COURT ORDER NO. 2009-1019-12-07

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS COURT
MEETING MINUTES
NOVEMBER 9, 2009

On Monday, November 9, 2009, the Commissioners Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas with the following members present, and participating, to wit:

Present:
Judge Keith Self
Precinct 1 Commissioner Matt Shaheen
Precinct 2 Commissioner Jerry Hoagland
Precinct 3 Commissioner Joe Jaynes
Precinct 4 Commissioner Kathy Ward

Commissioner Ward led the Invocation.
Judge Self led the Pledge of Allegiance.
Commissioner Shaheen led the Pledge to the Texas Flag.

Judge Self called to order the meeting of the **Collin County Commissioners Court** at 9:30 a.m. and recessed at 9:37 a.m. to call to order the Collin County Health Care Foundation.

President Self called to order the meeting of the **Collin County Health Care Foundation Board of Trustees** at 9:37 a.m.

President Self called to order the meeting of the **Collin County Toll Road Authority Board of Directors** at 9:37 a.m.

Judge Self reconvened the **Collin County Commissioners Court** meeting at 9:52 a.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-30956 Utilization of the Drug Forfeiture Account to supplement the salaries of all the DA employees required to have a County cell phone to cover the $15 per month payroll deduction for a total of $5,148, District Attorney.

Commissioner Hoagland asked about the $15 charge. Cynthia Jacobson, Human Resources, approached to answer the question saying this deduction covered personal use on the County issued phones. Commissioner Hoagland stated he didn't think this was a valid use of the funds and would not support it. He continued saying he wanted to vote against the item. Judge Self stated this was an FYI item; therefore, no action would be taken. Commissioner Hoagland made a motion to authorize the County Auditor to look into the utilization of funds and see if this is a legal use of the funds. Commissioner Shaheen seconded the motion. Jeff May, County Auditor, stated he would look into the matter and said he did not need a vote to do so. After a brief discussion among Court members, the second was withdrawn. Commissioner Jaynes said he would not second the motion, but he did want the Auditor to come back with information regarding the statute on the utilization of the funds. Motion died for lack of a second. (Time: 10:06 a.m.)

2. AI-31057 Personnel Appointments, Human Resources.

FYI NOTIFICATION

1. AI-31017 Utilization of BuyBoard cooperative contract to purchase various motor vehicles from Philpott Motors, Public Works.

2. AI-31022 Award of Vaccines: Canine and Feline (Quote No. 10003-09) to Butler Animal Health Supply, LLC the lowest and best bidder meeting specifications, further authorize the County Judge to finalized and execute same, Purchasing.

3. Notification of budget adjustment(s)/amendment(s), Auditor:

a. AI-31006 $12,017.51 for the purchase of equipment for the evidence vehicle utilizing the 2007 Urban Area Security Initiative (UASI) grant funds.

4. AI-31038 Budget amendment(s)/adjustment(s) totaling $80,235 (over $5,000 per c/o 2005-589-08-01), Budget.

Judge Self addressed the Court and audience with information regarding a correction to the total amount of the budget amendment(s) on item 4. The actual amount to be approved is $41,985.

2. Public Comments.

Tim McCord, Wylie, approached regarding comments made to the Court after the recent election concerning Election Judge James Middleton. Mr. McCord read a statement from election workers in defense of Mr. Middleton.

The statement read that Mr. Middleton conducted himself professionally and protected voters' rights throughout the voting process. Handouts of the statement were given to each court member. (Time: 9:56 a.m.)

James Middleton, Election Judge, approached the Court regarding the issue that occurred during the most recent elections which involved the poll watchers. Mr. Middleton read a statement defending his actions. Judge Self told Mr. Middleton that since this was not an agenda item the Court could not comment or take any action. (Time: 10:00 a.m.)

3. Recognition/Presentation:

Commissioner Shaheen presented Jeffery Ross and the Pancreatic Cancer Action Network a proclamation making November Pancreatic Cancer Awareness Month in Collin County. Mr. Ross told the Court that on November 15th a 5K run will be held to help raise funds in the fight against this disease. (Time: 9:35 a.m.)

a. **AI-31061** 2009 Veterans Day proclamation, Commissioner Precinct 3.

Commissioner Jaynes presented Donald Babbs a proclamation recognizing November 11th as Veteran's Day in Collin County. (Time: 9:32 a.m.)

b. Service Pins to employees with 10, 15, 20 and 25 years of service in the month of November, Human Resources.

Judge Dan Wilson, County Court at Law 5, presented Court Officer Billy Powell with a service pin honoring his 15 years of service to Collin County. (Time: 9:37 a.m.)

4. Consent agenda to approve: Judge Self asked for any comments on the consent agenda. Commissioner Shaheen requested item 4d3 be pulled for discussion, Commissioner Hoagland requested item 4d4 and Commissioner Jaynes requested item 4i1. Motion to approve remainder of consent agenda. (Time: 10:07 a.m.)

Motion by: Commissioner Kathy Ward
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

a. **AI-31037** Disbursements for the period ending November 3, 2009, Auditor.
COURT ORDER NO. 2009-936-11-09

b. **AI-31009** Tax Refunds totaling $79,270.94, Tax Assessor Collector.
COURT ORDER NO. 2009-937-11-09

c. Advertisement(s):

1. AI-31011 Median Opening Improvement for Bloomdale Road (IFB No. 08729-09) and budget amendment in the amount of $50,310 for same, Engineering.

COURT ORDER NO. 2009-938-11-09

d. Agreement(s):

1. AI-31034 Equitable Sharing Agreement and Certification among Federal Government, Collin County Sheriff's Office and Collin County for participation in federal equitable sharing program, further authorize the Sheriff and County Judge to finalize and execute same, Auditor.

COURT ORDER NO. 2009-939-11-09

2. AI-31008 Interlocal Agreement with LifePath for equal quarterly payments of $189,781.25 (totaling $759,125) beginning October 1, 2009 through and including September 30, 2010, further authorize the County Judge to finalize and execute same, Budget.

COURT ORDER NO. 2009-940-11-09

3. AI-31005 Interlocal Agreement with the City of Wylie for the Completion of Antiquities Permit No. 5296 for the Construction of FM 1378 from FM 544 to Brown Street - 1999 Bond Project No. 99-102 (County's portion NTE $123,963.14), further authorize the County Judge to finalize and execute same, Engineering.

Commissioner Shaheen asked for more information on the costs. He said the only information the Court had was the final cost, but there were no hourly rates. Frank Ybarbo, Purchasing, approached in response saying this was not a County contract, but rather TxDOT. Commissioner Shaheen said he needed a better understanding of Geomarine, the firm involved with the study. Ruben Delgado, Engineering, addressed the Court regarding Geomarine. Mr. Delgado stated Geomarine is a firm who conducts environmental work and they consist of not only Engineers, but also Anthropologists. When an object such as an arrowhead or a chart is found that could have come from Native American people, they point it out and mitigate it. Mr. Delgado said this item was a joint project between the County, the City of Wylie and TxDOT and the County is bound by statute to continue the archeological study and to mitigate.

Extensive discussion with the Court followed. Judge Self stated this was a 1999 bond project and asked if these funds were still available. Mr. Delgado said yes, there is approximately 650 thousand dollars available. Motion to approve item.
(Time: 10:11 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Joe Jaynes
Vote: 3 - 2 Passed
Nay: Commissioner Matt Shaheen
Commissioner Kathy Ward

COURT ORDER NO. 2009-941-11-09

4. AI-31039 Interlocal Agreement with the City of Wylie for the Construction of FM 1378 from Brown Street to Parker Road Bond Project No. 03-071 (County's portion NTE $2,178,147.79), further authorize the County Judge to finalize and execute same, Engineering.

Commissioner Hoagland asked Mr. Delgado which part of the road this involved. Ruben Delgado, Engineering, responded saying this was the southern part of the road. Commissioner Hoagland expressed his concerns about the traffic issue this will cause, and said construction on this part of the road would cause major backups. Discussion with the court followed. Commissioner Hoagland said he would motion to approve the item; however, he wanted Mr. Delgado to come back to the Court with a solution to the traffic issue. (Time: 10:14 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-942-11-09

5. AI-31036 Interlocal Agreement with the Community Independent School District for Health-Related Data Sharing and further authorize County Judge to finalize and execute same, Homeland Security.

COURT ORDER NO. 2009-943-11-09

6. AI-31035 Software License, Maintenance and Services Agreement (Agreement No. 10056-10) with NC4 Public Sector LLC, for NC4's E Team Self Hosted Systems utilizing Texas DIR Contract No. DIR-SDD-974 for ETEAM Incident Management System software and training, further authorize the Purchasing Agent to finalize and execute same, Homeland Security.

COURT ORDER NO. 2009-944-11-09

e. Change Order(s):

1. **AI-31028** No. 1 to Detergents and Dispensers for Laundry and Kitchen (IFB No. 07720-09) with Supply Sanitation Systems, LLC. to add various items to the contract and further authorize the Purchasing Agent to finalize and execute the same, Purchasing.

COURT ORDER NO. 2009-945-11-09

2. **AI-30974** No. 1 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with Bob Barker Company, Inc. to add various items to the contract and further authorize the Purchasing Agent to finalize and execute the same, Sheriff.

COURT ORDER NO. 2009-946-11-09

3. **AI-31027** No. 2 to Equipment, Grounds Maintenance (IFB No. 10091-09) with Smith Farm and Garden to add various items to the contract and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2009-947-11-09

f. Ratification of the County Judge's prior approval:

1. **AI-30984** Items and/or services with a value greater than $50 donated by local businesses for give away items for employees that attended the County Picnic on Saturday, October 17, 2009, Human Resources.

COURT ORDER NO. 2009-948-11-09

g. Budget adjustment(s)/amendment(s):

1. **AI-31040** $7,737,328 for records archive fund to comply with the upcoming GASB, Auditor.

COURT ORDER NO. 2009-949-11-09

2. **AI-31004** $85,178 to purchase 25 digital Portable Radios, a Uniden Digital Scanner and one (1) speaker for the District Attorney's Office, Homeland Security.

COURT ORDER NO. 2009-950-11-09

h. Receive and File, Auditor:

1. **AI-31045** Annual Quartermaster Inventory FY2009.

COURT ORDER NO. 2009-951-11-09

2. Final Audit Result(s):

a. AI-31044 Justice of the Peace, Precinct 1 (4th Quarter FY2008, 1st and 2nd Quarter FY2009).

PULLED

b. AI-31043 County Clerk (1st & 2nd Quarter FY2009).

COURT ORDER NO. 2009-952-11-09

i. Miscellaneous

1. AI-31018 Re-designate the sections of N. State Hwy 121 adjoining rural property in the Anna area as Sam Rayburn Hwy, with address updates, to maintain 9-1-1 addressing consistency with properties annexed by the City of Anna, GIS/Rural Addressing.

Commissioner Jaynes gave comments first to commend the City of Anna for addressing the re-address situation, and then to express his disagreement with changing the name of State Highway 121 to Sam Rayburn Highway. Commissioner Jaynes clarified that he had nothing at all against the name of Sam Rayburn Highway, he just does not like the idea of changing the name of Highway 121 because it has been Highway 121 for so many years. He stated he did understand why the number 121 cannot be used in conjunction with Sam Rayburn Highway. Discussion with Court members regarding changing the name of Highway 121. Caren Skipworth, Information Technology, approached to say that the County was trying to stay in align with 911 addressing. The County could not keep the number 121 because the County aligned with the city in order to update the GIS addressing. Motion to approve item. (Time: 10:17 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-953-11-09

GENERAL DISCUSSION

5. AI-31019 Public Hearing - FY2010 Preservation and Restoration Plan for the County Clerk's Records Archive, County Clerk.

Stacey Kemp, County Clerk, approached the Court to give information regarding the County Clerk's Preservation and Restoration Records Plan Archive Fee. Ms. Kemp showed the Court an example of one of the books that was restored and preserved after the flood in 2007 nearly destroyed the County's historical documents.
Judge Self opened the Public Hearing at 10:18 a.m. and asked if any member of the public had comments. There being no comments, the Public Hearing was closed. Motion to approve item. (Time: 10:19 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-954-11-09

6. AI-30988 Public Hearing - Placement of Regulatory Signs on various County Roads, Public Works.

Jon Kleinheksel, Public Works, approached the Court regarding the placement of regulatory signs on various County roads. Mr. Kleinheksel stated all signs were new construction with exception of one. Judge Self opened the Public Hearing at 10:20 a.m. and asked if any member of the public had comments. There being no comments, the Public Hearing was closed. Motion to approve item. (Time: 10:20 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-955-11-09

7. AI-30679 TIRZ/TIF and Tax Abatement Policies, Budget.

PULLED

8. AI-31070 Efficiency Committee update, County Judge.

Judge Self asked Marvin Wilson to update the court on the Efficiency Committee and what they have been doing. Mr. Wilson approached and told the Court the committee was gathering information on the system processes and getting an understanding of the system support on each of the departments. Mr. Wilson said there were four departments currently under review: Public Works, Engineering, Purchasing and Criminal Justice. Each had a tentative schedule for which the committee wants to report back to the Court. The committee wants a report on Purchasing at the end of December, Engineering at the end of January and Public Works at the end of February. Criminal Justice was not scheduled at this time. The reports would include operational and functional descriptions, process maps, recommendations for improvement, detail implementation plans and a schedule when the improvements should be completed. The report would also include a detail on the cost savings to the County. Commissioner Jaynes said he wanted an update on the committee's meetings, such as when the meetings are held, who attended, etcetera. Commissioner Jaynes asked why the County's Web Master, Larry Jones, was the point person for the committee.
Caren Skipworth, Information Technology, approached to reply saying Mr. Jones represented the County and works with departments regarding the website as well as

conducting efficiency work within the Information Technology department. Discussion with Court members continued throughout the update. (Time: 10:25 a.m.)

NO ACTION TAKEN

Judge Self recessed Commissioners Court at 10:25 a.m. and reconvened the meeting at 10:35 a.m.

9. **AI-31064** Health Benefits, Human Resources.

Cynthia Jacobson, Human Resources, approached with additional information at the request of the Court regarding the County's benefit plan. Ms. Jacobson gave a power point presentation which included a breakdown on the costs of the top five claims. Information on the Large Loss Claims included a breakdown on each condition involved and the number of cases in each category as well as the cost per claimant. Preventative tests and the cost of each test, which are available to the employees, were also shown to the court. Questions and discussion with the Court members continued throughout the presentation.

The top five claims listed were:

Circulatory-hardening of the arteries, valve disorder, etcetera.
Cancer-breast, ovarian/uterine/cervical and lymphoma
Musculoskeletal-disc disorder, arthritis
Digestive-non-diabetic pancreatitis, liver disease
Injury/Poisoning-implant complications (knee) and fractures

Ms. Jacobson reiterated information from her annual benefit presentation which she presented to the Court on October 26, 2009.
At the request of Commissioner Hoagland, Candy Blair, Health Care, approached the Court and answered questions regarding tests provided by the employee clinic.

Ms. Jacobson continued saying the majority of the health issues seen are lifestyle choices. An example of these choices per 100 employees was shown, Commissioner Jaynes clarified that the numbers shown were generic from the Department of Health and Human Services and not an example of the County's employees. Ms. Jacobson informed the Court that annual wellness exams do not require a co-pay so long as the employee has not exceeded the annual $750 benefit.

The presentation ended with a slide showing a contribution survey with the County's peers, which was at the request of Commissioner Hoagland. Judge Self opened the floor for discussion. (Time: 10:57 a.m.)

NO ACTION TAKEN

10. **AI-31056** Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, addressed the Court regarding the appointment of new employees. Ms. Jacobson informed the Court all appointments follow standard procedures. Motion to approve personnel appointments. (Time: 10:58 a.m.).

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-956-11-09

11. **AI-31059** Board/Committee Appointments, Commissioners Court.

NO ACTION TAKEN

12. Possible future agenda items by Commissioners Court without discussion.

Commissioner Hoagland asked Candy Blair for an update on the clinic utilization by employees.

Commissioner Ward asked for an update on the Myers Landing battle and how it went. Commissioner Ward also asked Court members for a proclamation in recognition of Sergeant Kimberly Munley who stopped the shooter at Ft. Hood. Commissioner Ward said she wanted a proclamation and gold coin sent to the Sergeant showing the County's support for her heroism in the line of duty.

Commissioner Shaheen asked for an update on H1N1 (Swine Flu) virus.
(Time: 11:00 a.m.)

EXECUTIVE SESSION

Personnel (551.074)

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

AI-31021 Appointed Official PFP Objectives, County Judge.

Judge Self recessed Commissioners Court into Executive Session at 11:00 a.m. in accordance with Chapter 551 of the Local Government Code and reconvened the meeting at 11:27 a.m. There being no further business of the Court, Judge Self adjourned the meeting at 11:27 a.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Not Present

Kathy Ward, Commissioner, Pct. 4

ATTEST:

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