

COURT ORDER NO. 89-332-05-08

THE STATE OF TEXAS
COUNTY OF COLLIN

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COMMISSIONERS' COURT MINUTES
APRIL 24, 1989

On Monday, April 24, 1989, the Commissioners' Court of Collin County, Texas, met in special session with the following members present and participating, to wit:

William J. Roberts
Howard Thornton
Jerry Hoagland
John Witherspoon
Jack Hatchell

County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

ITEM NO. 1 Judge Roberts opened the meeting at 9:02 A.M., stated that all members of the court were present and would immediately convene in an executive session.

ITEM NO. 2 The court met in executive session in accordance with Art. 6252-17, Section 2 (e, f, g, & r), VTCS, to consider legal, real estate, personnel, and to confer with employee(s), if necessary.

The court reconvened in open session at 10:18 A.M. The invocation was given by Mr. Thornton.

ITEM NO. 3 There was no action resulting from the executive session.

ITEM NO. 4 Mr. Hatchell's motion to approve the following consent agenda items was seconded by Mr. Witherspoon and passed with a 4-0 vote:

- a. Filing of the April 24, 1989, special meeting notice;
COURT ORDER NO. 89-311-04-24
- b. Minutes from the meeting of April 10, 1989;
COURT ORDER NO. 89-317-04-24
- c. Minutes from the meeting of April 17, 1989;
COURT ORDER NO. 89-318-04-24
- d. The following requested personnel appointments:
Frances Jessup Sharpe, Tax Assessor, Deputy Clerk I, TFT;
COURT ORDER NO. 89-312-04-24
Judy Hall Norton, Health Care Services, Claims Analyst, TFT;
COURT ORDER NO. 89-313-04-24
and the following requested salary and/or title changes:
Rita Lin Raleeh, Sheriff, Records Clerk I, R2/A to Records/
Warrants Clerk I, R3/B1;
COURT ORDER NO. 89-314-04-24
Larry Garza, Jail, Jailer, S2/A to S2/B2;
COURT ORDER NO. 89-315-04-24

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Daniel Erroll Pollock, Jail, Jailer, S2/B2 to Chief Jailer,
S5/B2;

- e. Disbursements for the period ending 4/20/89;
COURT ORDER NO. 89-316-04-24
- g. Request from Continental Telephone to lay a utility line/cable/
structure along the ROW of CR 580.
COURT ORDER NO. 89-319-04-24

COURT ORDER NO. 89-320-04-24

ITEM NO. 5 Liz Francis, newly appointed Chairperson, Collin County Commission on the Bicentennial of the U. S. Constitution (CCCBUSC), introduced several members of the commission and enumerated the various activities they had sponsored to date. She then presented commemorative bicentennial pins to the members of the court, Regional Planner Bill Fraser, Open Space Architect Theresa Biddick and District Judge Verla Sue Holland, each for their support and/or special contributions to the commission's efforts. Ms. Francis related the CCCBUSC's intent to construct a constitutional plaza in the vacant area on the east side of the courthouse. It was proposed to contain ten sizable trees with a plaque for each in commemoration of the Bill of Rights. Bill Fraser, who assisted with development of the proposed plan, pointed out specifics of the design and answered questions regarding the compatibility of the project with the county's master parking expansion and grounds improvements plan. Mr. Hoagland motioned to formally endorse the plaza project, subject to its incorporation into the master plan, and authorize the CCCBUSC to proceed with development of fund-raising efforts. Mr. Hatchell seconded the motion and the item carried 4-0.

COURT ORDER NO. 89-321-04-24

ITEM NO. 6 Pasco Parker, County Auditor, stated that BancTEXAS had provided, in its depository contract, a \$5,000,000 line of credit for expenses incurred during development of the design and plans for the new jail. Mr. Parker said that currently invoices totalling \$70,000 needed to be paid and asked that the court authorize the county clerk treasury to prepare the paperwork necessary to make draws against this line of credit. Mr. Parker relayed BancTEXAS' offer of an 8.55% interest rate on a collateralized loan with a certificate of deposit in a like amount. Upon question, Parker said \$100,000 was needed immediately and additional draws thereafter would be presented to the court for approval. A motion was made by Mr. Hatchell, seconded by Mr. Thornton and carried with a unanimous vote of the court to: authorize the county clerk treasury to accomplish necessary paperwork to make draws not to exceed \$1,500,000; direct the county auditor to establish accounting records to record the drawdown, expenditures and repayment of the line of credit used; and, accept the 8.55% interest rate offered.

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ITEM NO. 7 A motion was made by Mr. Hoagland and seconded by Mr. Hatchell to incorporate, into the court minutes, the accounting systems and procedures letter submitted by the auditor. Tom Kelly, J.P., Pct. 3-1, requested and was allowed to address the court. Reading from a prepared letter, Judge Kelly stated his displeasure with the county auditor and the operations of his office. He criticized the accounting procedures used and felt a new system needed to be designed by qualified open-minded people. He said elected officials were not encouraged to recommend ways of improving the system. Additionally, Kelly complained about the auditor's possession of his receipt books and accused the auditor of questionable methods of reconciling checking accounts. Judge Roberts told Judge Kelly his comments were inappropriate and the court was not voting on an accounting system, but simply considering Mr. Parker's request for recognition of a policy statement. Judge Roberts suggested that Kelly read the state statutes dealing with the auditor's authority, noting that the commissioners' court had no authority to set or revise accounting policies. Mr. Kelly was advised to submit his complaints to the district judges as the auditor was answerable to them. Mr. Parker stated that although he didn't feel it was the proper time or place, he felt it necessary to respond to Judge Kelly's accusations. Parker said the current accounting system was established approximately ten years ago by a C.P.A. firm. He defended the system and his own personal qualifications, stating he had obtained degrees in both accounting and management. He explained that incorporating the accounting systems and procedures letter into the minutes was a reiteration of current statutory requirements. Parker encouraged department heads and officials to suggest improvements but objected to the unfounded accusations and tirades presented by Mr. Kelly. Upon question, Parker explained that the best method for reconciling an account was to receive the bank statements unopened and his intent was to ensure that Kelly's newly-staffed office was operating properly. After additional discussion, Mr. Hatchell apologized to Mr. Parker for Mr. Kelly's comments and chastised Mr. Kelly for his blatant lack of discretion. The motion to incorporate the accounting systems and procedures letter into the minutes of the meeting passed with a unanimous vote of the court.

ITEM NO. 8 Donna Strub, Elections Administrator, presented proposed precinct changes and additions for approval. Ms. Strub stated that election precinct changes could only be implemented in even numbered years. Precincts with more than the 3,000 voter maximum and voter convenience were noted as the reasons for the changes. Upon question, Ms. Strub said the election board had not reviewed the proposed changes due to a lack of time and unavailability of board members. Mr. Hoagland asked that in the future board approval be obtained prior to submission to the court. Mr. Hatchell motioned to authorize ten

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precinct realignments and five precinct additions. Mr. Hoagland seconded the motion and the item carried 4-0.

COURT ORDER NO. 89-323-04-24

ITEM NO. 9 Mr. Hoagland's motion to approve the Hart Addition final plat was seconded by Mr. Witherspoon and carried with a vote of 4-0.

ITEM NO. 10 A motion was made by Mr. Hoagland, seconded by Mr. Hatchell and carried with a 4-0 vote of the court to extend the MC-30 cutback asphalt contract with Southern Asphalt & Petroleum Company.

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ITEM NO. 11 Upon question, Barbara Stephen, Assistant Purchasing Agent, stated that the price on AC-3 hot mix-cold laid asphalt had gone down from the previous year. Mr. Hatchell moved to award the annual asphalt contract to Gohmann Asphalt & Construction of Texas, Inc. Mr. Thornton seconded the motion and the item carried 4-0.

COURT ORDER NO. 89-325-04-24

ITEM NO. 12 Mr. Hatchell motioned to award the annual contract for pre-mixed concrete to Princeton Builders Supply. Mr. Witherspoon seconded the motion and the item carried with a unanimous vote.

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ITEM NO. 13 Following a motion by Mr. Hoagland, second by Mr. Thornton, the court voted unanimously to award the annual contract for concrete and additives to Celina Ready Mix, Inc., for Zone I and to Lattimore Ready Mix for Zones II and III.

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ITEM NO. 14 A motion was made by Mr. Hoagland, seconded by Mr. Witherspoon and carried with a 4-0 vote to jointly award the annual contract for steel products to J. T. Ryerson & Son, Inc., O'Neal Steel, Garland Steel, Mueller Supply and Gordon Specialties Inc. No Bids were received for Items 57, 59, 62, 63 and all of Part IV.

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ITEM NO. 15 Mr. Hoagland moved to authorize re-advertisement for bids on the annual contract for steel concrete forms and stakes. Mr. Hatchell seconded the motion and the item carried 4-0.

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ITEM NO. 16 Mr. Thornton expressed his concern with the wording on the bid specifications for banquet services. He felt that some bidders may have been negatively influenced by the "right to purchase elsewhere" clause. Mr. Thornton moved to reject all bids, amend the specifications to delete the referenced clause and re-advertise for bids on banquet services. Mr. Witherspoon seconded the motion and the item carried with a 4-0 vote.

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For the record, Judge Roberts announced the following future court dates: May 8, May 22, June 1 (with executive session to begin at 12:00 P.M. and open session at 1:00 P.M.), and June 12, 1989.

There being no further announcements or business to be considered by the court, the meeting was adjourned at 11:14 A.M.



William J. Roberts, County Judge
Collin County, T E X A S

ATTEST:



Helen Starnes, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S

