

**COMMISSIONERS COURT  
OCTOBER 9, 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:**

<b>CHRIS FLORANCE</b>	<b>COUNTY JUDGE</b>
<b>JERRY WIMPEE</b>	<b>COMMISSIONER PCT #1</b>
<b>LORIE GRINNAN</b>	<b>COMMISSIONER PCT #2</b>
<b>BRUCE BEATY</b>	<b>COMMISSIONER PCT #3</b>
<b>DAVID MAGNESS</b>	<b>COMMISSIONER PCT #4</b>
<b>LISA CONSTANT</b>	<b>COUNTY CLERK</b>

**ITEM #1**

THE INVOCATION WAS GIVEN BY COMMISSIONER WIMPEE.

**ITEM #2**

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO  
THE TEXAS FLAG WERE LED BY COMMISSIONER GRINNAN.

**ITEM #3**

NO GUESTS WERE PRESENT TO SPEAK.

**ITEM #4**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY  
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO  
PRESENT A PROCLAMATION FOR TEXAS 4-H CENTENNIAL CELEBRATION  
(OCTOBER 9<sup>TH</sup> , 2007 THRU NOVEMBER 1<sup>ST</sup> , 2008) AND NATIONAL 4-H  
WEEK .

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE ATTENDANCE OF BRIAN WILLIAMS AT LEADERSHIP ROCKWALL AND APPROVE THE PAYMENT OF ANY RELATED EXPENSES.

**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO PASS A RESOLUTION REGARDING INDIGENT BURIALS WITH THE FOLLOWING CHANGES TO THE RESOLUTION: #2- THE ROCKWALL COUNTY JUDGE WILL BE SOLELY VESTED WITH THE AUTHORITY TO ORDER DISPOSITION AND ANY PAYMENT UP TO \$1,000.00 FOR THE DISPOSITION OF THE BODY OF A DECEASED PAUPER; ANY PAYMENT EXCEEDING \$1,000.00 WILL BE REFERRED TO THE COMMISSIONERS COURT FOR ACTION.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING ORDER AS READ BY COMMISSIONER GRINNAN: AS PROVIDED IN THE COUNTY'S SICK LEAVE POOL POLICY MANUAL, THE COMMISSIONERS COURT HEREBY APPOINTS THE FOLLOWING MEMBERS TO THE COMMITTEE RESPONSIBLE FOR REVIEWING AND APPROVING REQUESTS FOR USE OF HOURS IN THE

POOL: GLENDA DENTON, REPRESENTING THE ORGANIZATIONS UNDER THE "DOWNTOWN" GROUP; BRIAN WILLIAMS, REPRESENTING THE ORGANIZATIONS UNDER THE "GOVERNMENT CENTER" GROUP; JUDY THOMASON, REPRESENTING THE ORGANIZATIONS UNDER THE "DETENTION & JUSTICE CENTER" GROUP; SONDRAS STEPHENS, REPRESENTING THE ORGANIZATIONS UNDER THE "PROBATION" GROUP; AND GARY MORRIS, REPRESENTING THE ORGANIZATIONS UNDER THE "OTHER ORGANIZATIONS" GROUP. IN ADDITION, MARY ANN OTTO IS APPOINTED TO SERVE AS ALTERNATE SHOULD A MEMBER NOT BE AVAILABLE TO ATTEND A CALLED MEETING. FURTHER, THE HR FUNCTION SHALL SERVE AS EX OFFICIO CHAIR OF THE COMMITTEE, BE RESPONSIBLE FOR RECOMMENDING THE MEMBERS OF THE COMMITTEE TO BE APPOINTED BY THE COURT, MAINTAIN THE REQUIRED RECORDS, AND CONVENE COMMITTEE MEETINGS AS REQUIRED.

**ITEM #8**

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO TABLE THIS ITEM REGARDING RENEWING THE WEST LAW CONTRACT FOR THE DISTRICT ATTORNEY'S OFFICE UNTIL A FUTURE DATE.

**ITEM #9**

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

AUTHORIZE THE FOLLOWING PROVISIONS RELATING TO THE TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM: 1) TO ACKNOWLEDGE NO CHANGES FOR NON-RETIRES, 2) TO ADOPT A 100% CPI-BASED COLA FOR RETIREES 3) TO ACKNOWLEDGE TOTAL REQUIRED RATE OF 8.0%; 3) ADOPT AN ELECTED RATE OF 9.0%; 4) TO AUTHORIZE THE COUNTY JUDGE TO CERTIFY THE FOREGOING TO BE SUBMITTED TO TCDRS. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A LUMP SUM PAYMENT TO THE RETIREMENT ACCOUNT TO ELIMINATE THE LIABILITY PENDING AN ACTUARIAL UPDATE AND AGREE TO MAKE AN OPTIONAL PAYMENT OF \$2.0 MILLION WHICH IS INCLUDED IN THE CURRENT BUDGET YEAR.

**ITEM #10**

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A LEASE AGREEMENT WITH MCCALLUM V LTD. FOR THE COUNTY TO LEASE SPACE AT 107 E. KAUFMAN STREET IN ROCKWALL FOR THE ELECTIONS OFFICE EFFECTIVE NOVEMBER 1, 2007 WITH NO PAYMENTS DUE UNTIL JANUARY 1, 2008 AT \$3,000.00 A MONTH AND TO PAY 80% OF THE ELECTRIC BILL WHEN PRESENTED FOR PAYMENT FROM THE LANDLORD.

**ITEM #11**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN ANNUAL MAINTENANCE AGREEMENT WITH NETDATA FOR HARDWARE SUPPORT ON THE IBM AS400 EFFECTIVE OCTOBER 1, 2007 AT A COST OF \$5,000.00.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE RECOMMENDATION BY THE COUNTY AUDITOR TO INCREASE THE CHANGE FUND BY \$400.00 FOR THE TAX ASSESSOR-COLLECTOR, PURSUANT TO LGC § 130.902(D).

**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RESOLUTION AUTHORIZING THE APPLICATION FOR THE INDIGENT DEFENSE GRANT FOR FISCAL YEAR 2008 PURSUANT TO THE TEXAS FAIR DEFENSE ACT.

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A ONE-YEAR INTERLOCAL AGREEMENT EFFECTIVE JANUARY 1, 2008, WITH THE TEXAS ASSOCIATION OF COUNTIES RISK

MANAGEMENT POOL FOR ROCKWALL COUNTY'S PARTICIPATION AT A CONTRIBUTION DETERMINED ANNUALLY AND DESIGNATE THE COUNTY TREASURER AS POOL COORDINATOR.

**ITEMS #15**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A ONE-YEAR AGREEMENT EFFECTIVE OCTOBER 1, 2007 WITH INNOVATIVE TRANSPORTATION SOLUTIONS, INC. FOR A TRANSPORTATION SERVICES CONTRACT PROVIDING PROFESSIONAL TRANSPORTATION CONSULTING SERVICES AT AN ANNUAL FEE OF \$120,000.00.

**ITEM #16**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN TO APPROVE THE CONSENT AGENDA. COMMISSIONER WIMPEE MADE A MOTION TO AMEND THE MOTION TO EXCLUDE ITEM C FROM THE CONSENT AGENDA. COMMISSIONER WIMPEE'S MOTION DIED FOR A LACK OF A SECOND. THE COURT REQUESTED THAT ALL AGREEMENTS OR CONTRACTS BE PLACED ON THE REGULAR AGENDA AND NOT ON THE CONSENT AGENDA. HOWEVER, IN THE INTEREST OF TIME THE COURT WILL TAKE ACTION TODAY TO APPROVE ITEM C. THE COURT VOTED UNANIMOUSLY TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:

- A) MINUTES OF PREVIOUS MEETING;

- B) LARRY HOLLOWAY, J.P. PCT. 2, RECEIVE AUGUST 2007 MONTHLY REPORT;
- C) GLENDA DENTON, CO. ELECTION ADMINISTRATOR, ACKNOWLEDGE THE JOINT ELECTION AGREEMENT WITH TRIPLE CREEK MUNICIPALITY MANAGEMENT DISTRICT;
- D) KATHY MELSTON, CO. LIBRARIAN, RECEIVE AUGUST 2007 MONTHLY REPORT;
- E) TODD WILLIAMS, CO. AGENT, RECEIVE AUGUST 2007 MONTHLY REPORT;
- F) HAROLD EAVENSON, CO. SHERIFF, ACKNOWLEDGE THE DEPUTATION OF RESERVE DEPUTY SHERIFF JOSEPH DELANE, JR.
- G) BARBARA BARBER, CO. TAX ASSESSOR/COLLECTOR, RECEIVE AUGUST 2007 MONTHLY REPORT;
- H) RON MERRITT, CO. ENVIRONMENTAL HEALTH COORDINATOR, RECEIVE SEPTEMBER 2007 MONTHLY REPORT;
- I) JOHN BLACKWOOD, CO. AUDITOR, RECEIVE AUGUST 2007 MONTHLY REPORT;

**ITEM #17**

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 ITEMS A-K AND AUTHORIZE THE COUNTY AUDITOR TO DISPOSE OF SURPLUS ITEMS F-K BY INTERNET AUCTION:

- A. COUNTY SHERIFF PURCHASED FROM GENERAL FUND: SHELVING FOR NEW EVIDENCE ROOM @ AN ACTUAL COST OF \$859.79.
- B. COUNTY JAIL PURCHASED FROM GENERAL FUND: SHELVING FOR RECORD STORAGE AT COUNTY BARN @ AN ACTUAL COST OF \$240.96.
- C. SURPLUS TRANSFER TO JUSTICE OF THE PEACE #2: (1) COMPUTER DESK @ AN ESTIMATED VALUE OF \$10.00.
- D. SURPLUS TRANSFER TO JUSTICE OF THE PEACE #2: (1) SINGLE PEDESTAL DESK @ AN ESTIMATED VALUE OF \$10.00.

- E. SURPLUS TRANSFER TO COUNTY LIBRARY: (1) DOUBLE PEDESTAL DESK @ AN ESTIMATED VALUE OF \$10.00.
- F. JUSTICE OF THE PEACE #2 TRANSFER TO SURPLUS: (1) WOOD CREDENZA @ AN ESTIMATED VALUE OF \$10.00.
- G. JUSTICE OF THE PEACE #2 TRANSFER TO SURPLUS: (1) BROTHER CORRECTRONIC TYPEWRITER @ AN ESTIMATED VALUE OF \$10.00.
- H. JUSTICE OF THE PEACE #2 TRANSFER TO SURPLUS: (1) IBM CORRECTING SELECTRIC II TYPEWRITER @ AN ESTIMATED VALUE OF \$10.00.
- I. ELECTION ADMINISTRATOR TRANSFER TO SURPLUS: (1) LATERAL ROTATING FILE CABINET @ AN ESTIMATED VALUE OF \$100.00.
- J. VARIOUS DEPARTMENTS TRANSFER TO SURPLUS: (17) DESKS, (1) HUTCH, (4) TYPEWRITER TABLES, (1) 5 DRAWER LATERAL FILE CABINET, AND (1) TABLE @ AN ESTIMATED VALUE OF \$100.00.
- K. VARIOUS DEPARTMENTS TRANSFER TO SURPLUS: (24) OFFICE CHAIRS @ AN ESTIMATED VALUE OF \$50.00.

**ITEM #18**

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

**2007-32** TRANSFER \$5,000.00 OF BUDGETED FUNDS **TO** COUNTY TREASURER/CONTRACT LABOR **FROM** GENERAL GOVERNMENT/CONTINGENCY RESULTING FROM THE EXTENSION OF CONTRACT LABOR FOR JOE HOOFNAGLE THRU SEPTEMBER 30, 2007, IN ORDER TO BRING BANK RECONCILIATIONS TO A CURRENT STATUS WHICH WAS APPROVED IN COMMISSIONERS COURT ON AUGUST 27, 2007.

**2007-33** TRANSFER \$9,000.00 OF BUDGETED FUNDS **TO** COUNTY JAIL/CAPITAL OUTLAY **FROM** GENERAL GOVERNMENT/CONTINGENCY RESULTING FROM THE EMERGENCY PURCHASE OF FIRE ALARM DEVICES FOR THE MENS DORM OF THE JAIL WHICH WERE APPROVED IN COMMISSIONERS COURT ON JULY 11, 2007.

**2007-34** TRANSFER \$850.00 OF BUDGETED FUNDS FOR COUNTY JAIL **TO** CAPITAL OUTLAY **FROM** EQUIPMENT RESULTING FROM THE PURCHASE OF A CHAINSAW, MOWER, AND LAMINATOR MACHINE WHICH WERE APPROVED IN COMMISSIONERS COURT ON SEPTEMBER 10, 2007.

**ITEM #19**

EMERGENCY BUDGET AMENDMENTS: NONE

**ITEM #20**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE PAID CLAIMS IN THE AMOUNT OF \$169,679.64.

THE MOTION MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE UNPAID CLAIMS IN THE AMOUNT OF \$751,540.54.

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAYROLL ENDING SEPTEMBER 22, 2007 IN THE AMOUNT OF \$396,090.79.

WITH NO OTHER ITEMS ON THE AGENDA, JUDGE FLORANCE  
ADJOURNED THE REGULAR MEETING AT 9:58AM.

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**LISA CONSTANT, COUNTY CLERK**