

**COMMISSIONERS COURT
AUGUST 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-ABSENT
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 BEATY.
- GUESTS WERE PRESENT THAT REQUESTED TO ADDRESS THE COURT: DWIGHT WALKER, DAVID HAIRSTON, KEN DICKSON, VIVIAN CRAIG.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN ORDER CALLING A BOND ELECTION TO BE HELD ON NOVEMBER 4, 2008, WITHIN THE COUNTY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A RESOLUTION AND ORDER VERIFYING THAT CULLINS LAKE POINTE ELEMENTARY SCHOOL SHALL REMAIN THE POLLING PLACE FOR ROCKWALL COUNTY PRECINCT 2B. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN ORDER CALLING A GENERAL ELECTION TO BE HELD ON NOVEMBER 4, 2008 WITHIN THE COUNTY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING JOINT ELECTION AGREEMENTS WITH THE CITY OF ROWLETT, CITY OF FATE AND CITY OF HEATH FOR THE NOVEMBER 4, 2008 ELECTIONS.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF ESTABLISHING THE SALARY GRIEVANCE COMMITTEE TO INCLUDE THE SHERIFF, COUNTY TAX ASSESSOR-COLLECTOR, COUNTY TREASURER, COUNTY CLERK, DISTRICT CLERK, CRIMINAL DISTRICT ATTORNEY AND

THE NUMBER OF PUBLIC MEMBERS NECESSARY TO PROVIDE NINE VOTING MEMBERS TO SERVE UNTIL SEPTEMBER 30, 2008. JUDGE FLORANCE DREW TEN NAMES FROM THE GRAND JURY MEMBERS THAT HAD SERVED DURING THE PREVIOUS CALENDAR YEAR: MELVIN MERRITT, MIKE GILBERT, WAYNE FISHER, RENEE IVIE, BARBARA SINCLAIR, TERRY NORTHCUTT, CLIFF WISCHNEWSKY, DEBBIE BATTISON, JOSEPH GROSS AND KELLIE DWYER.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF MOVING THE REGULAR COMMISSIONERS COURT MEETING FROM TUESDAY, AUGUST 26TH, 2008 TO MONDAY, AUGUST 25TH, 2008 TO ALLOW THE COMMISSIONERS COURT TO ATTEND THE TEXAS ASSOCIATION OF COUNTIES 2008 ANNUAL CONFERENCE

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING ROAD AND BRIDGE TO WORK ON THE EMERGENCY SPILLWAY AT LOFLAND LAKE.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF

APPROVING THE BUDGET FOR THE GRAND OPENING FOR THE NEW COUNTY LIBRARY.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 2-2 TO ADOPT DESIGN #3 AS THE NEW COUNTY WEBPAGE DESIGN; COMMISSIONER WIMPEE AND JUDGE FLORANCE VOTED AGAINST. THE VOTE WAS SPLIT AND DID NOT PASS. VARIATIONS OF WEBPAGE DESIGNS WILL BE SHOWN DURING FUTURE WORKSHOP MEETINGS.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF AUTHORIZING THE CHIEF PROBATION OFFICER AND COUNTY JUDGE TO DEVELOP A BUDGET TO MOVE THE ADULT PROBATION DEPARTMENT OFFICES TO THE OLD LIBRARY BUILDING LOCATED AT 105 S. FIRST STREET AND BRING BACK THE BUDGET BACK TO COURT FOR APPROVAL.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF AUTHORIZING GALLAGHER BENEFIT SERVICES TO ADVERTISE FOR A HEALTH PLAN REINSURANCE CONTRACT TO EVALUATE BIDS RECEIVED AND AUTHORIZE THE HUMAN RESOURCES DIRECTOR AS THE PLAN

ADMINISTRATOR TO EVALUATE THE BIDS RECEIVED AND TO BRING TO THE COURT FOR THEIR FINAL APPROVAL.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF ADVERTISING BY PUBLIC NOTICE FOR BIDS ON CUSTODIAL SERVICES FOR ALL COUNTY BUILDINGS; EACH BUILDING WILL BE PRICED OUT SEPARATELY.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY TO RENEW THE PARKING LOT LEASE WITH ROY HANCE FOR THE DOWNTOWN PUBLIC PARKING LOT FOR THREE YEARS EFFECTIVE OCTOBER 1, 2008 AT AN ANNUAL LEASE PAYMENT OF \$10,000.00. COMMISSIONER GRINNAN RESCINDED HER MOTION. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF SETTING ASIDE THIS ITEM.

ITEM #13

THE COURT WOULD LIKE TO SPEAK WITH KAY MCDANIEL, DISTRICT CLERK REGARDING THE DISTRICT CLERK RECORDS STORED AT 306 E. WASHINGTON STREET.

ITEM #14

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A THREE-YEAR INTERGOVERNMENTAL REIMBURSEMENT CONTRACT WITH TEXAS COMMISSION ON ENVIRONMENTAL (TCEQ) FOR ADMINISTRATION OF THE LOW INCOME REPAIR AND REPLACEMENT PROGRAM (LIRAP) EFFECTIVE SEPTEMBER 1, 2008.

ITEM #13 – RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF RENEWING THE COMMERCIAL LEASE AGREEMENT WITH RDT ENTERPRISES, INC. FOR STORAGE SPACE AT 306 E. WASHINGTON STREET FOR ONE YEAR EFFECTIVE OCTOBER 1, 2008, AT AN ANNUAL LEASE PAYMENT OF \$14,250.00

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AMENDMENT NUMBER ONE TO THE INTERGOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR LIRAP LOCAL INITIATIVE PROJECTS TO ACQUIRE MATCHING FUNDS IN THE AMOUNT OF \$51,804.13 FOR IMPROVING AIR QUALITY DURING FISCAL YEAR 2009.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN AGREEMENT WITH ACS/GOVERNMENT RECORDS MANAGEMENT TO PROVIDE INTERNET SERVICES ALLOWING ONLINE PUBLIC ACCESS TO REAL PROPERTY RECORDS EFFECTIVE AUGUST 11, 2008, THROUGH SEPTEMBER 20, 2009 AT NO COST TO THE COUNTY.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A 37-MONTH MAINTENANCE AGREEMENT WITH ANIDIRECT FOR MCAFEE ANTI-VIRUS, CLIENT FIREWALL, AND ANTI-SPYWARE SOFTWARE LICENSES AND SUPPORT FOR THE COUNTY E-MAIL/INTERNET SYSTEM EFFECTIVE AUGUST 31, 2008 AT AN ANNUAL COST OF \$2,486.57.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN AGREEMENT WITH GALLAGHER BENEFIT SERVICE PROVIDING AN ACTUARIAL VALUATION OF ROCKWALL COUNTY'S NON-PENSION POST EMPLOYMENT BENEFITS IN ACCORDANCE WITH THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 45 AT A MAXIMUM FEE OF \$16,500.00.

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN ADDENDUM TO THE INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF FATE FOR LAW ENFORCEMENT SERVICES EFFECTIVE OCTOBER 1, 2008 AT AN ANNUAL FEE OF \$370,216.00.

ITEM #20

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN ADDENDUM TO RENEW THE INTERLOCAL COOPERATION AGREEMENT WITH LIMESTONE COUNTY FOR HOUSING ROCKWALL COUNTY INMATES, IF NEEDED, UNTIL SEPTEMBER 30, 2009 AT A COST OF \$44.00 PER DAY PER INMATE.

ITEM #21

NO DISCUSSION REGARDING COUNTY ROAD BOND ISSUES.

ITEM #22

NO DISCUSSION REGARDING COUNTY SPACE ISSUES.

ITEM #23

COURT DID NOT MEET IN EXECUTIVE SESSION

- DISCUSSION OF PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, AND ALL RELATED ISSUES.

ITEM #24

ACTION OF EXECUTIVE SESSION: NOT APPLICABLE

- NO ACTION TAKEN ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- A) MINUTES OF PREVIOUS MEETING(S);
- B) HEALTH COORDINATOR'S JULY 2008 MONTHLY REPORT(S);
- C) J.P. PCT. 1 JULY 2008 MONTHLY REPORT(S);
- D) J. P PCT. 2 JULY 2008 MONTHLY REPORT(S);
- E) CO. SHERIFF WILL BE ATTENDING THE NATIONAL SHERIFFS' INSTITUTE IN LONGMONT, COLORADO, SEPTEMBER 14TH-21ST AT NO COST TO THE COUNTY;
- F) DISTRICT ATTORNEY OFFICE, ACKNOWLEDGE DEPUTATION OF MICHAEL HEARD, CRIMINAL INVESTIGATOR
- G) CO. AUDITOR, APPROVE PAYMENT APPLICATION #13 TO POGUE CONSTRUCTION FOR WORK PROGRESS ON THE NEW COUNTY LIBRARY IN THE AMOUNT OF \$261,112.39:

ITEM #26

• PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS:

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING OF EXHIBIT A AS FOLLOWS:

- A. District Attorney to purchase from General Fund: Computer system including CPU, 19" display and MS Office 2007 @ an estimated cost of \$1,500.00.
- B. Election Administrator to purchase from General Fund: (6) PV carts to hold DREs/voting equipment including shipping @ an estimated cost of \$8,000.00.
- C. County Jail to purchase from General Fund: Handy Plasma 550 steel cutter @ an estimated cost of \$1,375.00.

- D. County Jail purchased from General Fund: (3) Hon 534P letter size file cabinets and (2) Hon 534CP legal size file cabinets @ an actual cost of \$767.97.
- E. County Library transfer to County Jail: (7) boxes of paperback library books @ an estimated value \$250.00.
- F. Road & Bridge transfer to Surplus: 1995 Ford F800 asphalt distributor truck/Mileage 23,204 @ an original cost of \$80,500.00.
- G. Road & Bridge transfer to Surplus: 2000 International 4700 dump truck/Mileage 96,726 @ an original cost of \$37,939.00.

- **NON-EMERGENCY BUDGET TRANSFERS:**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING PART OF EXHIBIT B AS FOLLOWS:

2007-48 Transfer \$23,000 of budgeted funds in the General Fund **TO** TCEQ (Aircheck) Grant **FROM** General Government/Contingency resulting from failure to budget TCEQ Aircheck Grant expenditures.

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING PART OF EXHIBIT B AS FOLLOWS:

2008-33 Transfer \$189,000 of budgeted funds in the General Fund **TO** VINE Grant @ \$3,000 & TCEQ (Aircheck) Grant @ \$186,000 **FROM** SCAAP Grant @ \$14,000 & General Government/Contingency @ \$175,000 resulting from grant expenditures in excess of anticipated funds.

2008-34 Transfer \$30,000 of budgeted funds in the Court Reporter Service Fund **TO** Transcription Services **FROM** Capital Outlay resulting from substitute court reporter services for the trial against the Criminal District Attorney.

- **EMERGENCY BUDGET AMENDMENTS: NONE**
- THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING **PAID CLAIMS** IN THE AMOUNT OF \$ 866,729.67'
- THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING **UNPAID CLAIMS** IN THE AMOUNT OF \$945,502.16.
- THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING THE **PAYROLL** ENDING JULY 26, 2008 IN THE AMOUNT OF \$ 449,640.65.

JUDGE FLORANCE ADJOURNED THE REGULAR MEETING AT 10:45AM.

LISA CONSTANT, COUNTY CLERK