COURT ORDER NO. 2007- 305 -04-10

THE STATE OF TEXAS **COMMISSIONERS COURT MINUTES**

COUNTY OF COLLIN **MARCH 27, 2007**

On Tuesday, March 27, 2007, the Commissioners Court of Collin County, Texas, met in regular session with the following members present, and participating to wit:

Keith Self	**County Judge, Presiding**
Phyllis Cole	**Commissioner, Precinct 1**
Jerry Hoagland	**Commissioner, Precinct 2**
Joe Jaynes	**Commissioner, Precinct 3**
Jack Hatchell	**Commissioner, Precinct 4**

Commissioner Hoagland led the Invocation.

Commissioner Cole led the Pledge of Allegiance.

Judge Self led the Pledge of Allegiance to the Texas Flag.

Commissioner Cole called the **Collin County Health Care Foundation** meeting to order at 10:08 a.m. and adjourned at 10:09 a.m.

Item No. 1 Judge Self convened the **Collin County Commissioners Court** meeting to order at 9:02 a.m. explaining he would be leaving for Austin during the session and Commissioner Cole would continue the meeting; Judge Self said he would hold Health Care Foundation till after Commissioners Court. Commissioner Cole, stepping in for Judge Self at 9:49 a.m., adjourned the meeting at 10:41 a.m.

FYI NOTIFICATION

1. AI-26328 Addendum No. 1 for Supplies: Lubricants, Oils & Miscellaneous to make various changes to the bid invitation, Purchasing.

2. AI-26359 Addendum No. 1 to Equipment & Installation: Audio Visual Equipment New Courthouse to make various changes to the bid invitation, Purchasing.

3. AI-26352 Amendment No. 3 to Professional Services: Architectural & Consulting with PGAL (Pierce Goodwin Alexander & Linville) to make various changes to the contract (budgeted), Construction & Projects.

4. AI-26180 Please note utilization of the CISV (Catalog Information Systems Vendor) for Services & Equipment: Telephony and Infrastructure for

the New Courthouse and further award to Flair Data Systems, Inc. (budgeted), Information Technology.

5. AI-26364 Routine Budget Amendment(s)/Adjustment(s) totaling $162,250 (over $5,000) per c/o 2005-589-08-01), Budget.

Item No. 2 Public Comments. There were no public comments.

Item No. 3 Judge Self asked if any member of the Court or any member of the audience would like to have an item pulled off the consent agenda for individual consideration. Commissioner Cole asked for k7 and k12 for discussion; Bill Bilyeu, Administrative Services, asked for k3; Caren Skipworth, Director of I.T. requested k10; Judge Self noted g2 and k15; and Rodney Rhoades, Budget Director asked for i3. Commissioner Jaynes motioned to approve the remaining items, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:03:52 a.m.)

a. AI-26383 Filing of the March 27, 2007, Regular Agenda.
COURT ORDER NO. 2007-233-03-27

b. AI-26380 Filing of the March 19, 2007, Workshop Agenda.
COURT ORDER NO. 2007-234-03-27

c. AI-26374 Disbursements for the period ending March 21, 2007, Auditor.
COURT ORDER NO. 2007-235-03-27

d. AI-26329 Tax refunds totaling $728,811.62, Tax Assessor Collector.
COURT ORDER NO. 2007-236-03-27

e. Advertisement(s):

1. AI-26360 Furniture: Benches for District Courts Facility (budgeted), Construction & Projects.
COURT ORDER NO. 2007-237-03-27

2. AI-26269 Moving: Services, Construction & Projects.
COURT ORDER NO. 2007-238-03-27

3. AI-26232 Insurance: Third Party Administrator for Claims Administration (budgeted), Human Resources.
COURT ORDER NO. 2007-239-03-27

4. AI-26286 Purchase: One (1) Cab Chassis, 52,000 GVWR with 4,000 Gallon Water Tank (budgeted), Public Works.
COURT ORDER NO. 2007-240-03-27

5. AI-26357 Services: Coffee (budgeted), Purchasing.
COURT ORDER NO. 2007-241-03-27

f. Award(s):

1. AI-26362 Construction Services: Touch Screen Retrofit for Collin County Justice Center to ISI Detention Contracting Group to include base bid and alternates No. 1 and No. 3 for a total price of $706,195 and budget amendment of $79,015 (budgeted), Construction & Projects.
COURT ORDER NO. 2007-242-03-27

2. AI-26186 Construction, Road: County Road 466, to Cooper Excavation and budget amendment of $2,142,000 for same, Special Projects.
COURT ORDER NO. 2007-243-03-27

g. Agreement(s):

1. AI-26331 Interlocal Agreement with the City of Wylie for the County to provide GIS services for one year, per Texas Government Code, Chapter 791, GIS/Rural Addressing.
COURT ORDER NO. 2007-244-03-27

2. AI-26339 Interlocal Agreement with the City of Anna to participate in the Collin County Recycling Program (budgeted), Public Works. Jon Kleinhexsel, Director Public Works, addressed the court, explaining the initial grant program for recycling and how it was set up for a city to be cost free for the initial year and then to grandfather into the recycling program carrying the costs themselves. Commissioner Hatchell moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:06:09 a.m.)
COURT ORDER NO. 2007-245-03-27

3. AI-26344 Boundary Line Agreement with Diana Lynn Smothermon and Ronald Otis Lynn to correct deed overlap for right-of-way obtained August 2001 for bridge construction on CR 26, Special Projects.
COURT ORDER NO. 2007-246-03-27

4. AI-26350 Revised Interlocal Agreement with the Town of Prosper for the acquisition of 57 acres (original agreement was for 87 acres) for the development of a Multi-Use Recreation Complex through the Collin County Park/Open Space Project Funding Assistance Program and further

authorize the County Judge to finalize and execute the agreement (budgeted - NTE $500,000), Special Projects.

COURT ORDER NO. 2007-247-03-27

5. AI-26168 Interlocal Agreement with the City of Plano for tax collection services and further authorize the County Judge to finalize and execute same, Tax Assessor Collector.

COURT ORDER NO. 2007-248-03-27

6. AI-26354 Novation Agreement for Engineering Services: Geotechnical Services and Material Testing for Roads & Buildings to change name from Terra Mar/U.S. Laboratories to Bureau Veritas North America, Inc. and further authorize the Purchasing Agent to finalize and execute the agreement, Purchasing.

COURT ORDER NO. 2007-249-03-27

h. Amendment(s):

1. AI-26265 No. 1 to Professional Services: Engineering Services Dallas North Tollway, US 380 to FM 428 with Halff Associates, Inc. to add construction inspection and administration services, Corps of Engineers 404 and TXDOT permitting, and utility coordination for the DNT Phase IV East Service Road, Engineering.

COURT ORDER NO. 2007-250-03-27

2. AI-26263 No. 1 to the Lease of State of Texas Registration and Title System (RTS) Information Resources and Support Agreement for the use of the State of Texas automation equipment adding equipment for one (1) additional location (Classic BMW) for dealers and subcontractors providing registration services, Tax Assessor Collector.

COURT ORDER NO. 2007-251-03-27

i. Change Order(s):

1. AI-26353 No. 4 to Construction, Road: CR 458 from US Hwy 380 North to FM 1377 with JRJ Paving, L.P. to make various changes to the contract for a decrease of $47,688.54, Special Projects.

COURT ORDER NO. 2007-252-03-27

2. AI-26355 No. 14 to Construction: Addition and Renovation to Collin County Juvenile Detention Center with Satterfield & Pontikes Construction, Inc. to reconfigure the wiring for the juvenile security electronics control panels and

budget amendment of $5,000 to cover a negative balance, Construction & Projects.

COURT ORDER NO. 2007-253-03-27

3. AI-26356 No. 23 for Construction: Addition and Renovation to Collin County Adult Detention Center with Satterfield & Pontikes Construction, Inc. to add various items to the contract for an increase of $8,102 (budgeted), Construction & Projects. Rodney Rhoades, Budget Director, addressed the Court making note of the budget amendment attached to this change order stating it was not noted in the agenda and that it needed clarification. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:07:10 a.m.)

COURT ORDER NO. 2007-254-03-27

4. AI-26361 No. 25 to Construction: Collin County Justice Center Courts Building with Hunt Construction Group to make various changes to the contract for an increase of $47,178 (budgeted), Construction & Projects.

COURT ORDER NO. 2007-255-03-27

j. Filing of the Minutes, County Clerk:

1. AI-26369 March 6, 2007 - Special Session.

COURT ORDER NO. 2007-256-03-27

2. AI-26370 March 6, 2007 - Workshop.

COURT ORDER NO. 2007-257-03-27

3. AI-26373 March 13, 2007.

COURT ORDER NO. 2007-258-03-27

k. Miscellaneous

1. AI-26367 Adoption of the amended Collin County Historical Commission By-Laws, Commissioners Court.

COURT ORDER NO. 2007-259-03-27

2. AI-26376 Proclamation designating April 17th, 2007 as Volunteer Day in Collin County, Commissioners Court.

COURT ORDER NO. 2007-260-03-27

3. AI-26366 FY2007 tax exemptions for historical structures and/or landmarks, Collin County Historical Commission/Plano Heritage Commission. Bill Bilyeu, Adminstrative Services, had updated information from the City of Plano, about property #73 on their spreadsheet that was not

properly approved and was denied by the City of Plano. Commissioner Hoagland moved to approve all but Plano #73, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:07:55 a.m.)

COURT ORDER NO. 2007-261-03-27

4. AI-26343 Amend Court Order No. 2007-168-02-27 to replace the last paragraph with the following wording "Judge Self recessed the Workshop into executive session at 4:42 p.m. The Executive Session was recessed at 6:00 p.m.", County Clerk.

COURT ORDER NO. 2007-262-03-27

5. AI-26327 Increase the Probate Office cash drawer by $100, County Clerk.

COURT ORDER NO. 2007-263-03-27

6. AI-26365 Final plat for Pebble Beach Ranch, Engineering.

COURT ORDER NO. 2007-264-03-27

7. AI-26363 Extension of the Justice of the Peace Pct. 3-1 office space to include the County Commissioner's offices in the 920 E. Park Blvd facility, Facilities. Commissioner Cole brought forth that it had been indicated that 'the Commissioners' were in favor of this and she wanted it known she was not in favor. Dan James, Director of Facilities, stood and clarified that this item was not from his office but on the agenda at Judge Lewis' request. Commissioner Cole was aware of this. Commissioners Hoagland and Hatchell did not mind Judge Lewis' request, but Judge Self suggested holding this item till a clearer view of the subject was reached. (Time: 9:09:00 a.m.)

HELD

8. AI-26346 Utilization of the County Court at Law Courtroom facilities at the University Drive Courts Facility, District Courtrooms located at the Courthouse on McDonald Street and the Central Jury Room in the Annex B facility for the annual 8th Grade Mock Trial Competition on May 4 and 5, 2007, the Collin County Bar Association will pay for Security Guards required for this event, Facilities.

COURT ORDER NO. 2007-265-03-27

9. AI-26342 Settlement to Kathy Paulson of Cambridge Integrated Services Group in the amount of $16,308 for a motor

vehicle accident that occurred on February 22, 2007, Human Resources.

COURT ORDER NO. 2007-266-03-27

10. AI-26243 Additions/Deletions to the Court Technology Committee, Information Technology. Caren Skipworth, Director of I.T., stood before the court stating that she had received a request to remove Judge Henderson from the Court Technology Committee and add Judge John Roach, Jr, which was not reflected in the Court packet for this item. Commissioner Hoagland motioned to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:11:32 a.m.)

COURT ORDER NO. 2007-267-03-27

11. AI-26338 Retention of a 1994 International - 3,000 gallon water truck (Inventory No. 23295) to be used in the 10 year asphalt program, Public Works.

COURT ORDER NO. 2007-268-03-27

12. AI-26299 Declare miscellaneous equipment as lost/stolen property and remove from County inventory, Purchasing. Commissioner Cole was concerned about the length of the list of items and that there was no dollar value given. Major Chuck Ruckles, Sheriff's Office, and Cynthia Jacobson, Human Resources, addressed the Court explaining how the theft transpired; the thieves took the back wall off the storage building and took the items. Commissioner Jaynes asked the status of the investigation and Major Ruckles indicated it was ongoing. Judge Self asked for a valuation of the items and Ms. Jacobson said it was close to $50,000. Commissioner Cole motioned to approve, Commissioner Hatchel seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:11:57 a.m.)

COURT ORDER NO. 2007-269-03-27

13. AI-26192 Trade-in obsolete ST801 Tracker equipment for $1,880 credit toward the purchase of ST811 Tracker equipment, Sheriff.

COURT ORDER NO. 2007-270-03-27

14. AI-26317 Consideration, discussion and any action regarding a request from the Boy Scouts of America for reduced or waived fees to use the Myers Park & Event Center facilities for a camping event June 9 - 23, 2007, Special Projects.

COURT ORDER NO. 2007-271-03-27

15. AI-26326 Resolutions supporting the legislative amendments to the Low Income Repair and Replacement Assistance Program (LIRAP) Improvements and the Texas Emissions Reduction Plan (TERP), Special Projects. Judge Self gave information concerning the LIRAP program and talked about the proposed solution from the State which he felt was unacceptable, stating he did not think support of the bill wise, at least not until the House Senate Bill 12 either becomes, or does not become, law. Judge Self suggested pulling this item till 'the bill settles down'. Commissioner Cole made note of the portion of the bill that says the replacement car must be a new car. Commissioner Cole and Commissioner Hoagland suggested a letter should be drafted stating the Commissioners stand and why, their not wanting to support unfunded mandates. Commissioner Hoagland motioned to not support the resolutions as presented and a letter be drafted by Judge Self explaining the Court's stand, Commissioner Jaynes seconded and the motion carried with a 5-0 vote of the Court. (Time 9:14:50 a.m.)

COURT ORDER NO. 2007-272-03-27

16. AI-26294 Schedule for the Collin County Parks and Open Space Project Funding Assistance Program, 2003 Bond - Fourth Series, Special Projects.

COURT ORDER NO. 2007-273-03-27

17. AI-26371 Early Voting and Election Day polling places, dates and times, for the May 12, 2007, Special Election (Constitutional Amendment) and further approve and authorize the County Judge to finalize and execute the Joint Election Agreements, Elections. Sharon Rowe, Elections Administrator, stood before the Court stating that both parties have sufficient polling locations, aligning with the school district lines. Commissioner Jaynes asked some specific questions about Craig Ranch in McKinney and Watters Crossing in Allen. Commissioner Hoagland motioned to approve, commissioner Hatchell seconded, and the motion carried with a 5-0 vote of the Court. (Time: 9:16:49 a.m.)

COURT ORDER NO. 2007-274-03-27

GENERAL DISCUSSION

Item No. 4 AI-26368 Consideration of Specialized District Court, County Judge. Judge Self wanted to pull this item because of the way it is set up, saying

that specializing would require criminal cases be tried first. Judge Self said it was not fair to law-abiding citizens that need their time in court for daily life decisions. The local judges have told Judge Self they are capable of scheduling their cases without the state legislature telling them how. Commissioner Hoagland stated his belief that looking at specialization of courts should be further investigated. Judge John Roach, Jr., came before the Court to voice his opinion that specialized courts should be explored but on the local level and that flexibility would be at stake with specialization. Judge Roach also noted that specialized courts are much different than specialized dockets, which still allow for flexibility. A discussion followed among the Commissioners about the situation in general, the recent requests for Austin to choose the next district judge in the 2008 primary, and the fact that the governor may take a larger part in the choice of judge. Commissioner Hoagland made a motion to make a specialized court and to make Judge Roach's court a specialized civil court. The motion died for lack of a second. (Time: 9:20:41 a.m.)

DIED

Item No. 5 AI-26336 Consideration, discussion and any action regarding the development of a broadcasting and webcasting project, Public Information. Leigh Hornsby, Public Information Officer, addressed the Court with an abbreviated presentation from the previous Workshop session concerning the choices of broadcasting or webcasting of Commissioners Court. The Commissioners discussed the pros and cons of each choice: first, live webcasting with complete broadcasting; second, complete recorded broadcasting and webcasting; and third, an inter-local agreement to broadcast with the City of McKinney. The second choice was favored due to the more modest cost and the fact that equipment could be easily retrofitted into the new facilities without a huge expense. Judge Self clarified that the request was not to actually go out and buy the equipment at this time but the request is to get the go ahead to seek bid requests. Commissioner Hoagland motioned for option two, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. Frank Ybarbo answered the Court's question concerning the timeframe that it is about a six week endeavor, evaluation to bid to award. (Time: 9:35:31 a.m.)

COURT ORDER NO. 2007-275-03-27

Item No. 6 Consideration, discussion and any action regarding legislative items for the upcoming 80th Legislative Session, Commissioners Court. Judge Self wanted to discuss the resolution removing CSSB 792 and 965, the two amendments concerning the NTTA, North Texas Toll Association. The commissioners discussed this situation but no motion was made in support, so the resolution died. (Time: 9:29:22 a.m.)

Judge Self spoke about going to Austin to testify before the Sub-Committee of Public Health Committee; they would be considering six bills. Judge Self was going in order to tell them: 1. Collin county wants to take care of its own indigent population, and 2. a system is in place to take care of indigent health care needs, and 3. another proposed addition to that system is about to take place which will more fully meet these needs. Discussion followed among the Commissioners

and 3. another proposed addition to that system is about to take place which will more fully meet these needs. Discussion followed among the Commissioners

about Parkland Hospital, details and statistics, concerning treatment and payment for Collin County indigents that go there for care. (Time: 9:42:26 a.m.)

Commissioner Hatchell wanted to discuss a resolution endorsing Motor Fuels Tax Indexing, stating the Court had been fighting for this through the last 2-3 legislative sessions. Commissioner Hoagland made a motion to adopt the resolution with an added provision that the gas tax in its entirety be devoted to construction or maintenance of the state highway system and all diversions put back; Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:58:39 a.m.)

COURT ORDER NO. 2007-276-03-27

Commissioner Cole brought up the bill that has to do with redaction on land records and addressed the County Clerk, Stacey Kemp. Ms. Kemp said she is researching various companies and what is involved. Caren Skipworth, I.T. Director, stated that she is working with Ms. Kemp on finding a technical solve for this issue. Commissioner Cole said she would like to see the cost of this to come out of the records management fees; Ms. Kemp agreed. (Time: 10:06:43 a.m.)

Item No. 7 AI-26340 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human resources Director, came forward and stated that all appointments are within general standards, with one exception concerning a rehire. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:50:46 a.m.)

COURT ORDER NO. 2007-277-03-27

Item No. 8 AI-26341 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources Director, addressed the Court stating that all changes were within guidelines except for one and gave an explanation. Commissioner Hatchell moved to approve, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:51:17 a.m.)

COURT ORDER NO. 2007-278-03-27

Item No. 9 AI-26306 Consideration, discussion and any action regarding the creation of a Citizens Bond Committee and further appoint members for same, Commissioners Court. Commissioner Jaynes expressed his concern about gathering members for this committee if the mission is unclear. Jerry Holder, HNTB, came forward and told the Commissioners it would be best to stay on track and go ahead and name the committee because they would eventually be needed; staying in line with the timeframe already in place was important. Commissioner Jaynes noted it would be good to tell the members that things are in a fluid state right now and Commissioner Hatchell noted that the committee would be identifying future projects. Judge Self's appointments, as submitted by

Commissioner Cole on hisbehalf, for Transportation were Van Nichols, Jon Wilson, Bob Brands, Bill Neukranz and Earl Newsom; appointments for Facilities were Mike Massey and Rich Cruknol. Commissioner Cole's appointments for Transportation were Howard Akin, Steve Hulsey, Jeff Trykoski, and Rick Neudorff; appointments for Facilities were Sylvia Reid, Sharon Easley, and Stacy Gibson; appointment for the Historical Commission was Jody Rushton. Commissioner Hoagland's appointments for Transportation were George Elking, Larry Clark, Ed Standridge, Lonnie Long, Karl Voigtsberger, Kathy Ward, Danny Morris; appointments for Facilities were Elvia Clark, Don Grissom and Dixie Jeffers. Commissioner Jaynes' appointments for Transportation were Jim Foy, George DuPont, Don Paschall, Ben Whisenant, Chris Cronin, Joe Williams, and John Childers; appointments for Facilities were Bill Mills, Darrell Tate, Jane Willard, and Lee Warren. Commissioner Hatchell's appointments for Transportation were Bud McBrayer, Don Dillard, Gordon Beach, and Roger Bolin; appointments for Facilities were Richard Dodson and Warner Richeson. Commissioner Jaynes noted that the co-chairs remained as previously discussed by the Commissioners. Commissioner Cole motioned to accept these appointments, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:51:43 a.m.)

COURT ORDER NO. 2007-279-03-27

Item No 10 Possible future agenda items by Commissioners Court without discussion. Commissioner Hatchell asked for a presentation of the alignment of the Dallas North Tollroad and FM 428.

EXECUTIVE SESSION

Commissioner Cole recessed the Court into Executive Session at 10:09 a.m. and reconvened the Court into Open Session at 10:40 a.m.

AI-26377 Board/Committee Appointments

COURT ORDER NO. 2007-280-03-27

AI-26315 Chalkey V. Collin County Commissioner Cole noted an update was heard.

Commissioner Cole announced there was no further business and adjourned the Meeting at 10:41 a.m. The next regularly scheduled Workshop meeting will be held Monday, April 2, 2007 and the next regularly scheduled Commissioners Court meeting will be held April 10, 2007.

Keith Self, County Judge

Phyllis Cole, Commissioner, Pct. 1

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Jack Hatchell, Commissioner, Pct. 4

COUNTY COURT OF COLLIN COUNTY, TEXAS

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S