

**COMMISSIONERS COURT
FEBRUARY 24, 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:**

**CHRIS FLORANCE
JERRY WIMPEE
LORIE GRINNAN
DENNIS BAILEY
DAVID MAGNESS
LISA CONSTANT**

**COUNTY JUDGE
COMMISSIONER PCT #1
COMMISSIONER PCT #2
COMMISSIONER PCT #3
COMMISSIONER PCT #4
COUNTY CLERK**

- THE MEETING WAS CALLED TO ORDER BY JUDGE FLORANCE AT 9:00AM.
- 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.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A RESOLUTION FOR GARDENING AND MENTORING

THROUGH COMMUNITY SERVICE, AS PRESENTED BY ANGIE SCALF-JUVENILE PROBATION DIRECTOR.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A RESOLUTION FOR FAMILY PRESERVATION SERVICES, AS PRESENTED BY ANGIE SCALF-JUVENILE PROBATION SERVICES DIRECTOR.

ITEM #3

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-1 IN FAVOR OF ASSIGNING A SURPLUS VEHICLE, ORIGINALLY USED BY THE JUVENILE PROBATION DEPARTMENT, TO THE HISTORIC COURTHOUSE FOR A ONE-YEAR PILOT PROGRAM TO BE USED BY THE COMMISSIONERS COURT COORDINATOR, THE AUDITOR'S DEPARTMENT STAFF, THE HUMAN RESOURCE DEPARTMENT STAFF AND THE TREASURER'S DEPARTMENT STAFF; COMMISSIONER GRINNAN VOTED AGAINST. COMMISSIONER BAILEY REQUESTED THAT A LOG BOOK BE USED TO TRACK THE USE OF THE VEHICLE.

ITEM #4

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

TABLING THIS ITEM REGARDING COUNTY ROAD BOND ISSUES DUE TO THE PENDING FEDERAL STIMULUS PACKAGE.

ITEM #5

THE COURT PREVIOUSLY SUGGESTED THAT THE ARCHITECTS OF THE JUSTICE CENTER GIVE THEM A LIST OF NECESSARY ISSUES THAT WOULD NEED TO BE ADDRESSED AT THIS POINT IN THE DESIGN. SINCE THE COURT HAD NOT RECEIVED A LIST AT THIS TIME, NO ACTION WAS NECESSARY. THE COUNTY JUDGE WISHED TO AT LEAST DECIDE IF THE TAX OFFICE WOULD BE PLACED IN THE JUSTICE CENTER. THE MOTION WAS MADE BY JUDGE FLORANCE TO GIVE THEM (ARCHITECTS) THE ANSWER THEY WANT AND TO MOVE FORWARD. THE MOTION FAILED FOR A LACK OF A SECOND.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE GENERAL PROVISIONS OF THE COMMUNITY OUTDOOR OUTREACH PROGRAM PROJECT AGREEMENT IN THE AMOUNT OF \$16,798.00 PROVIDED BY THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR JUVENILE PROBATION.

ITEM #7

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

APPROVING THE CERTIFICATION OF GRANT MONEY AVAILABLE FROM THE TEXAS PARKS AND WILDLIFE GRANT AND ADOPTION OF 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 #8

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF FATE THAT ALLOWS THE COUNTY TO IMPROVE BLACKLAND ROAD AT A COST OF \$112,650.00 AND THE CITY TO ANNEX BLACKLAND AND GREENBRIAR ROADS. BRIAN WILLIAMS, ASSISTANT DISTRICT ATTORNEY, STATED THAT THE AGREEMENT INCLUDED THE DEADLINE FOR ANNEXATION BY THE CITY OF FATE UPON COMPLETION AND PRIOR TO THE SCHOOL THAT HAS BEEN BUILT ON THAT ROAD OPENING AND THE CITY'S PAYMENT DATES FOR THEIR PORTION OF THE REPAIRS.

COMMISSIONER MAGNESS REMINDED THAT THE AGREEMENT MUST STILL BE APPROVED BY THE FATE CITY COUNCIL.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN (FOR DISCUSSION) WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A ONE-YEAR AGREEMENT WITH NETLIBRARY TO CONTINUE PROVIDING DIGITAL DOWNLOADABLE

BOOKS FOR THE ROCKWALL COUNTY LIBRARY AT \$6,200.00 PER YEAR EFFECTIVE FEBRUARY 1, 2009. MARCINE MCCULLEY, LIBRARY DIRECTOR EXPLAINED THAT THIS SERVICE HAS BEEN BUDGETED AND OFFERED FOR TWO YEARS AT THE LIBRARY AND THAT THE COST DID NOT INCREASE WITH THIS NEW AGREEMENT.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN APPLICATION TO THE STATE FISCAL YEAR 2010 TEXAS STATE LIBRARY AND ARCHIVES COMMISSION TEXAS READS GRANTS PROGRAM FOR THE ROCKWALL COUNTY LIBRARY IN THE REQUESTED AMOUNT OF \$3,000.00.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN AMENDMENT TO THE TEXAS TRUE CHOICE CLIENT CONTRACT EFFECTIVE JANUARY 1, 2009, OUTLINING THE REQUIREMENTS TO CONTINUE ACCESSING THE PREFERRED PAYMENT RATES UNDER THE BAYLOR PHYSICIANS PROVIDER AGREEMENT AS PRESENTED BY RANDY JENNINGS, HUMAN RESOURCES DIRECTOR.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY

COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A CERTIFICATE OF DEPOSIT (CD) ACCOUNT REGISTRY PLACEMENT AGREEMENT WITH SOUTHWEST SECURITIES INC, FOR CD INVESTMENTS AS RECOMMENDED BY BILL SINCLAIR, COUNTY TREASURER TO ALLOW FOR BETTER INVESTMENT OPTIONS AND POSSIBLY HIGHER YIELDS DURING A WEAK FINANCIAL MARKET.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A LOCAL GOVERNMENT INVESTMENT COOPERATIVE PARTICIPATION AGREEMENT WITH FIRST SOUTHWEST ASSET MANAGEMENT, INC. FOR INVESTMENTS IN PUBLIC FUNDS INVESTMENT POOL AS RECOMMENDED BY BILL SINCLAIR, COUNTY TREASURER TO ALLOW FOR POSSIBLY BETTER INVESTMENT OPTIONS DURING A WEAK FINANCIAL MARKET.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF AMENDING THE TIMETABLE FOR NEGOTIATING AN AGREEMENT WITH THE DESIGN AND BUILD FIRM SELECTED FOR THE COUNTY SERVICES BUILDING PROJECT TO MARCH 3, 2009 INSTEAD OF FEBRUARY 24, 2009.

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, 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, Jan-09 monthly Fee report(s);
- c) District Clerk, Jan-09 monthly Fee report(s);
- d) J.P. Pct. 2- Jan.-09 monthly Judicial Activity report(s);
- e) Co. Sheriff -2008 Annual Racial Profiling Report;
- f) Co. Agent-Jan.-09 Activity/Expense report(s);
- g) Indigent Health, Jan- 09 Expenditure/Case report(s);
- h) Co. Librarian- Jan.-09 monthly Activity report(s);
- i) Co. Auditor, Approve payment to Chiang, Patel, & Yerby Inc., for engineering services at the FM549/I30 interchange during January 2009 in the amount of \$84,173.05;

ITEM #16

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

- A. County Library purchased from FY2005 Capital Purchase Fund: (2) Book trucks for library books including shipping @ an actual cost of \$710.50.
- B. District Attorney transfer to Surplus: Konica 3340 copier @ an original cost of approximately \$6,000.00.
- C. Election Administrator transfer to Surplus: Konica 3340 copier @ an original cost of approximately \$6,000.00.
- D. District Judge transfer to Surplus: (3) Vernon's Texas Codes annotated Family Code books – volumes 2,3, and 4.

ITEM #17

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

2009-09 - Transfer \$100 of budgeted funds for Maintenance & Operations TO Capital Improvements FROM Tools & Equipment resulting from Adult Probation expenditures that exceeded budgeted funds approved and allowed.

2009-10 - Transfer \$35,563 of budgeted funds for Juvenile Probation TO Transfer out to TPWD Grant FROM Juvenile Probation Officers @ \$18,463 & Community Service Coordinator @ \$11,876 & Social Security @ \$2,321 & Retirement @ \$2,731 & Workers Comp @ \$90 & Unemployment @ \$82 to reallocate budgeted funds for Juvenile Probation to transfer funds to establish a new Texas Parks and Wildlife Grant.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING **PAID CLAIMS** IN THE AMOUNT OF \$407,064.63 AS RECOMMENDED BY THE COUNTY AUDITOR; COMMISSIONER BAILEY ABSTAINED.

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING **UNPAID CLAIMS** IN THE AMOUNT OF \$363,676.11.

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE **PAYROLL** ENDING FEBRUARY 9, 2009 IN THE AMOUNT OF \$479,682.85.

ITEM #19

THERE BEING NO FURTHER BUSINESS COMING BEFORE THE COURT,
JUDGE FLORANCE ADJOURNED THE MEETING AT 9:40AM.

LISA CONSTANT, COUNTY CLERK