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED COMMISSIONER BEATY WITH THE COURT VOTING 4-0 TO APPROVE THE **PAYROLL** ENDING JUNE 14, 2008 IN THE AMOUNT OF \$442,393.01, COMMISSIONER BEATY WAS ABSENT.

ITEM #9 RE-ADDRESSED

JIM SCHWARTZ, CAREFLITE PRESIDENT AND CEO, ARRIVED AND NEEDED TO SET UP HIS PRESENTATION FOR THE COURT. JUDGE FLORANCE CALLED FOR A SHORT RECESS FROM 10:05AM TO 10:15AM.

CAREFLITE WOULD LIKE PERMISSION TO SELL MEMBERSHIPS IN ROCKWALL COUNTY. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 IN FAVOR OF GRANTING PERMISSION TO CAREFLITE SERVICES TO

SELL MEMBERSHIPS IN ROCKWALL COUNTY. COMMISSIONER WIMPEE STATED THAT THIS ACTION IS NOT A COMMISSIONERS COURT ENDORSEMENT OF CAREFLITE NOR IS IT GIVING CAREFLITE AN EXCLUSIVE AGREEMENT IN ROCKWALL COUNTY. COMMISSIONER BEATY WAS ABSENT.

JUDGE FLORANCE CALLED FOR A SHORT BREAK FROM 10:55AM TO 11:00AM.

ITEM #1 RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FINAL PLAT FOR POETRY RANCH. PAT NESMITH – ROAD AND BRIDGE ADMINISTRATOR AND RON MERRITT –HEALTH COORDINATOR BOTH AGREED THAT THE PLAT SHOULD BE APPROVED AND THAT ALL COUNTY REQUIREMENTS AND CRITERIA WERE MET. COMMISSIONER BEATY WAS ABSENT.

JUDGE FLORANCE RECESSED THE MEETING AT 11:10AM TO RETURN AFTER LUNCH AND THE WORKSHOP. JUDGE FLORANCE RE-OPENED THE MEETING AT 3:40PM.

ITEM #7 RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 3-1 IN FAVOR OF ACCEPTING THE ARCHITECTURAL, ENGINEERING AND SURVEYING CONTRACT AWARD GUIDELINES AS THEY APPLY TO THE \$100 MILLION

ROAD BOND PROPOSED IN NOVEMBER OF THIS YEAR. COMMISSIONER MAGNESS VOTED AGAINST AND COMMISSIONER BEATY WAS ABSENT.

ITEM #11 RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 3-1 IN FAVOR OF ACCEPTING THE FOLLOWING DEPARTMENTS TO BE PLACED IN THE COUNTY SERVICES BUILDING UNDER PROPOSAL 5, THESE DEPARTMENTS INCLUDE JUVENILE SERVICES, IT (TECHNOLOGY) HEALTH, FIRE MARSHAL, 911 (RURAL ADDRESSING), TWO JUSTICE OF THE PEACE COURTS, INDIGENT HEALTH, STORAGE AND MAINTENANCE- THIS IS FOR PLANNING PURPOSES FOR THE LONG TERM USE OF THIS BUILDING. COMMISSIONER WIMPEE VOTED AGAINST AND COMMISSIONER BEATY WAS ABSENT.

WITH NO OTHER ITEMS ON THE AGENDA, JUDGE FLORANCE ADJOURNED THE REGULAR MEETING AT 3:50PM.

LISA CONSTANT, COUNTY CLERK