

**COMMISSIONERS COURT
AUGUST 13, 2007**

**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

ITEM #1

THE INVOCATION WAS GIVEN BY COMMISSIONER GRINNAN.

ITEM #2

THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE
TEXAS FLAG WERE LED BY JUDGE FLORANCE.

ITEM #3

NO GUESTS WERE PRESENT TO SPEAK.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER BEATY WITH THE COURT VOTING 4-1, COMMISSIONER
WIMPEE VOTED AGAINST TO AUTHORIZE THE PUBLICATION OF THE
SALARIES AS PRESENTED.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO REIMBURSE MR. K.L. MCKINNEY THE ROAD AND BRIDGE FEE OF \$10.00 SINCE HE WAS NOT ABLE TO RECEIVE HIS PURPLE HEART PLATES IN ROCKWALL BUT INSTEAD HAD TO DRIVE TO CARROLLTON TO PICK UP HIS PLATES.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO ORDER A LOCAL OPTION ELECTION FOR THE CITY OF FATE FOR "LEGAL SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY" ON NOVEMBER 6, 2007.

ITEM #7

THE CONSTABLE OFFICES WERE MOVED TEMPORARILY DUE TO SPACE NEEDS AT THE LAW ENFORCEMENT CENTER. THE COUNTY PHONE SYSTEM IS NOT AVAILABLE AT THEIR CURRENT RENTAL LOCATION THEREFORE THEY ARE INCURRING LARGE CELL PHONE BILLS DUE TO EXTENSIVE USE. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO AGREE TO REIMBURSE THE CONSTABLES FOR THEIR ADDITIONAL CELL PHONE USE DURING THIS INTERIM PERIOD OF TIME

FOR THOSE BUSINESS CALLS OVER AND ABOVE THE \$60.00 ALLOCATION.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A SERVICE AGREEMENT WITH IPSWITCH INC FOR THE SOFTWARE UPGRADES AND TECHNICAL SUPPORT FOR THE COUNTYWIDE E-MAIL SYSTEM AT AN ANNUAL COST OF \$1,305.00 AS PRESENTED BY BRIAN CRENSHAW – IT DIRECTOR. BRIAN CRENSHAW 'S DEPARTMENT WILL PROVIDE TRAINING FOR COUNTY EMPLOYEES.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE RENEWAL OF THE AT&T DATACOMM MAINTENANCE AGREEMENT COVERING HARDWARE AND SOFTWARE FOR THE COUNTYWIDE MASTER NETWORK SYSTEM EFFECTIVE OCTOBER 1, 2007.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN ORDER OF THE COMMISSIONERS COURT OF ROCKWALL COUNTY, TEXAS AUTHORIZING THE ISSUANCE AND SALE OF ROCKWALL COUNTY, TEXAS, LIMITED TAX NOTES, SERIES 2007, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,250,000.00; LEVYING A TAX IN PAYMENT

THEREOF; PRESCRIBING THE TERMS AND PROVISIONS OF SAID NOTES;
AWARDING THE SALE THEREOF; AND ENACTING OTHER PROVISIONS
RELATING TO THE SUBJECT. THIS WILL FUND THE CAPITAL PURCHASES
MADE FOR THE FY2007 BUDGET AS STATED BY THE COUNTY AUDITOR.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO
APPROVE AMENDMENT NUMBER 03 EXTENDING THE GRANT
AGREEMENT TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
(TCEQ) GRANT AGREEMENT FOR ADMINISTRATION OF THE LOW INCOME
REPAIR AND REPLACEMENT PROGRAM (LIRAP) UNTIL AUGUST 31, 2008.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY
JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO
APPROVE AN INTERLOCAL AGREEMENT WITH MCLENDON-CHISHOLM
FOR EMERGENCY REPAIRS AND IMPROVEMENTS TO LEAGUE ROAD IN
THE AMOUNT OF \$3,761.60.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER BEATY TO APPROVE AN ADDENDUM TO THE
INTERLOCAL COOPERATION AGREEMENT FOR LAW ENFORCEMENT
SERVICES PROVIDED BY THE CITY OF FATE AT AN ANNUAL FEE OF
\$258,033.00 EFFECTIVE OCTOBER 1, 2007. JOHN BLACKWOOD, COUNTY

AUDITOR DID NOT AGREE THAT THE WORDING OF THE ADDENDUM ACCOMPLISHED THE NECESSARY CHANGES TO COVER THE ADDITIONAL OFFICER. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1, COMMISSIONER MAGNESS VOTED AGAINST, TO SET ASIDE THIS ITEM UNTIL AFTER THE EXECUTIVE SESSION.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN INTERLOCAL AGREEMENT WITH THE CITY OF ROYSE CITY FOR EMERGENCY AND ROUTINE DISPATCH SERVICES FOR THE ROYSE CITY POLICE DEPARTMENT AT AN ANNUAL FEE OF \$17,500.00 EFFECTIVE OCTOBER 1, 2007.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN AGREEMENT WITH BUREAU VERITAS TO PROVIDE PLAN REVIEW AND INSPECTIONS SERVICES AS REQUIRED FOR COUNTY-WIDE PROJECTS AT FEES ESTABLISHED IN EXHIBIT A AS PRESENTED WITH THE EXCEPTION OF THE RESIDENTIAL TABLE IN EXHIBIT A.

ITEM #16

THE DISCUSSION OF COUNTY ROAD BOND ISSUES WAS TABLED.

ITEM #17

THE DISCUSSION OF SPACE ISSUES WAS TABLED.

ITEM #18

THE DISCUSSION OF LAND ACQUISITION WILL BE IN EXECUTIVE SESSION.

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING 4-1, COMMISSIONER WIMPEE VOTED AGAINST, TO AUTHORIZE COMMISSIONER GRINNAN TO ENTER INTO NEGOTIATIONS FOR LAND PURCHASE INCLUDING THE PAYMENT OF EARNEST MONEY UP TO \$15,000 AND UP TO 90 DAYS.

ITEM #13 – READDRESSED

THE COUNTY AUDITOR REPORTED THAT THE ADDENDUM DOES NOT SPECIFY THE INCREASED SERVICES THAT ARE INCLUDED WITH THE INCREASED FEES. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO TABLE ANY ACTION ON THE ADDENDUM TO THE INTERLOCAL COOPERATION AGREEMENT FOR LAW ENFORCEMENT SERVICES PROVIDED TO THE CITY OF FATE..

ITEM #4 – READDRESSED

COMMISSIONER WIMPEE NOTICED ERRORS IN THE PROPOSED SALARIES FOR THE ELECTED OFFICIALS NOTICE PREVIOUSLY APPROVED TO BE POSTED. THE NOTED CORRECTIONS ARE AS

FOLLOWS JUSTICE OF THE PEACE 2 & 3 SALARY SHOULD BE \$62,000.00, JUSTICE OF THE PEACE 2 & 3 AUTO AND PHONE ALLOWANCE SHOULD BE \$4,920.00 AND JUSTICE OF THE PEACE 1 & 4 PHONE ALLOWANCE SHOULD BE \$720.00. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE TO AMEND ITEM #4'S PREVIOUS ACTION BY AMENDING AND APPROVING THE PROPOSED SALARY NOTICE WITH THE NOTED CORRECTIONS TO THE JUSTICE OF THE PEACE 2 & 3 SALARY, AUTO AND PHONE ALLOWANCE AND TO POST THE PROPOSED SALARY NOTICE WITH THE NOTED CORRECTIONS. COMMISSIONER MAGNESS STATED THAT THE JUSTICE OF THE PEACE 1 & 4 PHONE ALLOWANCE WAS NOT LISTED. COMMISSIONER BEATY AMENDED TO INCLUDE THIS CORRECTION TO THE JUSTICE OF THE PEACE 1 & 4 PHONE ALLOWANCE AND JUDGE FLORANCE SECONDED WITH THE COURT VOTING UNANIMOUSLY IN FAVOR.

ITEM #20

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:

- A) MINUTES OF PREVIOUS MEETINGS AND A CORRECTION MADE TO AUGUST 2, 2007 WORKSHOP MINUTES;

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:

- B) LISA CONSTANT, COUNTY CLERK, RECEIVE JULY 2007 MONTHLY REPORT;
- C) RON MERRITT, COUNTY ENVIRONMENTAL HEALTH COORDINATOR, RECEIVE JULY 2007 MONTHLY REPORT;
- D) DAVID KARR, JP PCT 1, RECEIVE JULY 2007 MONTHLY REPORT;
- E) KAY MCDANIEL, DISTRICT CLERK, RECEIVE JULY 2007 MONTHLY REPORT;
- F) LARRY HOLLOWAY, JP PCT 2, APPROVE DEPUTATION OF JUSTICE CLERK MIRANDA SCOTT;
- G) JANIE SQUIER, COUNTY AGENTK RECEIVE JULY 2007 MONTHLY REPORT;
- H) BARBARA BARBER, COUNTY TAX ASSESSOR, RECEIVE JULY 2007 MONTHLY REPORT;
- I) DONNA MUSSOTTER, INDIGENT HEALTH, RECEIVE JULY 2007 MONTHLY REPORT;
- J) JOHN BLACKWOOD, COUNTY AUDITOR, RECEIVE REPORTS OF THE ROCKWALL COUNTY JAIL COMMISSARY AUDIT AND THE COUNTY JAIL OPERATIONS FOR THE FY2006 THAT WERE FILED WITH THE TEXAS COMMISSION ON JAIL STANDARDS ON AUGUST 8, 2007;
- K) JOHN BLACKWOOD, COUNTY AUDITOR, RECEIVE JUNE 2007 MONTHLY REPORT;

ITEM #21

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS OF FIXED ASSETS:

- A. TAX ASSESSOR-COLLECTOR TO PURCHASE FROM GENERAL FUND: (1) LATERAL FILE CABINET @ AN ESTIMATED COST OF \$375.00
- B. TAX ASSESSOR-COLLECTOR TO TRANSFER TO COUNTY JAIL: (1) FILE CABINET – 5 DRAWER WITH LOCK @ AN ESTIMATED VALUE OF \$10.00
- C. TAX ASSESSOR-COLLECTOR TO TRANSFER TO SURPLUS: (1) WOODEN DESK – 6 DRAWERS WITH LAP DRAWER @ AN ESTIMATED VALUE OF \$50.00

ITEM #22

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

2007-21 TRANSFER \$980.00 OF BUDGETED FUNDS FOR DISTRICT JUDGE **TO** CAPITAL OUTLAY **FROM** OFFICE SUPPLIES RESULTING FROM THE PURCHASE OF A MOTOROLA PORTABLE RADIO WHICH WAS APPROVED IN COMMISSIONERS COURT ON JUNE 11, 2007.

2007-22 TRANSFER AN ADDITIONAL \$50.00 OF BUDGETED FUNDS FOR DISTRICT CLERK **TO** CAPITAL OUTLAY **FROM** OFFICE SUPPLIES

RESULTING FROM THE PURCHASE OF A BAR CODE LABEL PRINTER WHICH WAS APPROVED IN COMMISSIONERS COURT ON NOVEMBER 13, 2006.

2007-23 TRANSFER \$4,000.00 OF BUDGETED FUNDS **TO** PUBLIC SAFETY/DPS-HIGHWAY PATROL **FROM** GENERAL GOVERNMENT/CONTINGENCY RESULTING FROM THE EMERGENCY PURCHASE OF A BREATHALYZER SYSTEM WHICH WAS APPROVED IN COMMISSIONERS COURT ON MAY 29, 2007.

ITEM #23

EMERGENCY BUDGET AMENDMENTS: NONE

ITEM #24

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAID CLAIMS IN THE AMOUNT OF \$1,550,332.02.

THE MOTION MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$239,154.69.

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAYROLL ENDING JULY 28, 2007 IN THE AMOUNT OF \$399,505.40.

WITH NO OTHER ITEMS ON THE AGENDA, JUDGE FLORANCE
ADJOURNED.

LISA CONSTANT, COUNTY CLERK