

**COMMISSIONERS COURT  
OCTOBER 14, 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:**

<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>

- THE MEETING WAS CALLED TO ORDER BY JUDGE FLORANCE.
- THE INVOCATION WAS GIVEN BY COMMISSIONER GRINNAN.
- THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE TEXAS FLAG WERE LED BY JUDGE FLORANCE.
- GUESTS PRESENT THAT REQUESTED TO ADDRESS THE COURT:  
MARGIE VERHAGEN OF ROCKWALL COUNTY COMMITTEE ON AGING.

**ITEM #1**

THIS ITEM REGARDING A RESOLUTION FOR FAMILY PRESERVATION SERVICES WAS REMOVED FROM THE AGENDA AND NOT DISCUSSED.

**ITEM #2**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPOINTING PAT CALHOUN TO THE ROCKWALL COUNTY LIBRARY BOARD.

**ITEM #3**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE REAPPOINTMENT OF LINDA GARRETT TO THE ROCKWALL COUNTY LIBRARY BOARD.

**ITEM #4**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE REAPPOINTMENT OF DENISE NOBLES TO THE ROCKWALL COUNTY LIBRARY BOARD.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE PRELIMINARY PLAT FOR ALEXANDER RANCH PHASE THREE. RON MERRITT - ENVIRONMENTAL HEALTH COORDINATOR AND PAT NESMITH - ROAD AND BRIDGE ADMINISTRATOR AGREED WITH THE APPROVAL OF THE PRELIMINARY PLAT AND STATED THAT PHASE THREE IS FOUR LOTS.

**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE USE OF THE PARKING AREA AT THE COUNTY SHERIFF'S OFFICE TO HOLD A CHILI COOK OFF ON NOVEMBER 15, 2008 BY THE COUNTY SHERIFF'S DEPUTIES; THE PROCEEDS WILL GO TO ASSISTING NEEDY FAMILIES AT CHRISTMAS. SHERIFF EAVENSON STATED THAT THE ACTING DISTRICT ATTORNEY CRAIG STODDART REVIEWED AND AUTHORIZED THE EVENT PLAN.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF SENDING A LETTER, WITH ALL FIVE SIGNATURES OF THE COURT, TO TCEQ (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY) REQUESTING A HEARING WITH THE TCEQ AND OPPOSING THE ISSUING OF THE PERMIT FOR THE SOUTHERN STAR CONCRETE PLANT PROPOSED TO BE BUILT IN A RESIDENTIAL AREA IN FATE.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS TO INCREASE INDIVIDUAL ALLOWANCES FOR TELEPHONE AND COMMUNICATION SERVICES FOR THE TECHNOLOGY DEPARTMENT (IT) STAFF AND FOR THE EMERGENCY MANAGEMENT STAFF; THE MOTION FAILED FOR A

LACK OF A SECOND. THE MOTION WAS AMENDED AND MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A \$70 PER MONTH ALLOWANCE FOR THE TECHNOLOGY DEPARTMENT STAFF (EXCLUDING CLERICAL POSITIONS) AND APPROVING AN ALLOWANCE OF \$60 PER MONTH FOR THE EMERGENCY MANAGEMENT DEPARTMENT (EXCLUDING CLERICAL POSITIONS) FOR TELEPHONE AND COMMUNICATION SERVICES TO OFFER AVAILABLE TECHNOLOGY.

**ITEM #9**

DISCUSSION ONLY REGARDING COUNTY ROAD BOND ISSUES.

**ITEM #10**

DISCUSSION ONLY REGARDING COUNTY SPACE ISSUES.

**ITEM #11**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH VOTEC CORPORATION FOR VOTESAFE ELECTRONIC POLLBOOK SOFTWARE LICENSES, EFFECTIVE OCTOBER 1, 2008 AT A COST OF \$14,400.00.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING THE ANNUAL MAINTENANCE AGREEMENT WITH NETDATA

CORPORATION FOR HARDWARE SUPPORT ON THE IBM AS400  
EFFECTIVE OCTOBER 1, 2008 AT A COST OF \$5,000.00.

**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY  
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF  
RENEWING A FIVE-YEAR AGREEMENT WITH FIRST SOUTHWEST ASSET  
MANAGEMENT INC FOR ARBITRAGE REBATE COMPLIANCE SERVICES  
EFFECTIVE OCTOBER 1, 2008 AT A MAXIMUM CHARGE OF \$3,000.00 FOR  
A GIVEN ISSUE PER COMPUTATION YEAR.

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY  
COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF  
APPROVING AN ADDENDUM TO THE GALLAGHER BENEFIT CONSULTING  
AGREEMENT OUTLINING THE TERMS AND CONDITIONS FOR THE  
COUNTY USING THE GALLAGHER BENEFIT SERVICES, INC. WEBSITE.

**ITEM #15**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY  
COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF  
APPROVING A THREE-YEAR AGREEMENT WITH ARAMARK UNIFORM  
SERVICES TO PROVIDE UNIFORM RENTAL SERVICES FOR THE  
COUNTIES MAINTENANCE DEPARTMENT, EFFECTIVE OCTOBER 1, 2008  
AT APPROXIMATELY \$1,560.00 PER YEAR.

**ITEM #16**

DISCUSSION ONLY AND NO ACTION TAKEN ON AN AMENDMENT TO THE LIBRATECH CONTRACT FOR EQUIPPING THE NEW COUNTY LIBRARY ALLOWING FOR A PREMATURE PAYMENT IN THE AMOUNT OF \$118,818.00.

**ITEM #17**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A RESOLUTION AUTHORIZING APPLICATION FOR THE FISCAL YEAR 2009 INDIGENT DEFENSE GRANT, ESTIMATED TO BE \$38,330.00 PURSUANT TO THE TEXAS FAIR DEFENSE ACT.

**ITEM #18**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY APPROVING A ONE-YEAR RESOLUTION WITH THE ROCKWALL COUNTY COMMITTEE ON AGING TO CONTINUE PROVIDING HOME-DELIVERED MEAL SERVICES FOR HOMEBOUND PERSONS IN THE COUNTY WHO ARE ELDERLY AND/OR HAVE A DISABILITY, EFFECTIVE OCTOBER 1, 2008 IN THE AMOUNT OF \$20,000.00. COMMISSIONER MAGNESS AMENDED THE MOTION TO INCLUDE APPROVAL OF THE RESOLUTION WOULD BE SUBJECT TO THE COURT RECEIVING A LETTER FROM THE ROCKWALL COUNTY COMMITTEE ON AGING'S CPA VERIFYING THE VALIDITY OF THE ACCOUNTING SYSTEM USED BY THE ROCKWALL COUNTY COMMITTEE ON AGING, THE

AMENDED MOTION WAS SECONDED BY COMMISSIONER BEATY AND THE COURT VOTED 5-0 IN FAVOR OF APPROVAL.

**ITEM #19**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE RECOMMENDATION BY THE COUNTY AUDITOR TO INCREASE THE CHANGE FUND BY \$25.00 FOR THE COUNTY LIBRARY, PURSUANT TO LGC § 130.902(D).

**ITEM #20**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF ADOPTING A \$2,000,000.00 BUDGET OF PROPOSED EXPENDITURES FOR THE DESIGN, RENOVATION, AND EQUIPPING OF THE COUNTY SERVICES BUILDING PURSUANT TO SECTION 111.0105 OF THE TEXAS LOCAL GOVERNMENT CODE.

**ITEM #21**

**EXECUTIVE SESSION – 10:10 AM TO 10:35 AM**

- DISCUSSION OF PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, AND ALL RELATED ISSUES.
- DISCUSSION OF VACATION AND TIME OFF FOR FIRE MARSHAL, AND ALL RELATED ISSUES.

**ITEM #22**

- **ACTION OF EXECUTIVE SESSION:** NO ACTION TAKEN REGARDING PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OR REGARDING VACATION AND TIME OFF FOR THE FIRE MARSHAL

**ITEM #23**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) J.P. Pct. 1, Sept-08 monthly report(s);
- c) Health Coordinator's Sept-08 monthly report(s);
- d) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services at the FM549/130 interchange during August 2008 in the amount of \$31,699.00;
- e) Co. Auditor, Aug-08 monthly report(s);

**ITEM #24**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITION AND DISPOSITION OF FIXED ASSETS:

- A. County Library to purchase from Library Building Fund: (6) File Cabinets including delivery @ a quoted cost of \$2,062.08.
- B. Adult Probation to purchase from FY2002 Capital Purchase Fund: Carpeting including installation of the first floor in the old County Library @ a quoted cost of \$8,276.05.
- C. Juvenile Probation Services transfer to General Government: 2001 Chevy Impala-4 door/Mileage 86,255 @ an original cost of \$19,699.59.
- D. Public Safety/License & Weights transfer to Public Safety/Highway Patrol: Ultralyte Laser Radar including rechargeable batteries, charger and tripod @ an original cost of \$2,550.00

- E. Election Administrator transfer to Surplus: Konica 3340 copier @ an unknown estimated value.
- F. County Sheriff transfer to Surplus:
  - 2004 Ford Crown Victoria/Mileage 99,006 @ an original cost of \$19,953.00.
  - 2004 Ford Crown Victoria/Mileage 100,127 @ an original cost of \$22,506.78.
  - 2004 Ford Crown Victoria/Mileage 88,309 @ an original cost of \$19,953.00.
  - 2004 Ford Crown Victoria/Mileage 96,670 @ an original cost of \$20,201.75.
  - 2004 Ford Crown Victoria/Mileage 89,752 @ an original cost of \$20,389.75.

**ITEM #25**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

- 2008-39** Transfer \$4,006 of budgeted funds for Commissioners Court TO Chief Assistant @ \$3,434 & Social Security Taxes @ \$263 & Retirement @ \$309 FROM Office Supplies @ \$2,500 & Travel & Training @ \$1,506 resulting from overtime by the Commissioners Court administrator that was not budgeted.
- 2008-40** Transfer \$29,380 of budgeted funds for Elections Administrator TO Clerk's Salary @ \$7,600 & Early Voting Staff @ \$15,750 & Election Day Workers @ \$2,000 & Social Security Taxes @ \$2,966 & Workers Comp Insurance @ \$1,064 FROM Part Time Clerks @ \$7,600 & Telephone Communication @ \$11,780 & Election Day Staff @ \$10,000 to reallocate budgeted funds.
- 2008-41** Transfer \$375 of budgeted funds for Juvenile Probation-Substance Abuse Grant TO UA Test @ \$125 & Travel & Training @ \$250 FROM Group Insurance to reallocate grant funds.
- 2008-42** Transfer \$17,097 of budgeted funds for Juvenile Probation-Family Preservation Grant TO Office Supplies @ \$2,150 & Program Event Supplies @ \$13,805 & Miscellaneous @ \$26 & Capital Outlay @ \$1,116 FROM Licensed Master Level Social Worker @ \$12,508 & Social Security Taxes @ \$957 & Retirement @ \$1,126 & Workers Comp @ \$93 & Unemployment \$38 & Contract Services @ \$1,500 & Travel & Training @ \$875 to reallocate grant funds.

**ITEM #26**

- THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING **PAID CLAIMS** IN THE AMOUNT OF \$264,215.90.
- THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING **UNPAID CLAIMS** IN THE AMOUNT OF \$735,886.65.
- THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE **PAYROLL** ENDING SEPTEMBER 20, 2008 IN THE AMOUNT OF \$453,105.82 AND THE **PAYROLL** ENDING OCTOBER 4, 2008 IN THE AMOUNT OF \$466,291.81.

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

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**LISA CONSTANT, COUNTY CLERK**