

**COMMISSIONERS COURT
AUGUST 4, 2009**

**STATE OF TEXAS
COUNTY OF ROCKWALL**

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

CHRIS FLORANCE	COUNTY JUDGE
JERRY WIMPEE	COMMISSIONER PCT #1
LORIE GRINNAN	COMMISSIONER PCT #2
DENNIS BAILEY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4
LISA CONSTANT	COUNTY CLERK

JUDGE FLORANCE CALLED THE SPECIAL MEETING TO ORDER AT 9:00AM. NICHOLAS KREEKON WISHED TO ADDRESS THE COMMISSIONERS COURT REGARDING A FUEL TAX REBATE PLAN THAT HE HAS PROPOSED AS NEW LEGISLATION TO THE STATE.

ITEM #1

THE MOTION WAS MADE BY JUDGE FLORANCE, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF SETTING THE PROPOSED 2009 ROCKWALL COUNTY TAX RATE AT 37.5 CENTS. THIS IS THE SAME RATE AS LAST YEAR'S RATE.

ITEM #2 & #3

COUNTY TREASURER BILL SINCLAIR INFORMED THE COURT THAT BASED ON THE LAW, IF THE PROPOSED TAX RATE IS LESS THAN THE

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EFFECTIVE TAX RATE THERE IS NO NEED TO CALL PUBLIC HEARINGS ON INCREASED TAXES. THEREFORE THERE WILL BE NO ACTION REQUIRED FOR THESE TWO AGENDA ITEMS. MR. SINCLAIR STATED THAT THIS WAS PUT ON THE AGENDA SINCE THE COURT'S ACTION FOR SETTING THE TAX RATE WAS UNKNOWN AT THE TIME OF POSTING THE AGENDA.

ITEM #4

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 TO SCHEDULE A PUBLIC HEARING ON SEPTEMBER 8, 2009 AT 9:00AM REGARDING THE PROPOSED FY2010 BUDGET FOR ROCKWALL COUNTY.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 TO AUTHORIZE HUMAN RESOURCES AND GALLAGHER BENEFITS SERVICES TO ADVERTISE FOR A HEALTH PLAN REINSURANCE CONTRACT AND TO EVALUATE BIDS RECEIVED AS PROPOSED BY CINDY MILLER OF HUMAN RESOURCES. MS. MILLER FURTHER EXPLAINED THAT THE RESULTS WILL BE RETURNED TO THE COURT ON THE SEPTEMBER 8TH, 2009.

ITEM #5

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

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APPROVING ELECTION, ALTERNATE AND EARLY VOTING JUDGES AS PRESENTED BY ELECTION ADMINISTRATOR GLENDA DENTON WITH TWO CHANGES: PRECINCT 1A WILL BE BILL GIBSON AS JUDGE INSTEAD OF NICHOLAS KREEKON AND BUFORD WALDROP HAS RESIGNED AS EARLY VOTING BALLOT JUDGE SO ANOTHER JUDGE WILL BE APPOINTED AT A LATER DATE.

ITEM #6

THIS ITEM REGARDING ROAD BOND ISSUES IS A DISCUSSION ITEM ONLY. ROAD BOND ISSUES WILL BE PLACED ON THE AUGUST 11, 2009 AGENDA.

ITEM #7

THIS ITEM REGARDING COUNTY SPACE ISSUES IS A DISCUSSION ITEM ONLY. COUNTY SPACE WILL BE PLACED ON THE AUGUST 11, 2009 AGENDA.

ITEM #8

COMMISSIONER BAILEY UPDATED THE COURT ON NEW COURTHOUSE (JUSTICE CENTER) STATING THAT THE ARCHITECTS ARE CLOSE TO FINALIZING THE FLOOR PLANS FOR THE BUILDING.

ITEM #9

COMMISSIONER MAGNESS STATED THAT THE COUNTY SERVICES BUILDING IMPROVEMENTS ITEM WILL BE ON THE AUGUST 11, 2009 AGENDA.

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ITEM #10

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A REQUEST FROM THE TAX ASSESSOR-COLLECTOR TO INCREASE THE NSF RETURN CHECK FEE FROM \$25.00 TO \$30.00.

ITEM #12

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A TWO-YEAR CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY ALLOWING THE COUNTY TO PURCHASE MATERIALS AND SUPPLIES TO USE IN THE BREATH TESTING/LABORATORY ALCOHOL AND DRUG TESTING PROGRAM EFFECTIVE SEPTEMBER 1, 2009.

ITEM #13

COMMISSIONER GRINNAN SPOKE WITH THE WASHINGTON STREET BUILDING'S OWNER AND INFORMED HIM THAT THE COUNTY WILL MOST LIKELY MOVE ITS STORAGE TO THE COUNTY SERVICES BUILDING WHEN THE COUNTY SERVICES BUILDING IS READY THEREFORE THE COUNTY WOULD LIKE TO NEGOTIATE A MORE FLEXIBLE LEASE AGREEMENT. THE OWNER OF THE WASHINGTON STREET BUILDING OFFERED A MONTH TO MONTH LEASE AGREEMENT AND A 90-DAY NOTICE TO TERMINATE THE AGREEMENT.

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THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF EXTENDING THE COMMERCIAL LEASE AGREEMENT WITH RDT ENTERPRISES, INC. FOR THE STORAGE SPACE AT 306 E. WASHINGTON STREET AS A MONTH TO MONTH RENTAL EFFECTIVE OCTOBER 1, 2009, THE ANNUAL RATE IS \$14,250.00 AND A 90-DAY MOVE OUT CLAUSE TO TERMINATE THE AGREEMENT IS REQUIRED.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF ALLOWING THE ROCKWALL NOON ROTARY CLUB TO UTILIZE THE ROCKWALL COUNTY LIBRARY PARKING LOT AND ADJACENT PROPERTY FOR PARKING DURING THE HOT ROCKS RACE TO BE HELD ON AUGUST 7TH AND AUGUST 8TH, 2009 UPON THE NOON ROTARY CLUB'S ACCEPTANCE OF THE COUNTY INDEMNIFICATION AGREEMENT.

ITEM #15

COMMISSIONER MAGNESS EXPLAINED THAT ROYSE CITY ISD HAS BUILT A SCHOOL ON BLACKLAND ROAD AND ARE IN THE PROCESS OF PUTTING IN THE SEWER MAIN OVER TO THE MAIN CONNECTOR FROM THE CITY OF FATE TO THE REGIONAL WASTEWATER FACILITY ON CRENSHAW ROAD. THE SEWER MAIN REQUIRES A PUMP STATION RIGHT NEXT TO PARKER ROAD AND NORTH TEXAS MUNICIPAL WATER

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DISTRICT REQUIRES ACCESS TO THE PUMP STATION IN ALL WEATHER. PARKER ROAD IS CURRENTLY A COUNTY DIRT ROAD. THE ROYSE CITY SCHOOL DISTRICT HAS OFFERED TO PAY IMPROVING AND UPGRADING THE ROAD. THE MOTION WAS MADE BY COMMISSIONER MAGNESS IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH ROYSE CITY ISD TO MAKE IMPROVEMENTS TO PARKER CREEK ROAD EXCLUDING THE BLADING AMOUNT AND EXCLUDING THE 10% OVERHEAD FEE PER THE AGREEMENT. THE MOTION DID NOT RECEIVE A SECOND. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-1 IN FAVOR APPROVING THE INTERLOCAL AGREEMENT WITH ROYSE CITY SCHOOL DISTRICT (RCISD) TO IMPROVE THE COUNTY ROAD. RCISD WILL PAY A TOTAL COST OF \$34,058.00 THAT WILL INCLUDE: PAYING FOR THE ROCK, MAKING THE ROAD FIFTEEN FEET WIDE WITH A 6 INCH BASE, HAULING THE ROCK, BLADING THE ROCK AND MAKING A CONCRETE SECTION OF THE ROAD TO SERVE AS A HIGH WATER RELEASE; JUDGE FLORANCE VOTED AGAINST. THE ROAD WILL CONTINUE TO BE OWNED AND MAINTAINED BY ROCKWALL COUNTY.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0

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IN FAVOR OF APPROVING A NO-COST MEMORANDUM OF UNDERSTANDING WITH CLEAR RESULT CONSULTING FOR THE REDUCTION OF ENERGY COSTS AT COUNTY FACILITIES WHICH WILL ALLOW THE CONSULTANT TO REVIEW THE COUNTY FACILITY ENERGY COSTS AT NO COST TO THE COUNTY. COMMISSIONER BAILEY STATED THAT THIS IS NOT AN AUDIT OF ENERGY USAGE BUT TO STUDY THE FACILITY FOR POSSIBLE ENERGY SAVINGS UPGRADES AND REBATES.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING AN AGREEMENT WITH CMJ ENGINEERING, INC. TO PROVIDE GEOTECHNICAL ENGINEERING SERVICES FOR THE NEW JUSTICE CENTER AT A MAXIMUM COST OF \$9,300.00 TO BE PAID BY THE CONSTRUCTION FUND.

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF ADVERTISING BY PUBLIC NOTICE FOR BIDS ON CUSTODIAL SERVICES FOR THE COUNTY LIBRARY.

ITEM #19

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THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS AS FOLLOWS:

- a) Minutes of previous meeting(s);
- b) Co. Librarian, June-09 activity monthly report(s);
- c) J.P. Pct. 2, June-09 monthly judicial activity report(s);
- d) Co. Treasurer, Quarterly Investment report for period ending 6/30/09;
- e) Co. Auditor, Approve payment to Brinkley Sergeant Architects for June 2009 Architectural services on the Rockwall County Justice Center in the amount of \$41,733.08;
- f) Co. Auditor, May-09 monthly report;

ITEM #20

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 TO APPROVE THE FOLLOWING PROPERTY ACQUISITIONS AND DISPOSITIONS(S) OF FIXED ASSETS(S)

- A. District Attorney transfer to Surplus: Sellows PS-65C shredder

ITEM #21

NON-EMERGENCY BUDGET TRANSFER(S):

NONE

ITEM #22

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 \$350,847.53, COMMISSIONER BAILEY ABSTAINED;

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THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY
COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$367,106.37;

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF
APPROVING THE PAYROLL ENDING JULY 11, 2009 IN THE AMOUNT OF
\$496,067.85;

ITEM #23

THERE BEING NO FURTHER BUSINESS COMING BEFORE THE COURT,
JUDGE FLORANCE ADJOURNED THE MEETING AT 9:50AM

LISA CONSTANT, COUNTY CLERK

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