

**COMMISSIONERS COURT  
JANUARY 27, 2009**

**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>DENNIS BAILEY</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 COURT RECOGNIZED AND HONORED KATHY MELSTON FOR HER YEARS OF SERVICE TO ROCKWALL COUNTY AS THE COUNTY LIBRARY DIRECTOR.

**ITEM #2**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE RE-APPOINTMENT OF ANDREW G. DILLARD, M.D. TO THE NORTH TEXAS BEHAVIOR AUTHORITY BOARD OF DIRECTORS.

**ITEM #3**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING JUDGE FLORANCE TO ATTEND THE NATIONAL ASSOCIATION OF COUNTIES (NACO) LEGISLATIVE CONFERENCE ON MARCH 7-11, 2009 IN WASHINGTON, D.C. AND THE NATIONAL ASSOCIATION OF COUNTIES (NACO) 2009 ANNUAL CONFERENCE ON JULY 24-28, 2009 IN NASHVILLE, TENNESSEE. JUDGE FLORANCE ABSTAINED.

**ITEM #4**

DISCUSSION ONLY REGARDING COUNTY ROAD BOND ISSUES:

- COMMISSIONER MAGNESS REMINDED THE COURT OF THE CONSORTIUM MEETING TO BE HELD ON WEDNESDAY AT 6PM.
- COMMISSIONER GRINNAN ADVISED THE COURT OF THE FM 740 TASK FORCE FORMED BY HERSELF AND COMMISSIONER BAILEY.

**ITEM #5**

DISCUSSION ONLY REGARDING COUNTY SPACE ISSUES:

- A MEETING WILL BE HELD ON FRIDAY REGARDING THE COUNTY SERVICES BUILDING.

**ITEM #6**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING (1) OUT OF STATE TRAVEL TO AUBURN, ALABAMA; BATON ROUGE, LOUISIANA AND SAN DIEGO, CALIFORNIA FOR GLENDA DENTON- ELECTIONS ADMINISTRATOR TO ATTEND TRAINING COURSES; (2) TO USE CHAPTER 19 FUNDS FOR TRAVEL EXPENSES; (3) THE USE OF ELECTION ADMINISTRATOR'S GENERAL FUND BUDGETED TRAVEL AND TRAINING ALLOCATED MONIES IF THE STATE DOES NOT APPROVE THE USE OF THE CHAPTER 19 FUNDS FOR TRAVEL; (4) THE USE OF THE BALANCE OF THE CHAPTER 19 FUNDS TO PAY TEMPORARY WORKERS DURING THE UPCOMING ELECTION. JOHN BLACKWOOD, COUNTY AUDITOR QUESTIONED WHETHER THE ELECTION ADMINISTRATOR GENERAL FUND BUDGET FOR TRAVEL EXPENSES WOULD BE SUFFICIENT TO COVER ALL OF HER DEPARTMENT'S FY2009 TRAVEL AND TRAINING EXPENSES THAT ARE NOT PAID WITH CHAPTER 19 FUNDS. MS. DENTON RESPONDED IN THE AFFIRMATIVE AND FURTHER CONFIRMED THAT WITH HER EARLY VOTING BUDGET MONIES AND THE BALANCE OF HER CHAPTER 19 FUNDS, SHE WOULD HAVE SUFFICIENT MONIES TO COVER NOT ONLY HER TEMPORARY WORKERS BUT ALSO HER TRAVEL EXPENSES DURING THIS BUDGET YEAR.

**ITEM #7**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A MONTHLY CELL PHONE ALLOWANCE OF \$35.00 FOR THE SHERIFF'S COMMUNICATIONS SUPERVISOR.

**ITEM #8**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF AMENDING THE TIMETABLE FOR SELECTING AN ARCHITECT AND A CONTRACTOR AND ENTERING INTO AN AGREEMENT FOR REMODELING THE COUNTY SERVICES BUILDING. AMENDMENTS INCLUDE: 1) ADDING A JOB SITE TOUR ON FEBRUARY 3, 2009 FOR THE INTERVIEW CANDIDATES; 2) CHANGING THE INTERVIEW OF TOP CANDIDATES DATE TO FEBRUARY 10, 2009; 3) CHANGING THE NEGOTIATE AGREEMENT DATE WITH TOP RANKED CANDIDATE TO FEBRUARY 24, 2009.

**ITEM #9**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF RESCINDING THE COMMISSIONERS COURT ACTION ON JANUARY 13, 2009 APPROVING A MAINTENANCE AGREEMENT WITH ENCOVER CONTRACT SERVICES AT A COST OF \$1,084.45.

**ITEM #10**

**EXECUTIVE SESSION:** 9:15AM TO 10:25AM

DISCUSSION OF STATUS OF ENFORCEMENT OF INTERLOCAL AGREEMENT WITH THE CITY OF ROYSE CITY. (NO ACTION TAKEN)

**ITEM #11**

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) and amend item #16 of the December 23, 2008, minutes to read Davis Vision Inc. agreement to continue providing discounted vision services and eyewear;
- b) Co. Clerk, Dec-08 monthly Fee report(s);
- c) District Clerk, Dec-08 monthly Fee report(s);
- d) J.P. Pct. 2, Dec-08 monthly Judicial Activity report(s);
- e) Indigent Health, Nov/Dec- 08 Expenditure/Case report(s);
- f) Treasurer, Treasurer's Quarterly Investment Report for period ending 12/31/08;
- g) Constable-Pct. 2 and 3-2008 Racial Profiling Report;
- h) Co. Agent-Dec.-08 Activity/Expense report(s);
- i) Co. Tax Assessor –Collector, Nov/Dec-08 monthly Activity/Expense report(s);
- j) Constable-Pct. 2 and 3 – Acknowledge the deputation of Ralph Hampton Hall Reserve Deputy Constable for Pct 2 and 3;

**ITEM #12**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITION AND DISPOSITIONS OF FIXED ASSETS (A, B, E, F)

- A. County Library purchased from Library Building Fund: (20) hang-up bags for children's section and (8) acrylic covers for newspaper shelving in adult section including delivery @ an actual cost of \$1,951.00.
- B. County Court- At-Law to purchase from FY2002-A Capital Purchases Fund: (8) Black genuine leather side chairs including delivery @ an estimated cost of \$1,050.00

- E. Health Coordinator transfer to Information Services: 2001 Dodge Ram 1500 pickup truck/mileage 98,299 @ an original cost of \$20,000.00.
- F. Road & Bridge transfer to Surplus: 1996 Ford F-250 pickup truck/mileage 110,975 @ an original cost of \$19,434.00.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS TO APPROVE THE FOLLOWING PROPERTY DISPOSITION OF A FIXED ASSET BUT FAILED FOR LACK OF A SECOND:

- C. Constable #1 transfer to Fire Marshal: Kustom Pro 1000 Radar @ an original cost of \$1,510.00.

THE MOTION WAS MADE BY COMMISSIONER WIMPEE TO TRANSFER EQUIPMENT TO THE DISTRICT ATTORNEY'S OFFICE (INSTEAD OF TO SURPLUS). THE AUDITOR'S OFFICE STATED THAT THE EQUIPMENT WAS NOT WORKING ACCORDING TO THE TECHNOLOGY (IT) DEPARTMENT. DISTRICT ATTORNEY KENDA CULPEPPER WILL TRY TO USE THE EQUIPMENT AND WILL RETURN TO THE COURT TO SURPLUS THE EQUIPMENT IF SHE IS UNABLE TO USE. THE MOTION WAS SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY DISPOSITION OF A FIXED ASSET:

- D. District Judge transfer to District Attorney: HP All-In-One LaserJet 3100se Fax machine/scanner/copier @ an original cost of \$699.99.

**ITEM #13**

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

**2009-07** - Transfer \$650 of budgeted funds for Fire Marshal TO Capital Outlay FROM Equipment resulting from the purchase of a Gator Hawk Tactical Outer Carrier including shipping which was approved by the Commissioners Court on October 28, 2008.

**ITEM #12(C) RE-ADDRESSED**

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING FIXED PROPERTY DISPOSITION OF A FIXED ASSET:

- C. Constable #1 transfer to Surplus: Kustom Pro 1000 Radar @ an original cost of \$1,510.00.

**ITEM #14**

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING **PAID CLAIMS** IN THE AMOUNT OF \$532,423.72. COMMISSIONER BAILEY ABSTAINED.

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING **UNPAID CLAIMS** IN THE AMOUNT OF \$356,542.78.

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE **PAYROLL** ENDING JANUARY 10, 2009 IN THE AMOUNT OF \$489,449.37.

**ITEM #15**

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

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**LISA CONSTANT, COUNTY CLERK**