

**COMMISSIONERS COURT
JUNE 14, 2011**

**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:**

JERRY HOGAN	COUNTY JUDGE
JERRY WIMPEE	COMMISSIONER PCT #1
LORIE GRINNAN	COMMISSIONER PCT #2
DENNIS BAILEY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4 - ABSENT
LEA CARLSON	CHIEF DEPUTY COUNTY CLERK

THE MEETING WAS CALLED TO ORDER BY JUDGE HOGAN AT 9:00 A.M.

THE INVOCATION WAS GIVEN BY COMMISSIONER WIMPEE.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND
TO THE TEXAS FLAG WERE LED BY JUDGE HOGAN.

THE FOLLOWING GUESTS ADDRESSED THE COURT:

CAROL CHILDRESS, RISD BOARD MEMBER LEIGH PLAGENS AND ROCKWALL
COUNTY FRIENDS OF THE LIBRARY PRESIDENT KATHLEEN BROSE SPOKE
REGARDING THE ROCKWALL COUNTY LIBRARY AND VOICED THEIR DEEP
CONCERNS OVER CUTTING THE LIBRARY'S BUDGET BY \$250,000. HEATH DPS
CHIEF TERRY GARRETT, CITY MANAGER ROYSE CITY BILL SHIPP, CITY OF
FATE MAYOR BILL BRODERICK AND CITY ADMINISTRATOR MCLENDON-
CHISHOLM DAVE BUTLER SPOKE ABOUT FIRE PROTECTION IN ROCKWALL
COUNTY AND AGAINST CUTTING THE BUDGET FOR COUNTY FIRE
PROTECTION.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE APPOINTMENT OF COMMISSIONER BAILEY AND RE-APPOINTMENT OF COMMISSIONER GRINNAN TO THE EMERGENCY SERVICES CORPORATION BOARD.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE APPOINTMENT OF NICOLE JONES TO THE ROCKWALL COUNTY LIBRARY BOARD.

ITEM #3

ROCKWALL COUNTY DISTRICT ATTORNEY KENDA CULPEPPER DISCUSSED WITH THE COURT REASONS TO CHANGE ASSISTANT DISTRICT ATTORNEY JENNIFER BARNES TO FULL TIME FROM PART-TIME. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 3-1 TO APPROVE A CHANGE TO EMPLOYMENT CLASSIFICATION FOR STATED ASSISTANT DISTRICT ATTORNEY FROM PART-TIME TO FULL TIME EFFECTIVE JUNE 15, 2011. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #4

SHERIFF EAVENSON GAVE A BRIEF EXPLANATION TO THE COURT REGARDING THE TEXAS DEPARTMENT OF PUBLIC SAFETY (TXDPS) REMOTELY HOSTED

CRIMINAL INCIDENT BASED RECORDS MANAGEMENT SYSTEM PROJECT. SHERIFF EAVENSON INTRODUCED A REPRESENTATIVE OF ONE OF THE THREE SOFTWARE SERVICES SELECTED BY TXDPS TO PROVIDE THIS SERVICE, SOUTHERN SOFTWARE, INC. REGIONAL ACCOUNT MANAGER JACK JUSTUS. MR. JUSTUS DISCUSSED WITH THE COURT IMPLEMENTING THEIR SERVICES AND THE DIFFERENT ISSUES INVOLVED IN INTERFACING WITH OTHER COUNTY SOFTWARE SYSTEMS. THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A MEMORANDUM OF AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY TO GRANT FUNDING FOR REMOTE RECORDS MANAGEMENT SYSTEM PROJECT AND SET FORTH THE OBLIGATIONS OF THE COUNTY.

ITEM #5

THE MOTION WAS MADE BY JUDGE HOGAN, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-1 IN FAVOR OF DIRECTING THE COUNTY AUDITOR TO GO INTO CONTRACT NEGOTIATIONS FOR CENTRALIZED CLEANING OF COUNTY FACILITIES AND TO ACCEPT THE CONTRACT FROM THE LOWEST BIDDING FIRM. THE CONTRACT SHALL HAVE AN EFFECTIVE DATE OF OCTOBER 1, 2011. COMMISSIONER WIMPEE VOTED AGAINST.

ITEM #6

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF

ACCEPTING A BID FROM HONEA AIR AWARDING THE CONTRACT FOR THE HVAC PROJECT FOR THE ROCKWALL COUNTY SERVICES BUILDING.

ITEM #7

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 TO RESCIND ALL BIDS RECEIVED AND AUTHORIZE THE COUNTY AUDITOR TO RE-BID THE ELECTRICAL PROJECT FOR THE ROCKWALL COUNTY SERVICES BUILDING.

ITEM #8

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A LETTER OF OFFICIAL NOTICE TO CONTINUE THE TERMS OF THE LEASE AGREEMENT WITH SOROPTIMIST HOUSE ON A MONTH-TO-MONTH BASIS AT THE SAME MONTHLY LEASE PAYMENT OF \$1,800.00 UNTIL A 30-DAY WRITTEN NOTICE OF TERMINATION IS GIVEN.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A LETTER OF OFFICIAL NOTICE TO CONTINUE THE TERMS OF THE LEASE AGREEMENT WITH BENBROOKE RIDGE PARTNERS, L.P., ON A MONTH-TO-MONTH BASIS AT THE SAME MONTHLY LEASE PAYMENT OF \$2,165.67 UNTIL A 30-DAY WRITTEN NOTICE OF TERMINATION IS GIVEN.

ITEM #10

THE MOTION WAS MADE BY COMMISSIONER GRINNAN SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A LETTER OF OFFICIAL NOTICE TO CONTINUE THE TERMS OF THE LEASE AGREEMENT WITH MCCALLUM V LTD., ON A 90 DAY BASIS FOR AN AMOUNT OF \$9,000.00 AND AT THE END OF THAT 90 DAYS THE LEASE WILL BE TERMINATED.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING A RENEWAL AGREEMENT WITH ROYSE CITY FOR DISPATCH SERVICES PROVIDED BY THE ROCKWALL COUNTY SHERIFF'S OFFICE FOR AN ANNUAL FEE OF \$33,000.00.

ITEM #12

THIS ITEM WAS PULLED FROM THE AGENDA. JUDGE HOGAN MADE A STATEMENT TO EXPLAIN THE REASONING BEHIND PULLING THE ITEM. HE WENT ON TO THANK THE ROCKWALL COUNTY LIBRARY BOARD AND THE FRIENDS OF THE LIBRARY FOR THE WAY THEY HANDLED EXPRESSING THEIR OPPOSITION TO THE PROPOSED REDUCTIONS TO THE LIBRARY BUDGET. JUDGE HOGAN COMMENDED ROCKWALL COUNTY DIRECTOR MARCINE MCCULLEY ON ADMIRABLY COMING UP WITH A SOLUTION.

ITEM #13

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN AGREEMENT WITH SHP VISTA HEALTH MANAGEMENT TO PROVIDE MEDICAL SERVICES TO INMATES OF THE ROCKWALL COUNTY JAIL.

ITEM #14

ROCKWALL COUNTY DISTRICT ATTORNEY KENDA CULPEPPER SPOKE TO THE COURT EXPLAINING THE NEED FOR PUTTING THE "NO REFUSAL WEEKEND" PROGRAM INTO EFFECT FOR THE FOURTH OF JULY WEEKEND. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF ROCKWALL REGARDING MUNICIPAL JUDGE SERVICES FOR THE FOURTH OF JULY EXTENDED WEEKEND AT A MAXIMUM COST OF \$2,500.00.

ITEM #15

THE COURT REQUESTED EACH CITY WITHIN THE COUNTY TO SELECT ONE OR TWO REPRESENTATIVES TO MEET IN A WORKSHOP TO DISCUSS THE FIRST DRAFT FY2012 BUDGET AS IT RELATES TO THE PROPOSED FIRE PROTECTION BUDGET CUTS. THE DATE AND TIME WILL BE SENT TO THE INTERESTED PARTIES.

*JUDGE HOGAN RECESSED THE MEETING AT 10:30 A.M. TO RECONVENE AFTER THE EXECUTIVE SESSION TODAY.

*JUDGE HOGAN RECALLED THE MEETING TO ORDER AT 10:53 A.M.

ITEM #16

EXECUTIVE SESSION FROM 10:30 A.M. TO 10:53 A.M.

1. Consult with legal counsel regarding pending or contemplated litigation, settlement offers and/or matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071);
2. Discussion of critical skill set personnel (Tex. Gov't Code §551.074);

ITEM #17

ACTION OF THE EXECUTIVE SESSION;

NO ACTION TAKEN

ITEM #18

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY
COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF
APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) District Clerk, monthly fee report (s);
- c) J.P. Pct. 1, monthly judicial activity report(s);
- d) J.P. Pct. 2, monthly judicial activity report(s);
- e) Environmental Health Coordinator, monthly activity report(s);
- f) Co. Agent, activity expense report(s);
- g) Co. Auditor, Approve payment to Brinkley Sargent Architects for April 2011 architectural services on the new Rockwall County Courthouse in the amount of \$41,550.74;
- h) Co. Auditor, Approve payment to Manhattan Construction Company for construction services on the new Rockwall County Courthouse in the amount of \$2,679,300.00;
- i) Co. Auditor, Approve payment to HNTB Corporation for engineering services provided during April 2011 at FM 552 from SH 205 to SH 66 in the amount of \$14,601.76;
- j) Co. Auditor, Approve payment to Dannenbaum Engineering Company for engineering services provided during April 2011 at FM 549 from SH 276 to SH 205 in the amount of \$11,418.36;

ITEM #19

THE MOTION WAS MADE BY COMMISSIONER BAILEY TO APPROVE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITION/DISPOSITION:

- A. Information Technology to purchase from New Courthouse Construction Fund: Server with License, Display and (80) user licenses including shipping @ a quoted cost of \$5,697.35.
- B. Information Technology to purchase from FY2006 Capital Purchases Fund: (2) Xerox DocuMate 152 scanners including shipping @ a quoted cost of \$773.24.
- C. Information Technology to purchase from FY2006 Capital Purchases Fund: Server including shipping @ a quoted cost of \$3,944.15.
- D. Information Technology/Tax-Assessor-Collector to purchase from FY2006 Capital Purchases Fund: True Automation Web Server including shipping @ a quoted cost of \$1,771.37.
- E. County Sheriff to purchase from Capital Outlay: 2011 vehicle for commercial traffic including associated equipment and delivery @ an estimated cost of \$32,800.00.
- F. Emergency Management to purchase from CRI Grant Fund: Farallon Electronics Pactor modem and all necessary wires for installation @ a quoted cost of \$1,217.00.
- G. Commissioners Court to transfer to Information Technology: HP LaserJet 4100n printer.
- H. Justice of the Peace #2 to transfer to Information Technology: HP LaserJet 4100 printer.
- I. Justice of the Peace #2 to transfer to Information Technology: HP LaserJet 4100n.
- J. Justice of the Peace #2 to transfer to Information Technology: Canon Image Class D860 printer/scan/fax.
- K. Tax Assessor-Collector to transfer to Information Technology: server used for Tax Assessor True Automation Software.
- L. County Library to transfer to Information Technology: IBM ThinkCentre CPU.
- M. County Library to transfer to Information Technology: MPC Client Pro 375 CPU.
- N. County Library to transfer to Information Technology: MPC Client Pro CPU.
- O. Information Technology to transfer to Surplus: 1998 Ford F150 pickup truck.
- P. 382nd District Court to transfer to Surplus: out of date law books.
- Q. County Auditor to transfer to Surplus: (38) Verizon air cards & (5) Sprint air cards.

- R. County Auditor to transfer to Surplus: out of date Texas Local Government Code books.
- S. County Library to transfer to Surplus: (21) boxes of withdrawn books.
- T. Road & Bridge to transfer to Salvage: miscellaneous obsolete equipment/ machinery and scrap materials.
- U. Various Departments to transfer to Salvage: various obsolete equipment.

ITEM #20

NON-EMERGENCY BUDGET TRANSFER(S);

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS:

2011-11 - Transfer \$21,874 of funds within the General Fund General Government Budget **TO** Unanticipated Expense **FROM** Contingency resulting from an adjustment needed to an individual TCDRS retirement account approved in Commissioners Court on May 24, 2011.

2011-12 - Transfer \$5,300 of funds within the Cities Readiness Initiative Grant Fund Budget **TO** Capital Outlay **FROM** Office Supplies @ \$1,300 & Program Supplies @ \$4,000 resulting from additional capital equipment purchases approved and reimbursed by COG for this grant.

ITEM #21

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 3-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$266,440.04. COMMISSIONER BAILEY ABSTAINED; THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$3,113.106.71. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 4-0 IN FAVOR OF

APPROVING PAYROLL IN THE AMOUNT OF \$514,567.20 FOR THE PAY PERIOD
ENDING MAY 28, 2011.

ITEM #22

JUDGE HOGAN MADE THE FOLLOWING ANNOUNCEMENT:

THE STRATEGIC PLANNING COMMITTEE IS IN THE FINAL STAGES OF
THEIR PREPARATION TO PRESENT TO THE COMMISSIONERS COURT ON
JUNE 28, 2011. THE COMMITTEE FACILITATOR HAS REQUESTED TO
MEET WITH THE COURT IN THE NEXT WORKSHOP SCHEDULED FOR
JUNE 21TH AT 9:00 A.M.

ITEM #23

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE HOGAN
ADJOURNED THE MEETING AT 11:04 A.M.

SHELLI MILLER,
ROCKWALL COUNTY CLERK