

**COMMISSIONERS COURT  
NOVEMBER 25 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 MAGNESS.
- THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND TO THE TEXAS FLAG WERE LED BY COMMISSIONER WIMPEE.
- NO GUESTS WERE PRESENT THAT REQUESTED TO ADDRESS THE COURT.

**ITEM #1**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROCLAMATION RECOGNIZING THE BUILDING A BETTER ROADS CITIZENS COMMITTEE:

**WHEREAS**, the need for improved roadways is paramount to accommodating growth in Rockwall County; and

**WHEREAS**, the Transportation Consortium and Commissioners Court passed a County Thoroughfare Plan and identified four roadways as priority arteries, which total \$310,000,000 worth of needed improvements; and

**WHEREAS**, the Commissioners Court and Transportation Consortium determined a system to gain funding from the Texas Department of Transportation, which included asking the local taxpayers of Rockwall County for approval of \$100,000,000 bonding ability; and

**WHEREAS**, the volunteer group known as Building Better Roads Citizens Committee embarked upon the daunting task of educating the public as to the need for local funding of our road projects; and

**WHEREAS**, the Building Better Roads Citizens Committee members tirelessly donated time, effort and resources towards the effort of gaining public support for the largest road bond ever proposed in Rockwall County; and

**WHEREAS**, the Building Better Roads Citizens Committee members contacted citizens through well organized campaign activities such as letter writing, formal presentations, outdoor signs, website development, e-mails and telephone calls, and others in order to gain support for the proposal; and

**WHEREAS**, the importance of passing the 2008 \$100 Million Dollar Road Bond may be the most significant improvement to the infrastructure in Rockwall County in terms of Economic Development, Health and Safety, and Quality of Life for county residents and visitors.

**NOW THEREFORE**, Let it be known on this day November 25, 2008, that the Rockwall County Commissioners Court recognizes:

Kevin Fowler-Chairman, Lou Johnson-Treasurer, Audrey Andrews, Doug Bowerman, Dan Chapman, Al Crump, Kevin Hall, Jerry Hogan, Michael Hunter, Lorne Liechty, David Peek, Kristin Minth, Clark Staggs, Jon Wallace, John White, Jordan Williamson, Howard Zielke

as a contributing volunteer on the Building Better Roads Citizens Committee. As elected officials and representatives of the people of Rockwall County, we offer our gratitude for your selfless and tireless efforts in seeking to improve the future of our county.

**ITEM #2**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING VIRGINIA PROGELHOF AS THE AT-LARGE MEMBER TO THE LIBRARY BOARD.

**ITEM #3**

COMMISSIONER GRINNAN EXPLAINED THAT THE RIDGE SUBDIVISION DEVELOPER FOLLOWED THE COUNTY GUIDELINES HOWEVER AFTER THE TWO-YEAR TIME PERIOD THE DEVELOPER FAILED TO REQUEST THE COUNTY TO ACCEPT THE ROADS AND DRAINAGE SYSTEM AS REQUIRED FOR THE COUNTY TO TAKEOVER THE RESPONSIBILITY OF THE ROADS AND DRAINAGE SYSTEM IN THE SUBDIVISION AS REQUIRED BY THE COUNTY SUBDIVISION RULES AND REGULATIONS. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING THE ROADS AND DRAINAGE SYSTEM OF THE RIDGE SUBDIVISION CONTINGENT UPON REPAIRS AND VERIFICATION THAT THE ROADS AND DRAINAGE SYSTEM MEET COUNTY STANDARDS AND THE APPROVAL OF PAT NESMITH, ROAD AND BRIDGE DIRECTOR.

**ITEM #4**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPOINTING COMMISSIONER MAGNESS TO THE EMERGENCY SERVICES

CORPORATION (ESC) AND TO APPOINT COMMISSIONER MAGNESS AS CHAIRPERSON OF THE ROCKWALL COUNTY CONSORTIUM.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF RETAINING THE ACCOUNTING FIRM SINGLETON AND FINCHER, CPA TO CERTIFY THE CURRENT BALANCES OF THE DISTRICT ATTORNEY'S DEPARTMENTAL ACCOUNTS; THE COUNTY AUDITOR WILL TRANSFER MONIES FROM THE CONTINGENCY FUND TO PAY FOR THE AUDIT, THE FEE SHOULD NOT EXCEED \$2,500.

**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A BUDGET, NOT TO EXCEED \$5,000.00 TO IMPROVE 105 FIRST STREET FOR USE BY THE ADULT PROBATION DEPARTMENT AND ALLOWING THE COUNTY AUDITOR TO TRANSFER MONIES FROM THE CONTINGENCY FUND FOR THESE EXPENSES.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0, IN FAVOR OF CONTINUING THE PRACTICE OF PROVIDING THE RETIREES A STIPEND TOWARD HEALTH INSURANCE AND THAT THE AMOUNT BE FIXED AT \$150.00 PER MONTH.

**ITEM #8**

DISCUSSION ONLY REGARDING ISSUING A BURN BAN FOR ROCKWALL COUNTY AS RECOMMENDED BY THE COUNTY FIRE MARSHAL.

**ITEM #9**

DISCUSSION ONLY REGARDING COUNTY ROAD BOND ISSUES.

**ITEM #10**

NO DISCUSSION REGARDING COUNTY SPACE ISSUES.

**ITEM #11**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A FIVE-YEAR LEASE AGREEMENT WITH DE LAGE LANDEN FINANCIAL SERVICES, INC. FOR A NEW COPIER IN THE DISTRICT ATTORNEY'S OFFICE AT AN ANNUAL COST OF \$2,172.00.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF RENEWING A MAINTENANCE AGREEMENT WITH COMMERCIAL ELECTRONICS CORPORATION FOR THE 911 VOICE RECORDER AT THE SHERIFF'S OFFICE EFFECTIVE NOVEMBER 15, 2008 AT A COST OF \$2,209.50.

**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF

APPROVING A TEN-MONTH AGREEMENT WITH JIM DANDY OFFICE SERVICES FOR CUSTODIAL SERVICES AT THE NEW LIBRARY AT \$64,800.00 PER YEAR EFFECTIVE DECEMBER 1, 2008.

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN INCREASE TO THE CHANGE FUNDS FOR THE COUNTY TAX OFFICE BY \$700.00 PURSUANT TO LOCAL GOVERNMENT CODE § 130.902(d), AS RECOMMENDED BY THE COUNTY AUDITOR.

**ITEM #15**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE SALE OF A SURPLUS 2004 FORD CROWN VICTORIA TO THE CITY OF FATE FOR \$300.00 PURSUANT TO LOCAL GOVERNMENT § 263.152(a)(1).

**ITEM #16**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF ACCEPTING THE CERTIFICATION OF GRANT FUNDS AVAILABLE FROM THE TJPC STATE FINANCIAL ASSISTANCE CONTRACT 2008-2009 BIENNIUM AMENDMENT NUMBER SEVEN AND ADOPTING A SPECIAL BUDGET FOR THE LIMITED PURPOSE OF SPENDING THE GRANT FUNDS

FOR ITS INTENDED PURPOSE PURSUANT TO TEXAS LOCAL  
GOVERNMENT CODE SECTION 111.0106.

**ITEM #17**

**EXECUTIVE SESSION – 9:55 AM TO 10:35 AM**

- DISCUSSION OF PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, AND ALL RELATED ISSUES.
- DISCUSSION OF SELECTING A CANDIDATE FOR THE COUNTY LIBRARY DIRECTOR'S POSITION, AND ALL RELATED ISSUES.

**ITEM #18**

**ACTION OF EXECUTIVE SESSION:**

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF SELECTING MARCINE MCCULLEY AS THE LONE CANDIDATE FOR THE COUNTY LIBRARY DIRECTOR'S POSITION. THE COUNTY JUDGE WILL MAKE AN OFFER OF EMPLOYMENT TO MARCINE MCCULLEY.

**ITEM #19**

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

- a) Minutes of previous meeting(s);
- b) Co. Clerk, Oct-08 monthly Fee report(s);
- c) Co. Librarian, Oct-08 monthly Activity report(s);
- d) Indigent Health, Sept/Oct- 08 Expenditure/Case report(s);
- e) Co. Tax Assessor –Collector, Oct-08 monthly Activity/Expense report(s);

f) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services at the FM549/I30 interchange during October 2008 in the amount of \$98,948.40;

**ITEM #20**

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

- A. County Library purchased from FY2005 Capital Purchases Fund: (16) Book trucks for library books including shipping at an actual cost of \$3,811.54.
- B. Criminal District Attorney to purchase from General Fund: Telephone including shipping at a quoted cost of \$244.00.
- D. Emergency Management to purchase from FY2007 Homeland Security Grant: (12) Panasonic Toughbook 30 computers including one-year warranty at a quoted cost of \$37,272.00.
- E. County Library to purchase from Library Building Fund: World floor globe including shipping at an estimated cost of \$400.00.

COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY TO APPROVE PROPERTY REQUISITION (C) ELECTION ADMINISTRATOR TO PURCHASE FROM GENERAL FUND: (6) PV CARTS TO HOLD DRES/VOTING EQUIPMENT INCLUDING SHIPPING AT AN ACTUAL COST OF \$8,968.00 FOR DISCUSSION PURPOSES. AFTER DISCUSSION, THE MOTION AND SECOND WERE WITHDRAWN BY COMMISSIONER GRINNAN AND COMMISSIONER BEATY.

**ITEM #21**

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

**2009-01** Transfer \$6,720 of budgeted funds for Various Departments TO and FROM Telephone Communication & Telephone Allowance to adjust cell phone allowances to actual.

**2009-02** Transfer \$2,129 of budgeted funds for Road & Bridge TO Road Administrator Salary FROM Construction Equipment Repairs resulting from an error in entering the budgeted salary.

**ITEM #22**

• THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING **PAID CLAIMS** IN THE AMOUNT OF \$256,369.16.

• 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 \$419,706.29.

• THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE **PAYROLL** ENDING NOVEMBER 15, 2008 IN THE AMOUNT OF \$510,196.49.

**ITEM #23**

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

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**LISA CONSTANT, COUNTY CLERK**