

**COMMISSIONER COURT  
SEPTEMBER 25, 2006**

**STATE OF TEXAS  
COUNTY OF ROCKWALL**

**BE IT REMEMBERED THERE WAS HELD A REGULAR  
MEETING OF THE COMMISSIONER COURT ON THE ABOVE DATE WITH  
THE FOLLOWING MEMBERS OF THE COURT PRESENT:**

BILL BELL	COUNTY JUDGE
JERRY WIMPEE	COMMISSIONER PCT #1
SCOTT SELF	COMMISSIONER PCT #2
BRUCE BEATY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4
LISA CONSTANT	DEPUTY CLERK

**ITEM #1** THE INVOCATION WAS GIVEN BY COMMISSIONER WIMPEE.

**ITEM #2** THE PLEDGE OF ALLEGIANCE AND TO THE TEXAS FLAG WAS  
LED BY COMMISSIONER SELF.

**ITEM #3**

UNDER RECOGNITION OF GUESTS, NO ONE ASKED TO SPEAK.

**ITEM #4**

THE MOTION WAS MADE BY JUDGE BELL, SECONDED BY  
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO  
DESIGNATE THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAYS OF EACH MONTH ON WHICH THE  
COUNTY COMMISSIONERS COURT SHALL CONVENE IN A REGULAR  
TERM EACH MONTH DURING THE NEXT FISCAL YEAR.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY  
COMMISSIONER SELF WITH THE COURT VOTING 4-1, COMMISSIONER

WIMPEE VOTED AGAINST, TO APPROVE AMENDMENTS #1-43 ON THE ATTACHED LIST AND GIVE THE COUNTY TREASURER THE AUTHORITY TO RENEW THE STOP/LOSS INSURANCE AND INCORPORATE THE GOLD AND BLUE HEALTH INSURANCE PLANS. (THIS WOULD NOT AFFECT THE CORE INSURANCE PLAN.) **(#1-43)**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE BELL WITH THE COURT VOTING UNANIMOUSLY TO CHANGE AN EXISTING DETENTION OFFICER CLASSIFICATION TO A MANAGER CLASSIFICATION FOR APPROXIMATELY A \$2,000.00 COST. **(#44)**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER SELF WITH THE COURT VOTING UNANIMOUSLY TO ADD A LICENSE AND WEIGHT OFFICER TO THE SHERIFF'S DEPARTMENT AT A COST OF APPROXIMATELY \$58,770.00. **(#45)**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE CAPITAL LIST AS PRESENTED WITH THE ADDITION OF THE CORRESPONDING CAPITAL ITEMS FOR NEWLY APPROVED PERSONNEL WHICH WERE APPROVED IN AMENDMENTS #44 AND #45 - ONE EQUIPPED PATROL VEHICLE, ONE VEHICLE RADIO, AND ONE SET OF SCALES FOR THE SHERIFF'S DEPARTMENT LICENSE & WEIGHT OFFICER AND TWO CHAIRS, TWO DESKS, ONE 18-BUTTON PHONE, ONE 30-BUTTON PHONE & TWO COMPUTERS FOR THE DISTRICT ATTORNEY'S OFFICE. **(#46)**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO INCREASE THE COUNTY SHERIFF'S GAS, OIL & MAINTENANCE BUDGET BY 1/3 WHICH IS \$7,000.00 AND TO INCREASE THE COUNTY SHERIFF'S UNIFORMS AND ACCESSORIES BUDGET BY 1/3, WHICH IS \$700.00 TO ACCOMMODATE THE LICENSE & WEIGHT EMPLOYEE. (#47)

THE MOTION WAS MADE BY JUDGE BELL, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING UNANIMOUSLY TO REQUIRE THAT THE COUNTY PAY ½ OF THE SALARY AND BENEFITS AND THAT THE DISTRICT ATTORNEY'S OFFICE WILL PAY THE OTHER ½ OF THE EXPENSE FOR THE NEW CLERK ADDED THIS BUDGET YEAR TO THE DISTRICT ATTORNEY'S OFFICE. (#48)

THE CONTINGENCY FUND SHALL BE REDUCED BY THE AMOUNT NECESSARY TO BALANCE THE BUDGET. (#49)

THE MOTION WAS MADE BY JUDGE BELL, SECONDED BY COMMISSIONER SELF WITH THE COURT VOTING UNANIMOUSLY TO ADOPT THE 3<sup>RD</sup> DRAFT BUDGET FOR THE FISCAL YEAR 2006-2007 FOR ROCKWALL COUNTY WITH AMENDMENTS (#1-48) TO THE OPERATING BUDGET AND THE AMENDMENTS TO THE CAPITAL LIST AND THE PERFORMANCE SALARY PLAN FOR CIVILIANS AND LAW ENFORCEMENT AND ADD AMENDMENT #49. SEE ATTACHED \_\_\_\_\_.

**ITEM #6**

SEE AMENDMENT #46. SEE ATTACHED \_\_\_\_\_.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE PERFORMANCE SALARY PLAN AS PRESENTED FOR CIVILIAN AND LAW ENFORCEMENT OFFICERS.

**ITEM #8**

AFTER NOTICE AND HEARING THE FOLLOWING MOTION WAS OFFERED BY JUDGE BELL, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY THAT THE PROPERTY TAX BE INCREASED BY THE ADOPTION OF A TAX RATE OF .3507 FOR THE 2006 TAX YEAR, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE, THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$4.50. THE SECOND MOTION WAS MADE BY JUDGE BELL, SECONDED BY COMMISSIONER SELF WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE ROCKWALL COUNTY TAX RATE AT .3507 OF WHICH .3071 PER \$100,000 IS THE COUNTY MAINTENANCE AND OPERATIONS AND .0436 IS THE INTEREST IN THE SINKING FUND, ALSO INCLUDED IN THE MOTION STATED BY JUDGE BELL IS THAT ALL AD VALOREM TAXES FOR THE YEAR SHALL BECOME DUE ON OCTOBER 1, 2006, AND ALL AD VALOREM TAXES SHALL BECOME DELINQUENT AFTER JANUARY 31, 2007. IF ANY PERSON FAILS TO PAY THE AD VALOREM TAXES ON OR BEFORE JANUARY 31, 2007 THE

FOLLOWING PENALTIES SHALL BE PAYABLE THEREON TO-WIT: DURING THE MONTH OF FEBRUARY WILL BE 7%, MARCH WILL BE 9%, APRIL WILL BE 11%, MAY WILL BE 13%, JUNE WILL BE 15%, ON OR AFTER THE 1<sup>ST</sup> OF JULY WILL BE 18% AND ALL TAXES ARE PAYABLE IN ROCKWALL, TEXAS AT THE OFFICE OF THE DESIGNATED TAX COLLECTOR AND THE TAX ROLL PRESENTED TO THE COMMISSIONERS COURT TOGETHER WITH ANY SUPPLEMENT THERETO IS HEREBY APPROVED AND ALL DELINQUENT TAXES SHALL BE AT THE MAXIMUM RATE OF INTEREST PER ANNUM AS PROVIDED BY LAW, IN ADDITION TO THE PENALTIES PROVIDED HEREIN IS ALSO INCLUDED ALL TAXES FOR THE YEAR 2006 WHICH REMAIN DELINQUENT ON JULY 1<sup>ST</sup> SHALL INCUR AN ADDITIONAL PENALTY OF 20% OF THE AMOUNT OF TAXES, PENALTIES AND INTEREST DUE TO DEFRAY COST OF COLLECTION, AND PURSUANT TO ARTICLE VIII-LB OF THE CONSTITUTION OF TEXAS THAT \$35,000 OF APPRAISED VALUE OF RESIDENT HOMESTEADS OF ANY MARRIED OR UNMARRIED PERSON INCLUDING THOSE LIVING ALONE WHO WERE 65 YEARS OF AGE OR OLDER ON JANUARY 1, 2006 THIS AMOUNT SHALL BE AN EXEMPTION FROM THE AD VALOREM TAXES.

**ITEM #9**

THE MOTION WAS MADE BY JUDGE BELL, SECONDED BY COMMISSIONER SELF WITH THE COURT VOTING UNANIMOUSLY TO ENACT THE OUTDOOR BURNING PROHIBITION FOR ROCKWALL COUNTY, NOT TO INCLUDE ANY TIMEFRAME, AND TO ALLOW SUPERVISED BURNS

BY THE FIRE MARSHAL OF ROCKWALL COUNTY, TEXAS.

**ITEM #10**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY JUDGE BELL WITH THE COURT VOTING UNANIMOUSLY TO PERMIT SHELLY SPEARMAN TO BE OUR REPRESENTATIVE AT LEADERSHIP ROCKWALL AND TO PAY HER ASSOCIATED FEES WITH THAT PROGRAM.

**ITEM #11**

THIS ITEM WAS PLACED ON HOLD.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER SELF WITH THE COURT VOTING UNANIMOUSLY TO CHANGE THE VOTING PLACE AT THE GOVERNMENT CENTER FOR PRECINCT 2A TO LAKE POINTE CHURCH AND TO REDRAW THE BOUNDARY LINES. THE CHANGE IN THE POLLING PLACE WILL BECOME EFFECTIVE FOR ALL ELECTIONS AFTER JANUARY 1<sup>ST</sup>, 2007. SEE ATTACHED \_\_\_\_\_.

**ITEM #13**

THE ITEM WAS PLACED ON HOLD.

**ITEM #14**

THE MOTION WAS MADE BY JUDGE BELL, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO SET THE JUROR'S DAILY REIMBURSEMENT OF EXPENSES AT \$10 FOR THE FIRST DAY OF SERVICE FOR FISCAL YEAR 2007.

**ITEM #15**

THE MOTION WAS MADE BY COMMISSIONER SELF, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO TERMINATE BRINSON BENEFITS ON SEPTEMBER 30, 2006 AND TO APPROVE A ONE-YEAR CONSULTING AGREEMENT WITH GALLAGHER BENEFITS SERVICES TO PROVIDE EMPLOYEE BENEFIT SERVICES AT A FEE OF \$25,000 EFFECTIVE OCTOBER 1, 2006; CONTRACT SUBJECT TO THE APPROVAL OF THE DISTRICT ATTORNEY.

**ITEM #16**

THE MOTION WAS MADE BY COMMISSIONER SELF, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING ANNUAL MAINTENANCE AGREEMENTS (A-C) EFFECTIVE OCTOBER 1, 2006: (A) FP MAILING SOLUTIONS FOR THE LIBRARY POSTAGE METER RENTAL AT AN ANNUAL COST OF \$347.40; (B) NEOPOST FOR THE HISTORIC COURTHOUSE JETMAIL MAILING EQUIPMENT AT AN ANNUAL COST OF \$1,180.79; (C) INTER-COUNTY COMMUNICATIONS FOR THE SHERIFF/JAIL'S RADIO EQUIPMENT AT AN ANNUAL COST OF \$10,848.00.

THE PROPOSED CONTRACT WITH AVIAN FLYAWAY (D) FOR THE MIGRATORY BIRD REMOVAL AT THE HISTORIC COURTHOUSE WAS PLACED ON HOLD.

**ITEM #17**

THIS ITEM WAS PLACED ON HOLD.

**ITEM #18**

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

- a) MINUTES OF THE PREVIOUS MEETINGS;
- b) RAY SUMROW, DISTRICT ATTORNEY, DEPUTATION OF ASSISTANT CRIMINAL DISTRICT ATTORNEYS: ADDIE L. JONES AND JOHN BRIAN WILLIAMS;
- c) DONNA MUSSOTTER, INDIGENT HEALTH DIRECTOR'S AUGUST 2006 MONTHLY REPORT;
- d) JUSTICE OF THE PEACE #2 AUGUST 2006 MONTHLY REPORT;
- e) KATHY MELSTON, LIBRARIAN AUGUST 2006 MONTHLY REPORT;
- f) DISTRICT JUDGE'S ACKNOWLEDGEMENT FOR THE RECORD THE COURT ORDER AND OATH OF OFFICE APPOINTING LANA K. WHEATLEY AS ASSISTANT TO THE ROCKWALL COUNTY AUDITOR;
- g) COUNTY AUDITOR'S PAYMENT TO BUCHER, WILLIS AND RATLIFF CORPORATION FOR ROAD BOND IMPROVEMENTS IN THE AMOUNT OF \$90,767.09;
- h) AUDITOR'S MONTHLY REPORT FOR JULY 2006.

**ITEM #19**

THE MOTION WAS MADE BY COMMISSIONER SELF, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING PROPERTY ACQUISITIONS A, B, D, E, F:

- A. COUNTY CLERK PURCHASED FROM COUNTY CLERK RECORDS MANAGEMENT FUND: (1) BOOK MOBILE STORAGE SYSTEM @ AN ACTUAL COST OF \$8,140.00.
- B. JUSTICE OF THE PEACE #2 TO PURCHASE FROM JUSTICE COURT TECHNOLOGY FUND: (1) HP LASERJET COLOR PRINTER @ AN ESTIMATED COST OF \$950.00.
- D. COUNTY JAIL PURCHASED FROM FY2005 CAPITAL PURCHASE FUND: (1) HP LASERJET 2430N PRINTER @ AN ESTIMATED COST OF \$830.00 (EMERGENCY PURCHASE).
- E. COUNTY SHERIFF TRANSFER TO CONSTABLE #1: (1) WINCHESTER MODEL 1200 SHOTGUN @ AN ESTIMATED VALUE OF \$75.00.
- F. COUNTY SHERIFF TRANSFER TO SURPLUS: (1) 2000 FORD CROWN VICTORIA @ AN ESTIMATED VALUE OF \$250.00.

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER SELF WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING PROPERTY ACQUISITION:

- C. PUBLIC SAFETY/DPS-HIGHWAY PATROL TO PURCHASE FROM GENERAL FUND: (4) COMPACT AUTOMOTIVE GPS SYSTEMS @ AN ESTIMATED COST OF \$1,412.00.

**ITEM #20**

THE MOTION WAS MADE BY COMMISSIONER SELF, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE FOLLOWING FY2006 NON-EMERGENCY BUDGET TRANSFERS:

- 2006-21 TRANSFER \$65,000 OF BUDGETED FUNDS FOR COUNTY JAIL **TO** OVERTIME/COMP TIME/VACATION @ \$10,000 & INMATE SUPPLIES @ \$6,000 & JAIL SUPPLIES @ \$10,000 & EQUIPMENT @ \$3,000 & MEDICAL & DRUG EXPENSE @ \$30,000 & MAINTENANCE & REPAIRS @ \$4,000 & COPIER EXPENSE @ \$1,000 & UNIFORMS FOR JAILERS @ \$1,000 **FROM** JAILERS SALARIES @ \$30,000 & LIEUTENANTS SALARIES @ \$30,000 & SOFTWARE TRAINING @ \$5,000.
- 2006-22 TRANSFER \$500 BUDGETED FUNDS FOR COUNTY AGENT **TO** TRAVEL & TRAINING **FROM** FCS AGENT MILEAGE/TRAVEL.
- 2006-23 TRANSFER \$4,500 OF BUDGETED FUNDS FOR CITIES READINESS INITIATIVE GRANT **TO** PERSONNEL @ \$4,000 & OFFICE SUPPLIES @ \$500 **FROM** CAPITAL OUTLAY.
- 2006-24 TRANSFER \$6,800 OF BUDGETED FUNDS FOR RECORDS MANAGEMENT **TO** UTILITIES-STORAGE BUILDING @ \$2,600 &

RECORDS STORAGE BUILDING @ \$1,800 & CAPITAL OUTLAY  
@ \$2,400 **FROM** MANAGEMENT & PRESERVATION.

**ITEM #21**

NONE

**ITEM #22**

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 \$27,737.12.

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY  
JUDGE BELL WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE  
UNPAID CLAIMS IN THE AMOUNT OF \$305,972.65.

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY  
JUDGE BELL WITH THE COURT VOTING UNANIMOUSLY TO APPROVE THE  
PAYROLL ENDING SEPTEMBER 9, 2006 IN THE AMOUNT OF \$369,742.37.

THE MOTION WAS MADE BY COMMISSIONER SELF, SECONDED BY  
COMMISSIONER BEATY WITH THE COURT VOTING UNANIMOUSLY TO  
ADJOURN.

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LISA CONSTANT, DEPUTY CLERK

