

**COMMISSIONERS COURT
SEPTEMBER 10, 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 BEATY.

ITEM #2

THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE
TEXAS FLAG WERE LED BY COMMISSIONER MAGNESS.

ITEM #3

NO GUESTS WERE PRESENT TO SPEAK.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY
COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO
DESIGNATE CASA AS THE AGENCY THAT WILL RECEIVE THE CHILD
PROTECTION FEES COLLECTED BY THE DISTRICT CLERK'S OFFICE.

ITEM #5

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO SET ASIDE ITEM #5 REGARDING MASS GATHERING PERMITS AND PROCEDURES FOR A FUTURE WORKSHOP.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE COUNTY HOLIDAYS FOR THE CALENDAR YEAR 2008 AS PRESENTED BY THE COUNTY JUDGE.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0, COMMISSIONER MAGNESS ABSTAINED, TO ACCEPT THE FOUR PART RECOMMENDATION OF THE COUNTY TREASURER WHICH INCLUDES: 1) THE INTEGRATION OF SCENARIOS I AND II AS AMENDMENTS INTO THE BID OFFER FROM AMERICAN NATIONAL BANK; 2) AWARD THE DEPOSITORY CONTRACT TO AMERICAN NATIONAL BANK BASED UPON THESE AMENDMENTS; 3) THE FIRST TWO YEARS OF THE CONTRACT TO BE OPERATED UNDER SCENARIO I; 4) TO RESERVE THE RIGHT TO EXTEND THE CONTRACT FOR TWO YEARS WITH THE OPTION TO CHANGE TO SCENARIO II FOR THE LAST TWO YEARS.

ITEM #8

DISCUSSION ONLY REGARDING COUNTY ROAD BOND ISSUE.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-1, COMMISSIONER WIMPEE VOTED AGAINST, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF FATE TO ESTABLISH COUNTY/CITY BOUNDARIES ON BLACKLAND ROAD SUBJECT TO THE FOLLOWING CONDITIONS: 1) COUNTY OF ROCKWALL WILL UPGRADE BLACKLAND ROAD FROM THE SOUTHERN BOUNDARY OF THE FATE CITY LIMITS TO I-30, AT A COST TO THE CITY OF FATE OF \$45,000.00; 2) CITY OF FATE AGREES TO MAINTAIN BLACKLAND ROAD FROM GREENBRIAR ROAD TO I-30 AND THE COUNTY OF ROCKWALL AGREES TO MAINTAIN BLACKLAND ROAD FROM GREENBRIAR ROAD TO THE SOUTH; 3) FROM THIS DATE FORWARD THE CITY OF FATE AGREES TO ANNEX ALL OF ANY PORTION OF BLACKLAND ROAD THAT BORDERS ANY AREA IT ANNEXES INTO THE CITY; 4) AGREEMENT IS SUBJECT TO APPROVAL BY DISTRICT ATTORNEY'S OFFICE AND THE COUNTY AUDITOR'S OFFICE.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPOINT COMMISSIONER MAGNESS TO NEGOTIATE WITH THE LESSOR

FOR LEASE PROPERTY LOCATED IN THE RIDGE ROAD SHOPPING CENTER FOR COUNTY OFFICES.

ITEM #11

DISCUSSION ONLY REGARDING THE COUNTY TAX ASSESSOR WAIVING PENALTIES AND INTEREST UP TO \$200.00 ON COUNTY PROPERTY TAX. BARBARA BARBER, TAX ASSESSOR WILL PUT TOGETHER A PROCEDURE REGARDING WAIVING FEES AND WILL PRESENT IT TO THE COURT IN A FUTURE WORKSHOP.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO AUTHORIZE THE COUNTY AUDITOR AND THE COUNTY TREASURER TO RELEASE ESCROW MONIES IN THE AMOUNT OF \$115,000.00 TO DAEDELUS CORPORATION BEING HELD TO COMPLETE ROAD WORK ON MCDONALD ROAD FROM FALCON POINT DEVELOPMENT AND APPROVE SIGNING THE RELEASE DOCUMENT. COMMISSIONER WIMPEE STATED THAT THE ORIGINAL AGREEMENT WAS THE COUNTY WOULD DO CERTAIN WORK IF THE DEVELOPER ACQUIRED THE RIGHT OF WAY. DAEDELUS CORPORATION NEVER OBTAINED THE RIGHT OF WAY EVEN THOUGH IT WAS PROMISED DURING THE FINAL PLAT APPROVAL. THE COUNTY, HOWEVER, WAS READY TO COMPLETE THE PROMISED ROAD ON MCDONALD ROAD BUT NOW DOES NOT NEED TO SINCE THE CITY OF HEATH HAS ANNEXED THAT PORTION OF MCDONALD ROAD.

ITEM #13

NO DISCUSSION REGARDING COUNTY SPACE ISSUES.

ITEM #14

THERE ARE NO CHANGES TO CURRENT SHERIFF'S AND CONSTABLE'S FEES THEREFORE NO ACTION IS NECESSARY.

ITEMS #15 - #22

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING TO APPROVE THE FOLLOWING MAINTENANCE AGREEMENTS: 1) RENEW THE ANNUAL MAINTENANCE AGREEMENT WITH WHEELER SYSTEMS FOR INSPECTION OF ONE FIRE ALARM PANEL AT THE COUNTY JAIL EFFECTIVE OCTOBER 1, 2007, AT A COST OF \$1,775.00; 2) RENEW THE ANNUAL MAINTENANCE AGREEMENT WITH DELBOSQUE LANDSCAPING, INC. FOR LAWN MAINTENANCE AT THE HISTORIC COURTHOUSE EFFECTIVE OCTOBER 1, 2007, AT A COST OF \$1,920.00 3) RENEW THREE ANNUAL MAINTENANCE AGREEMENTS WITH INTER-COUNTY COMMUNICATIONS, INC. FOR THE COUNTY SHERIFF/JAIL, FIRE MARSHAL, AND EMERGENCY MANAGEMENT RADIO EQUIPMENT EFFECTIVE OCTOBER 1, 2007, AT A COST OF \$14,910.00; 4) RENEW THE ANNUAL MAINTENANCE AGREEMENT WITH ENTECH SALES AND SERVICE, INC. FOR THE DELTA CONTROL SYSTEM AT THE HISTORIC COURTHOUSE EFFECTIVE OCTOBER 1, 2007, AT A COST OF \$2,809.00; 5) RENEW THE ANNUAL MAINTENANCE AGREEMENT WITH STEWART AND STEVENSON SERVICES, INC. FOR THE

GENERATORS LOCATED AT THE COUNTY JAIL EFFECTIVE OCTOBER 1, 2007, AT A COST OF \$2,092.77; 6) APPROVE AN ANNUAL MAINTENANCE AGREEMENT WITH THE WINDWARD GROUP, LLC FOR THE CANON MP-90 MICROFILM MACHINE AT THE COUNTY CLERK'S OFFICE EFFECTIVE OCTOBER 1, 2007, AT A COST OF \$500.00; 7) RENEW THE ANNUAL SERVICE AGREEMENT WITH ENTECH SALES AND SERVICE, INC. FOR PREVENTATIVE MAINTENANCE ON THE AC/HEATING EQUIPMENT AT THE HISTORIC COURTHOUSE EFFECTIVE OCTOBER 1, 2007, AT A COST OF \$7,660.00; 8) RENEW THE ANNUAL SERVICE AGREEMENT WITH ENTECH SALES AND SERVICE, INC. FOR PREVENTATIVE MAINTENANCE ON THE AC/HEATING SYSTEM AT THE GOVERNMENT CENTER EFFECTIVE OCTOBER 1, 2007. AT A COST OF \$7,983.00,

ITEM #23

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A SUPPLEMENTAL AGREEMENT (NO. 1) TO THE WORK AUTHORIZATION NO. 4 AGREEMENT WITH BUCHER, WILLIS AND RATLIFF CORPORATION FOR ENGINEERING SERVICES ON THE IH30/SH205 BY-PASS FOR A MAXIMUM FEE OF \$5,000.00. THE FEE WILL BE PAID OUT OF ROAD BOND MONIES.

ITEM #24

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO

RENEW THE PARKING LOT LEASE WITH ROY HANCE FOR AN ADDITIONAL ONE YEAR PERIOD EFFECTIVE OCTOBER 1, 2007 AT AN ANNUAL COST OF \$7,000.00.

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RESOLUTION OF THE ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION AMENDING THE FY2008 EMERGENCY MANAGEMENT BUDGET AT NO ADDITIONAL EXPENSE TO THE COUNTY.

ITEM #26

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO AWARD THE BID FOR RADIO FREQUENCY IDENTIFICATION SYSTEM FOR THE NEW COUNTY LIBRARY TO CHECKPOINT AS RECOMMENDED BY THE LIBRARY DIRECTOR KATHY MELSTON.

ITEM #27

PRESENTATION BY NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS REGARDING AIR QUALITY. THE PROGRAM DISCUSSED EXISTS TO ALLOW MONEY TO BE COLLECTED IN ORDER TO REPAIR OR REPLACE OR RETROFIT DIESEL ENGINES AS PRESCRIBED BY SENATE BILL 12. THE SECOND COMPONENT OF SENATE BILL 12 IS THE LIRAP PROGRAM THAT ALLOW FAMILIES TO QUALIFY FOR ASSISTANCE FOR THE REQUIRED REPAIRS TO OLDER VEHICLES.

ITEM #28

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

- A) MINUTES OF PREVIOUS MEETINGS;
- B) LISA CONSTANT, COUNTY CLERK, RECEIVE AUGUST 2007 MONTHLY REPORT;
- C) DAVID KARR, JP1, RECEIVE AUGUST 2007 MONTHLY REPORT;
- D) RON MERRITT, COUNTY HEALTH COORDINATOR, RECEIVE AUGUST 2007 MONTHLY REPORT;
- E) JANIE SQUIER, COUNTY AGENT, RECEIVE AUGUST 2007 MONTHLY REPORT;
- F) HAROLD EAVENSON, SHERIFF, ACKNOWLEDGE THE DEPUTATION OF DEPUTY SHERIFF ELMER G. STONE;
- G) JOHN BLACKWOOD, COUNTY AUDITOR, APPROVE PAYMENT TO POGUE CONSTRUCTION FOR WORK IN PROGRESS ON THE NEW COUNTY LIBRARY IN THE AMOUNT OF \$300,735.89;

ITEM #29

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

- A. TAX ASSESSOR-COLLECTOR PURCHASED FROM GENERAL FUND: (1) ALARM LOCK SYSTEM @ AN ACTUAL COST OF \$750.00.
- B. COUNTY JAIL PURCHASED FROM GENERAL FUND: (1) CHAINSAW @ AN ACTUAL COST OF \$269.00.
- C. COUNTY JAIL PURCHASED FROM GENERAL FUND: (1) TORO HIGH WHEEL MOWER @ AN ACTUAL COST OF \$299.00.
- D. COUNTY JAIL PURCHASED FROM GENERAL FUND: (1) LAMINATOR MACHINE @ AN ACTUAL COST OF \$268.30.

ITEM #30

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

- 2007-27** TRANSFER \$350.00 OF BUDGETED FUNDS FOR COUNTY CLERK **TO** TRAVEL & TRAINING **FROM** SOFTWARE TRAINING RESULTING FROM EXPENDITURES DURING FY2007 THAT EXCEEDED BUDGETED FUNDS APPROVED AND ALLOWED.
- 2007-28** TRANSFER \$500.00 OF BUDGETED FUNDS FOR ELECTIONS ADMINISTRATOR **TO** TRAVEL & TRAINING **FROM** VOTING MACHINE PROGRAMMING RESULTING FROM EXPENDITURES DURING FY2007 THAT EXCEEDED BUDGETED FUNDS APPROVED AND ALLOWED.
- 2007-29** TRANSFER \$4,000.00 OF BUDGETED FUNDS FOR ELECTIONS ADMINISTRATOR **TO** CAPITAL OUTLAY **FROM** VOTING MACHINE PROGRAMMING RESULTING FROM THE PURCHASE OF A VOTER REGISTRATION CARD STORAGE SYSTEM WHICH WAS APPROVED BY COMMISSIONERS COURT ON AUGUST 27, 2007.
- 2007-30** TRANSFER \$2,775.00 OF BUDGETED FUNDS FOR COUNTY LIBRARY **TO** CAPITAL OUTLAY **FROM** DATA SERVICES RESULTING FROM THE PURCHASE OF 5

THERMAL RECEIPT PRINTERS AND 1 LASERJET
PRINTER WHICH WERE APPROVED BY
COMMISSIONERS COURT ON
AUGUST 27, 2007.

ITEM #31

EMERGENCY BUDGET AMENDMENTS: NONE

ITEM #32

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO
APPROVE THE PAID CLAIMS IN THE AMOUNT OF \$41,998.15.

THE MOTION MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO
APPROVE THE UNPAID CLAIMS IN THE AMOUNT OF \$565,339.93.

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY
COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO
APPROVE THE PAYROLL ENDING AUGUST 25, 2007 IN THE AMOUNT OF
\$386,267.44.

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

LISA CONSTANT, COUNTY CLERK