

**COMMISSIONERS COURT
DECEMBER 11, 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
THERESA HOLLEY	DEPUTY COUNTY CLERK

ITEM #1

THE INVOCATION WAS GIVEN BY COMMISSIONER MAGNESS.

ITEM #2

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

ITEM #3

NO GUESTS WERE PRESENT TO SPEAK.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO
ADOPT A RESOLUTION FOR ROCKWALL COUNTY AS PERMITTED BY THE
CONSTITUTION AND SECTION 11.253(j) OF THE TEXAS TAX CODE,

HEREBY PROVIDES FOR THE TAXATION OF GOODS-IN-TRANSIT
OTHERWISE EXEMPTED BY SECTION 11.253(b) OF THE TEXAS TAX CODE.

ITEM #5

DR. CARL K. MCKENNEY, D.O. WAS SWORN IN BY JUDGE FLORANCE AS
THE 2008 LOCAL HEALTH AUTHORITY FOR ROCKWALL COUNTY.

ITEM #4 (RE-VISITED)

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO
ADOPT A COURT ORDER EXERCISING LOCAL OPTION TO TAX GOODS-IN-
TRANSIT PERSONAL PROPERTY THAT IS OTHERWISE EXEMPT UNDER
TEXAS TAX CODE SEC. 11.253.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO
DESIGNATE 107 EAST KAUFMAN AS THE MAIN OFFICE FOR THE
ELECTIONS ADMINISTRATOR AND THE OFFICIAL SITE FOR EARLY
VOTING FOR ROCKWALL COUNTY.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO
OPEN TWO ADDITIONAL EARLY VOTING SITES IN THE CITY OF ROYSE
CITY AND THE CITY OF HEATH.

ITEM #8

COMMISSIONER WIMPEE STATED THAT THREE FLOOD CONTROL LAKES (PHELPS, LOFLAND AND WALLACE) HAVE BEEN IDENTIFIED BY THE SOIL AND WATER CONSERVATION DISTRICT THAT NEED REPAIRS. THE COUNTY IS RESPONSIBLE FOR THE MAINTENANCE OF THESE LAKES, EVEN IF THE LAKES ARE INSIDE THE CITY LIMITS. THIS ITEM WILL BE PLACED ON THE NEXT AGENDA.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPOINT COMMISSIONER BRUCE BEATY AS THE REPRESENTATIVE TO THE TEXAS CONFERENCE OF URBAN COUNTIES (CUC) POLICY COMMITTEE.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO TABLE THIS ITEM REGARDING THE ROCKWALL COUNTY THOROUGHFARE PLAN UNTIL THE NEXT AGENDA.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO TABLE THIS ITEM REGARDING DESIGNATING THE USE OF ANY REMAINING

CONTINGENCY MONEY AFTER THE COMPLETION OF THE NEW COUNTY LIBRARY UNTIL THE NEXT AGENDA.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO ADJUST THE SALARY FROM STEP/LEVEL 4 OPERATOR TO STEP/LEVEL 7 OPERATOR FOR WAYNE HENSLEY, ROAD AND BRIDGE EMPLOYEE DUE TO HIS VALUABLE TWELVE-YEAR EXPERIENCE.

ITEM #13

THE MOTION WAS MADE BY JUDGE FLORANCE TO RE-DEFINE THE INCENTIVE PAY PROGRAM TO APPLY TO LAW ENFORCEMENT STEP PLAN EMPLOYEES WHO HAVE NOT OBTAINED A CERTAIN LEVEL OF EDUCATION AND/OR TRAINING AND TO ALL HIRED LAW ENFORCEMENT THAT ALREADY HAVE ATTAINED A HIGHER DEGREE OF EDUCATION OR TRAINING AND ARE COMPENSATED AT A HIGHER LEVEL WHICH WILL TAKE THIS ACHIEVEMENT INTO ACCOUNT. THE MOTION WAS WITHDRAWN BY JUDGE FLORANCE. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO EXTEND THE STIPEND TO THE JAIL COMMANDER IN ACCORDANCE WITH THE INCENTIVE PAY PROGRAM FOR LAW ENFORCEMENT AND MAKE THIS STIPEND RETROACTIVE BACK TO OCTOBER 1, 2007.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING UNANIMOUSLY TO APPROVE AN AGREEMENT WITH AT&T GLOBAL SERVICES TO PROVIDE OPT-E MAN SERVICES FOR ROCKWALL COUNTY'S NEW TELEPHONE SYSTEM AT A COST OF \$3,002.00 PER MONTH, EFFECTIVE UPON ACTIVATION. THIS IS A FIBER-BASED SERVICE THAT TRANSPARENTLY INTERCONNECTS TWO OR MORE CUSTOMER LOCATIONS WITHIN A METROPOLITAN AREA NETWORK (MAN).

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF CERTAIN EXPENDITURES FROM FUTURE TAX EXEMPT DEBT OBLIGATIONS.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO TABLE THIS ITEM REGARDING AUTHORIZING THE ISSUANCE AND SALE OF TAX NOTES.

ITEM #17

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

APPROVE A PURCHASE AGREEMENT FOR REAL PROPERTY LOCATED AT 915 WHITMORE DRIVE , ROCKWALL, TEXAS AT A PURCHASE PRICE OF \$1,154.440.00.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO AMEND THE ROCKWALL COUNTY TRAVEL POLICY FOR MEALS AND LODGING PURSUANT TO THE INTERNAL REVENUE CODE AS FOLLOWS:

Rockwall County, Texas

**Travel Policy Revisions
(Effective January 1, 2008)**

1. Rockwall County will not reimburse employees for day meals pursuant to IRS code. (Definition: day meal – any meal consumed when not spending the night away from home overnight per IRS guidelines.)
2. Rockwall County will not reimburse employees for hotel bills incurred (pursuant to IRS code as interpreted by the Commissioners Court) when attending training schools, seminars, and conferences in the five county area of Rockwall, Dallas, Collin, Hunt and Kaufman, which are conducted during normal working hours. (Exception: The class adjourns after 8:00 PM, the trip home exceeds 50 miles, and class attendance is required the next morning by 9:00 AM, as supported by an agenda.)
3. Traveling employees who require overnight stays will not be reimbursed for the following meals:
 - a) Breakfast on day of departing to the event unless required to leave prior to 6:00 AM.
 - b) Lunch on day of departing to the event unless required to leave prior to 11:00 AM.
 - c) Lunch on day of returning to home base unless arriving after 2:00 PM.
 - d) Dinner on day of returning to home base unless arriving after 8:00 PM.
4. Rockwall County will not accept the submission of meal receipts for reimbursement. Reimbursement shall only be available for authorized meals based on the meal allowances stipulated in the travel policy.

Note:

Revisions to the Travel Policy by the Commissioners Court are based on Internal Revenue Codes and IRS audits of county governments.

ITEM #19

JOHN POLSTER, ITS, REPORTED HIS MEETING WITH TXDOT REGARDING FUNDING FOR PROPOSED ROAD PROJECTS AND POSSIBLE BOND ELECTIONS.

ITEM #20

DISCUSSION OF COUNTY SPACE ISSUES WAS HELD IN EXECUTIVE SESSION.

ITEM #21

DISCUSSION ON PURCHASE, EXCHANGE, LEASE OR VALUE OR REAL PROPERTY WAS HELD IN EXECUTIVE SESSION.

ITEM #22

EXECUTIVE SESSION

DISCUSSION OF COUNTY ROAD BOND ISSUES WILL BE STRUCK FROM THE EXECUTIVE SESSION AGENDA BASED ON ADVICE FROM BRIAN WILLIAMS, ASSISTANT DISTRICT ATTORNEY.

ITEM #23

ACTION OF EXECUTIVE SESSION:

NO ACTION TAKEN.

ITEM #24

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, CO. CLERK, RECEIVE NOVEMBER 2007 MONTHLY REPORT;
- C) BARBARA BARBER, CO. TAX ASSESSOR/COLLECTOR, RECEIVE OCTOBER 2007 MONTHLY REPORT;
- D) DAVID KARR, J.P. PCT. 1, RECEIVE NOVEMBER 2007 MONTHLY REPORT;
- E) RON MERRITT, CO. ENVIRONMENTAL HEALTH COORDINATOR, RECEIVE NOVEMBER 2007 MONTHLY REPORT;
- F) TODD WILLIAMS, CO. AGENT, RECEIVE SEPTEMBER, OCTOBER AND NOVEMBER 2007 MONTHLY REPORT;
- G) JOHN BLACKWOOD, CO. AUDITOR, APPROVE PAYMENT TO POGUE CONSTRUCTION FOR WORK IN PROGRESS ON THE NEW COUNTY LIBRARY IN THE AMOUNT OF \$999,042.55;
- H) JOHN BLACKWOOD, CO. AUDITOR, APPROVE PAYMENT TO BUCHER, WILLIS AND RATLIFF CORPORATION FOR ROAD IMPROVEMENTS DURING OCTOBER 2007 IN THE AMOUNT OF \$9,427.48, AND ALL RELATED ISSUES;
- I) JOHN BLACKWOOD, CO. AUDITOR, RECEIVE OCTOBER 2007 MONTHLY REPORT;

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

- A) MINUTES OF PREVIOUS MEETINGS WITH THE ADDITION OF THE WORDS (OPEN SPACE PLANNING) BEING ADDED TO THE NOVEMBER 27, 2007, ITEM #16.

ITEM #25

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS:

A. ELECTIONS ADMINISTRATOR TO PURCHASE FROM GENERAL FUND: (1) DESK INCLUDING SHIPPING @ AN ESTIMATED COST OF \$269.99.

B. TAX ASSESSOR-COLLECTOR TRANSFER TO SURPLUS: MISCELLANEOUS EQUIPMENT (PHONE, TYPEWRITERS, FAX MACHINES, CALCULATORS, LAMPS, CHAIRS) @ AN ESTIMATED VALUE OF \$1,620.00.

C. COUNTY SHERIFF TRANSFER TO SURPLUS: MISCELLANEOUS EQUIPMENT (COPIERS, CART, VCR'S, FAX MACHINE, TYPEWRITER, PROJECTOR) @ AN ESTIMATED VALUE OF \$595.00.

D. COUNTY JAIL TRANSFER TO SURPLUS: MISCELLANEOUS EQUIPMENT (VCR'S, CANDY MACHINE, COAT RACK, LOCKERS, TYPEWRITER TABLE) @ AN ESTIMATED VALUE OF \$120.00.

ITEM #26

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

2007-42 TRANSFER \$100.00 OF BUDGETED FUNDS FOR COMMISSIONERS COURT **TO** GROUP INSURANCE **FROM** TRAVEL & TRAINING RESULTING FROM OVERTIME PAY TO CHIEF ASSISTANT, FELICIA MORRIS, NOT BUDGETED IN FY2007.

2007-43 TRANSFER \$2,500.00 OF BUDGETED FUNDS FOR JUVENILE PROBATION LOCAL FUND **TO** VEHICLE INSURANCE **FROM** TRAVEL & TRAINING RESULTING FROM EXPENDITURES DURING FY2007 THAT EXCEEDED BUDGETED FUNDS APPROVED

AND ALLOWED.

ITEM #27

EMERGENCY BUDGET AMENDMENTS: NONE

ITEM #28

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY, TO APPROVE PAID CLAIMS IN THE AMOUNT OF \$ 260,773.22.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY JUDGE FLORANCE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE UNPAID CLAIMS IN THE AMOUNT OF \$1,197,577.71 .

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PAYROLL ENDING DECEMBER 1, 2007 IN THE AMOUNT OF \$443,480.31. THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE LONGEVITY PAYROLL FOR THE FISCAL YEAR 2008 IN THE AMOUNT OF \$159,120.00.

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

LISA CONSTANT, COUNTY CLERK