

**COMMISSIONERS COURT  
DECEMBER 23, 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.
- NO GUESTS WERE PRESENT THAT REQUESTED TO ADDRESS THE COURT.

\*\*\*COMMISSIONER WIMPEE WAS NOT PRESENT AT THIS TIME\*\*\*

**ITEM #2**

KATHY MELSTON, LIBRARY DIRECTOR ACKNOWLEDGED GINNY PROGELHOF AS THE RECENT APPOINTMENT TO THE LIBRARY BOARD AND AS THE NEW CHAIR OF THE BOARD. KATHY MELSTON PRESENTED PLAQUES AND RECOGNIZED OUTGOING LIBRARY BOARD MEMBERS: AT

LARGE MEMBER LUCILLE BELL - 2004 TO 2008; PRECINCT #3 MEMBER NANCY ROTHACKER - 2004 TO 2008; AND PRECINCT #1 MEMBER AND FORMER BOARD CHAIR DARLENE BEALMEAR – 2004 TO 2008.

**ITEM #3**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE COUNTY LIBRARY PUBLIC CONFERENCE ROOM POLICY AS PRESENTED.

**ITEM #4**

DISCUSSION ONLY REGARDING AN EASEMENT FOR WATERMARK SUBDIVISION.

**\*\*SHORT RECESS\*\***

**ITEM #6**

DISTRICT JUDGE BRETT HALL PRESENTED COMMISSIONER BEATY WITH A PLAQUE THANKING HIM AND RECOGNIZING HIS SERVICE AND TEN YEAR TENURE ON THE ROCKWALL COUNTY JUVENILE BOARD. THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPOINTING COMMISSIONER GRINNAN AS THE MEMBER OF THE COMMISSIONERS COURT SERVING ON THE ROCKWALL COUNTY JUVENILE BOARD REPLACING COMMISSIONER BEATY UPON HIS RETIREMENT.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF ALLOWING SHERIFF EAVENSON TO ATTEND THE NATIONAL SHERIFF'S ASSOCIATION WINTER CONFERENCE JANUARY 28-31, 2009 IN WASHINGTON, D.C.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF ACCEPTING A DONATION OF A TWO-WHEEL BOX UTILITY TRAILER TO THE SHERIFF'S DEPARTMENT FROM THE LOCAL HOME DEPOT STORE.

**ITEM #9**

NURSE BELL FROM THE COUNTY JAIL REQUESTED HIRING A LVN POSITION AT A HIGHER STARTING SALARY - LEVEL 3 INSTEAD OF LEVEL 1. COMMISSIONER MAGNESS REQUESTED THAT NURSE BELL MEET WITH HUMAN RESOURCE DIRECTOR RANDY JENNINGS AND RETURN TO COURT BEFORE THIS MORNING'S ADJOURNMENT. THIS ITEM WAS SET ASIDE.

**ITEM #5**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE CONSTRUCTION MANAGER AT RISK (CMAR) MODEL AGREEMENT.

**ITEM #10**

DISCUSSION ONLY REGARDING COUNTY ROAD BOND ISSUES:

COMMISSIONER MAGNESS STATED THAT HE HAS RECENTLY MET WITH JOHN POLSTER AND TXDOT.

**ITEM #11**

DISCUSSION ONLY REGARDING COUNTY SPACE ISSUES:

COMMISSIONER MAGNESS STATED THAT THE COUNTY OFFICES HAVE MOVED OUT OF THE OFFICE RENTAL LOCATION ON YELLOWJACKET.

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH THE DALLAS MORNING NEWS TO PROVIDE A DISCOUNTED RATE FOR CLASSIFIED ADVERTISING BASED ON A COMMITMENT OF \$3,000.00 EFFECTIVE DECEMBER 10, 2008.

**ITEM #13**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A THREE-YEAR AGREEMENT WITH AT&T GLOBAL SERVICES TO PROVIDE LONG DISTANCE SERVICE FOR THE COUNTY AT \$3,840.00 PER YEAR EFFECTIVE UPON EXECUTION OF THE AGREEMENT BY BOTH PARTIES.

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF RENEWING AN ANNUAL MAINTENANCE AGREEMENT WITH MX LOGIC FOR SPAM BLOCKING, VIRUS SCANNING AND FILTERING FOR THE COUNTYWIDE E-MAIL SYSTEM EFFECTIVE NOVEMBER 1, 2008 AT A COST OF \$2,807.16.

**ITEM #15**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN ANNUAL MAINTENANCE AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE TAPE CARTRIDGE AUTOLOADER AT THE GOVERNMENT CENTER EFFECTIVE DECEMBER 24, 2008 AT A COST OF \$2,535.39.

**ITEM #16**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN AMENDMENT TO THE DAVIS VISION INC. AGREEMENT TO CONTINUE PROVIDING DISCOUNTED HEARING AID PRODUCTS FOR ROCKWALL COUNTY EMPLOYEES AT NO COST TO THE COUNTY EFFECTIVE JANUARY 1, 2009.

**ITEM #17**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH TRUHEARING, INC. TO CONTINUE PROVIDING DISCOUNTED HEARING AID PRODUCTS FOR ROCKWALL COUNTY EMPLOYEES AT NO COST TO THE COUNTY EFFECTIVE JANUARY 1, 2009.

**ITEM #9**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 4-0 IN FAVOR OF ALLOWING NURSE BELL TO HIRE AN EMPLOYEE FOR THE LVN POSITION AT A HIGHER RATE OF PAY (LEVEL 3 INSTEAD OF LEVEL 1) BASED ON THE EMPLOYEE'S EXTENSIVE EXPERIENCE.

**ITEM #18**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF CERTIFYING GRANT MONEY AVAILABLE FROM THE 2007 HOMELAND SECURITY GRANT PROGRAM (HSGP) AND ADOPTING A SPECIAL BUDGET FOR THE LIMITED PURPOSE OF SPENDING THE GRANT MONEY FOR ITS INTENDED PURPOSE PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 111.0106.

**ITEM #19**

EXECUTIVE SESSION: THE COURT DID NOT MEET TO DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

**ITEM #20**

ACTION OF EXECUTIVE SESSION: NONE

**ITEM #1**

THE COMMISSIONERS COURT RECOGNIZED COMMISSIONER BEATY'S YEARS OF SERVICE ON THE COURT. COMMISSIONER BEATY WILL RETIRES ON DECEMBER 31, 2008.

**\*\*COMMISSIONER WIMPEE ARRIVED\*\***

EACH MEMBER OF THE COURT SPOKE ABOUT THEIR ADMIRATION OF COMMISSIONER BEATY AND THEIR THANKS AND GRATITUDE TO HIM FOR HIS KNOWLEDGE, FRIENDSHIP AND SERVICE TO ROCKWALL COUNTY.

**ITEM #21**

THE MOTION WAS MADE BY COMMISSIONER BEATY, 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) Co. Clerk's Nov-08 Fee report(s);
- c) District Clerk's Nov.-08 Fee report(s);
- d) J.P. Pct. 1, Nov.-08 monthly Judicial Activity report(s);
- e) J.P. Pct. 2, Nov.-08 monthly Judicial Activity report(s);
- f) Co. Agent's Sept. Oct. Nov.-08 Activity Expense report(s);

**ITEM #22**

APPROVAL OF THE FOLLOWING PROPERTY ACQUISITION AND DISPOSITIONS OF FIXED ASSETS: NONE

**ITEM #23**

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

**2009-04** – Transfer \$2,050 of budgeted funds for County Sheriff TO Capital Outlay FROM Equipment @ \$250 & Equipment Repairs @ \$1,800 resulting from the purchase of 2 digital video surveillance cameras including shipping and 1 used repeater antenna including delivery and installation which were approved by the Commissioners Court on December 9, 2008.

**2009-05** - Transfer \$3,200 of budgeted funds for County Agent TO Capital Outlay FROM General Government/Contingency resulting from the purchase of a Sony camcorder including accessories and shipping which was approved by the Commissioners Court on October 28, 2008.

**2009-06** – Transfer \$1,045 of budgeted funds for TJPC Grant X TO Travel & Training FROM Non-Residential Services resulting from an allowed expenditure not previously budgeted.

**ITEM #24**

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING **PAID CLAIMS** IN THE AMOUNT OF \$274,807.92.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BEATY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING **UPAID CLAIMS** IN THE AMOUNT OF \$426,253.83.

THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE **PAYROLL** ENDING DECEMBER 13, 2008 IN THE AMOUNT OF \$478,353.87.

**ITEM #25**

THERE BEING NO FURTHER BUSINESS COMING BEFORE THE COURT, THE MOTION WAS MADE BY COMMISSIONER BEATY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF ADJOURNING.

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**LISA CONSTANT, COUNTY CLERK**