

**COMMISSIONERS COURT
SEPTEMBER 9, 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
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 GUEST WAS PRESENT THAT REQUESTED TO ADDRESS THE COURT: NONE

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF SETTING THE COMPENSATION FOR ELECTED OFFICIALS FOR THE FY2009 AS POSTED IN THE NEWSPAPER.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN

FAVOR OF APPROVING THE PERFORMANCE SALARY PLAN FOR CIVILIAN AND LAW ENFORCEMENT OFFICERS.

****SHORT RECESS FOR A PUBLIC HEARING ****

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF APPROVING THE DRAFT BUDGET AS PRESENTED FOR THE FISCAL YEAR 2008-2009; COMMISSIONER GRINNAN VOTED AGAINST.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF THE PROPERTY TAX RATE BEING INCREASED BY THE ADOPTION OF THE TAX RATE OF .3750 FOR THE 2008 TAX YEAR.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPOINTING CAROL EMERT AS AN EARLY VOTING JUDGE AND ELECTION DAY JUDGE FOR PRECINCT 4.

****SHORT RECESS FOR A PUBLIC HEARING****

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY IN

FAVOR OF APPROVING THE NEWLY REVISED FLOOD DAMAGE PREVENTION ORDER AS PRESENTED.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF ADOPTING THE ROCKWALL COUNTY ON-SITE SEWAGE FACILITIES ORDER.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF LIFTING THE CURRENT BURN BAN AS RECOMMENDED BY THE COUNTY FIRE MARSHAL WESLEY ROBERTS EFFECTIVE IMMEDIATELY.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING COUNTY HOLIDAYS FOR THE CALENDAR YEAR 2009 AS THEY CURRENTLY EXIST THIS YEAR BUT WITH NEXT YEAR'S DATES.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF DESIGNATING THE SECOND AND FOURTH TUESDAY OF EACH MONTH TO BE THE DATE THAT THE COUNTY COMMISSIONERS COURT SHALL

CONVENE IN A REGULAR TERM EACH MONTH DURING THE NEXT FISCAL YEAR.

ITEM #11

DISCUSSION ONLY REGARDING COUNTY ROAD BOND ISSUES.

ITEM #12

NO DISCUSSION REGARDING COUNTY SPACE ISSUES.

ITEM #13

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPOINTING COMMISSIONER WIMPEE AS THE COUNTY JUDGE PRO-TEM. THIS WILL ALLOW COMMISSIONER WIMPEE TO FILL IN FOR JUDGE FLORANCE IF THE JUDGE IS OUT OF TOWN AND A MEETING NEEDS TO BE CALLED.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING A HEALTH PLAN REINSURANCE CONTRACT.

*NOTE THAT ITEM IS RE-ADDRESSED LATER DURING THIS COURT SESSION.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF NAMING THE COUNTY AUDITOR AS THE DESIGNEE OF THE

COMMISSIONERS COURT FOR THE PURPOSE OF AWARDING OR REJECTING BIDS FOR SURPLUS COUNTY PROPERTY TO BE SOLD AT AUCTION.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-2 IN FAVOR OF RENEWING THE PARKING LOT LEASE WITH ROY HANCE FOR THE DOWNTOWN PARKING LOT FOR THREE YEARS EFFECTIVE OCTOBER 1, 2008 @ AN ANNUAL LEASE PAYMENT OF \$10,000.00; COMMISSIONER MAGNESS AND JUDGE FLORANCE VOTED AGAINST.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING AN EXCEPTION TO THE OVERTIME COMPENSATION POLICY FOR COUNTY SHERIFF'S CLERICAL STAFF ALLOWING THE PAYMENT OF OVERTIME BASED ON A SPECIFIC NEED CIRCUMSTANCE.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF EXTENDING THE CURRENT INTERLOCAL AGREEMENT WITH NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) FOR 9-1-1 SERVICES UNTIL SEPTEMBER 9, 2008.

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF RENEWING A TWO-YEAR INTERLOCAL AGREEMENT WITH NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) EFFECTIVE SEPTEMBER 1, 2008 FOR THE PROCUREMENT AND MAINTENANCE OF 9-1-1 AND ADDRESSING EQUIPMENT, SOFTWARE AND SERVICES USING STATE 9-1-1 FUNDS.

ITEM #20

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH RYAN LANDSCAPE AND CONSTRUCTION, INC. TO PROVIDE LANDSCAPING MAINTENANCE SERVICES AT THE NEW ROCKWALL COUNTY LIBRARY EFFECTIVE OCTOBER 1, 2008 AT AN ANNUAL COST OF \$15,510.00. COMPARING BIDS SHOWED RYAN LANDSCAPING OFFERING MORE MOWINGS, MORE WEEDING AND PROVIDING A WARRANTY FOR THE EXISTING LANDSCAPING.

ITEM #21

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING THE FY2009 INTERLOCAL AGREEMENT WITH

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR THE CITIES
READINESS INITIATIVE EMERGENCY PREPAREDNESS GRANT EFFECTIVE
AUGUST 1, 2008 IN THE AMOUNT OF \$44,000.00.

ITEM #22

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY IN
FAVOR OF APPROVING A CONTRACT WITH DR. DAVID M. SCHWARTZ
FOR THE CITIES READINESS INITIATIVE VOLUNTEER COORDINATOR
EFFECTIVE SEPTEMBER 1, 2008 @ AN ANNUAL AMOUNT OF \$24,000.00
PAID BY A GRANT AND NOT A COST TO THE COUNTY, AS EXPLAINED BY
JOE DELANE, EMERGENCY MANAGEMENT COORDINATOR.

ITEM #23

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY
COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY IN
FAVOR OF RENEWING A ONE-YEAR EXTENSION WITH CAPITOL
HEALTHCARE REVIEW, INC. TO CONTINUE PROVIDING UTILIZATION
MANAGEMENT SERVICES FOR THE COUNTIES HEALTH INSURANCE PLAN
EFFECTIVE OCTOBER 1, 2008 AT A RATE OF \$2.00 PER COVERED
EMPLOYEE PER MONTH.

ITEM #24

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY IN
FAVOR OF RENEWING THE ANNUAL MAINTENANCE AGREEMENTS

EFFECTIVE OCTOBER 1, 2008 AS LISTED. AFTER THIS ACTION WAS TAKEN, AN ERROR WAS NOTED ON THE DOLLAR AMOUNT OF ONE OF THE LISTED RENEWAL CONTRACTS. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF RESCINDING THE PREVIOUS ACTION TO APPROVE THE RENEWAL CONTRACTS. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF RENEWING THE FOLLOWING ANNUAL MAINTENANCE AGREEMENTS EFFECTIVE OCTOBER 1, 2008: (CORRECTED DOLLAR AMOUNT LISTED)

VENDOR	COVERAGE	ANNUAL COST
A. Image Tek	County Clerk/Laserfiche Software	\$ 1,350.00
B. The Windward Group	County Clerk/Canon MP-90 Reader Printer	\$ 500.00
C. ES&S	EA/Voting Terminals Hardware & Software	\$ 24,741.00
D. Aquatech	Historic Courthouse/AC Heating Water Treatment System	\$ 900.00
E. Mentalix	County Jail/AFIS System Software	\$ 3,665.00
F. Stewart & Stevenson	County Jail/(2) Generators	\$ 2,155.52
G. ESRI	Rural Addressing/Software Support	\$ 2,500.00
H. The Windward Group	County Library/Canon MS-350 Reader Printer	\$ 500.00

ITEM #25

EXECUTIVE SESSION – DID NOT CONVENE

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

ITEM #26

ACTION OF EXECUTIVE SESSION: NOT APPLICABLE; COURT DID NOT MEET IN EXECUTIVE SESSION.

ITEM #14 RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF RESCINDING THE APPROVAL OF A HEALTH PLAN REINSURANCE CONTRACT (SEE ITEM #14) PREVIOUSLY ACTED UPON. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE BID AND AWARD TO MAJESTIC FOR HEALTH PLAN REINSURANCE AS PRESENTED BY THE HUMAN RESOURCE DIRECTOR RANDY JENNINGS.

ITEM #27

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- A) MINUTES OF PREVIOUS MEETING(S);
- B) COUNTY AGENT'S AUG/08 MONTHLY REPORT(S);
- C) DISTRICT JUDGE, ACKNOWLEDGE FOR THE RECORD DISTRICT COURT ORDERS SETTING THE COUNTY AUDITOR'S OFFICE BUDGET AND COMPENSATION FOR THE COUNTY AUDITOR, ASSISTANT AUDITORS AND OFFICIAL COURT REPORTER OF THE 382ND DISTRICT COURT FOR FY2009;
- D) HEALTH COORDINATOR'S AUG/08 MONTHLY REPORT(S);
- E) CO. AUDITOR'S JULY/08 MONTHLY REPORT(S);

ITEM #28

• PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS:

NONE

• NON-EMERGENCY BUDGET TRANSFERS:

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING EXHIBIT B AS FOLLOWS:

2008-36 TRANSFER \$4,600 OF BUDGETED FUNDS FOR TITLE IV-E JUVENILE ADMINISTRATION GRANT TO EQUIPMENT & TOOLS @ \$2300 & MILEAGE & TRAINING @ \$2,300 FROM RESIDENTIAL PLACEMENT RESULTING FROM THE REALLOCATION OF GRANT FUNDS.

- **EMERGENCY BUDGET AMENDMENTS:** NONE
- THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING **PAID CLAIMS** IN THE AMOUNT OF \$ 27,776.92.
- THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING **UNPAID CLAIMS** IN THE AMOUNT OF \$195,495.05.
- THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY IN FAVOR OF APPROVING THE **PAYROLL** ENDING AUGUST 23, 2008 IN THE AMOUNT OF \$ 448,335.73.

THERE BEING NO FURTHER BUSINESS COMING BEFORE THE COURT, JUDGE FLORANCE ADJOURNED THE REGULAR MEETING.

LISA CONSTANT, COUNTY CLERK