COURT ORDER NO. 2011- 076 -02-07

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
JANUARY 10, 2011

On Monday, January 10, 2011, 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 Cheryl Williams
Precinct 3 Commissioner Joe Jaynes

Absent:
Precinct 4 Commissioner Duncan Webb
Commissioner Webb was present as part of the quorum when the meeting convened at 9:30 a.m. Commissioner Webb was subpoenaed for Jury Duty and unable to attend the remainder of the meeting when it was re-convened at 10:30 a.m.

Commissioner Shaheen led the Invocation.
Commissioner Williams led the Pledge of Allegiance.
Commissioner Jaynes led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the **Collin County Commissioners' Court** at 9:31 a.m. Due to inclement weather and a delayed opening for County offices; Judge Self recessed the meeting until 10:30 a.m.

Judge Self reconvened the meeting of the **Collin County Commissioners' Court** at 10:31 a.m. and after public comments recessed into the meeting of the **Collin County Health Care Foundation.**

President Self called to order the meeting of the **Collin County Health Care Foundation** at 10:39 a.m. and adjourned the meeting at 10:39 a.m.

President Self called to order the meeting of the **Collin County Toll Road Authority** at 10:39 a.m. and adjourned the meeting at 10:40 a.m.

FYI NOTIFICATION

1. AI-33088 Collin County Public Works participation in the Texas Department of Transportation (TxDOT) Local County Assistance Program, Public Works.

2. Public Comments. Bill Baumbach, Wylie, came forward to give comments on the vote centers which were used during the General Election on November 2, 2010. He presented three pictures of one of the centers to the court. The voters liked the centers and Mr. Baumbach thinks they can work; however, there are issues that need to be addressed. Mr. Baumbach gave information on vote centers used successfully in other counties. One reason for success in the counties where the vote centers work is adequate parking. Utilizing libraries and schools for voting limits parking for voters as well as having room for the voters in the buildings. Another issue is communications. Because there was only one card, the laptops were a failure; in the successful counties they use several poll books which allow multiple lines, processing the voters faster. Mr. Baumbach suggested utilizing the larger churches which have plenty of parking and are typically closed on Tuesdays. Mr. Baumbach watched many people drive around looking for a place to park and then leave. The vote centers can be used until there is an election year; when there is an election year there will be a crisis. The system should be re-thought in a different way. Discussion with the court regarding parking and transportation for voters and good communications followed.
(Time: 10:30 a.m.)

3. Presentation/Recognition:

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

Caren Skipworth, Information Technology, presented a pin to Joe Fierro in recognition of 20 years of service to Collin County.

Greg Willis, District Attorney, presented a pin to Sammy Glasby and Crissy Hinojosa. Each were recognized for 10 years of service to Collin County.

4. Consent agenda to approve: Judge Self asked for any comments on the consent agenda. Commissioner Shaheen requested item 4c1 be pulled for discussion. Commissioner Williams requested items 4d1 and 4e2 be pulled for discussion. There being no further comments, a motion was made to approve the consent agenda.
(Time: 10:40 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Matt Shaheen
Vote: 4 – 0 Passed

a. AI-33111 Disbursements for the period ending January 4, 2011, Auditor.

COURT ORDER NO. 2011-013-01-10

b. AI-33095 Tax refunds totaling $272,403.71, Tax Assessor Collector.

COURT ORDER NO. 2011-014-01-10

c. Advertisement(s):

1. AI-33102 Generator, Equipment and Installation (IFB No. 11033-11), Facilities.

Commissioner Shaheen asked for additional information on the need to replace the generator, for the public's reference; the back-up for the item was not clear. Dan James, Facilities, responded saying this is the Central Plant original generator and has been in the building since 1992. They have made repairs to the unit, but during the weekly testing the unit broke down; it will be more cost effective to replace it rather than rebuild it. Motion to approve replacement of generator. (Time: 10:42 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 4 - 0 Passed

COURT ORDER NO. 2011-015-01-10

d. Award(s):

1. AI-33059 Services: Post Employment Benefit Trust (RFP No. 07336-10) to First Southwest, Auditor.

Commissioner Williams gave comments regarding a discussion on creating a trust fund for unfunded liabilities. Before the county moves forward with that fund, she is requesting a history on how the liability occurred. A brief discussion among court members followed. This item will be added to a future agenda. (Time: 10:43 a.m.)

HELD

e. Agreement(s):

1. AI-33101 Interlocal Agreement with the City of Allen for Improvements to East Bethany Drive from Allen Heights to Angel Parkway (Bond Project No. 07-004), budget amendment in the amount of $150,000 (2010 Funding NTE $150,000) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2011-016-01-10

2. **AI-33094** Interlocal Agreement with the City of Commerce for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute same, Homeland Security.

Commissioner Williams commented that her understanding of the data sharing is that court members will be briefed on the privacy policy in a future court; this is something the public can watch for should they be interested. Kelley Stone, Homeland Security, came forward to say the privacy policy will be presented on the January 24, 2011 court. Mr. Stone will also provide other procedures that have been put in place to ensure privacy. A brief discussion with the court followed. (Time: 10:45 a.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2011-017-01-10

f. Amendment(s):

1. **AI-33100** No. 4 to the Interlocal Agreement with the Town of Prosper for Animal Control Services to set the rate and extend the agreement for one (1) year through and including September 30, 2011. Payments will be made in quarterly installments for an annual amount of $35,975 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-018-01-10

2. **AI-33099** No. 4 to the Interlocal Agreement with the Town of Prosper for the Facility Construction and use of Animal Shelter Services to set the rate for FY2011 in equal quarterly installment payments for an annual amount of $22,819 effective October 1, 2010 through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-019-01-10

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

1. **AI-33121** Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-020-01-10

h. Filing of the Minute(s), County Clerk:

1. **AI-33064** December 6, 2010

COURT ORDER NO. 2011-021-01-10

2. **AI-33089** December 13, 2010.

COURT ORDER NO. 2011-022-01-10

3. **AI-33108** December 20, 2010.

HELD

GENERAL DISCUSSION

5. **AI-33051** UNT Mental Health Phase II presentation, Administrative Services.

HELD

6. **AI-33110** Election Day Vote Centers, November 2, 2010 update, Elections.

The item was held for a future court agenda; however, one blue card was submitted regarding the subject of the vote centers. Judge Self welcomed the speaker.

Chris Freeman, McKinney, came forward to give comments on the vote centers. Mr. Freeman is the GOP Precinct Chair, Precinct 102 and has served as an Election Judge for the past several years. He strongly supports the idea of the vote centers, which proved more opportunity for people to vote; however, during the General Election there were issues that the court needs to address. The primary issue at the Valley Creek vote center was a shortage of equipment. They processed 1,200 voters and had only six (6) machines and had only one laptop. Early in the Election Day there was an issue with the software used to process the voters. A lot of the processing had to be done manually. In addition, during this election the county assigned a county employee to each vote center. The purpose was to assist with any technology related issues that may occur. In Mr. Freeman's opinion the employees were more of a hindrance than a help; they were not able to address the software issue so they (Election Judges) were forced to call the county continuously until it was resolved. When the employee tried to help process voters, it actually slowed down the process significantly. It is an expense the county does not need to incur. As a taxpayer, Mr. Freeman thinks it was a waste of money; it was a good idea, but the employee did not have the level of comfort with the computer system.

Judge Self gave comments saying this was the first time he had heard that the employees were not a help. There are numerous comments regarding the vote centers included with the agenda packet. Most agreed with Mr. Freeman that it is a good concept, it just needs some work. Judge Self encouraged everyone to look at the comments. Commissioner Shaheen asked where the bottle neck actually occurred. Mr. Freeman responded in the shortage of voting machines as well as the laptops and voter software. They had to take the system off-line, process several voters, and then went back on-line to update the system.

Once updated, they had to take it off-line again in order to process the voters efficiently. If they stayed online while processing it took a minute or more to process each voter. Brief discussion with the court followed. (Time: 10:51 a.m.)

HELD

7. AI-33122 Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, addressed the court with personnel appointments. Ms. Jacobson informed the court all appointments were within standard guidelines. Motion to approve personnel appointments. (Time: 10:52 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2011-023-01-10

8. AI-33123 Personnel Changes, Human Resources.

Cynthia Jacobson, Human Resources, addressed the court with personnel changes. Ms. Jacobson informed the court the only changes were corrections to effective dates of previous appointments. Motion to approve personnel changes. (Time: 10:52 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2011-024-01-10

9. AI-33125 Board/Committee Appointments, Commissioners Court:

Commissioner Jaynes made a motion for the following appointments:
(Time: 10:53 a.m.)

LaVeta Sealy to the Child Protective Services
Sally Terrell to the Health Care Advisory
George Balsam to the Health Care Advisory
Becky Airhart Smith to the Historical Commission
Josh Andor to the Planning Board
John Wales to the Planning Board
Jane Willard to the Parks Foundation Advisory

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2011-025-01-10

a. **AI-33126** Plano Economic Development Board

Judge Self opened the discussion saying the court already had a member on the Plano Economic Development Board and he was happy to continue with that, but wanted to bring it before the court for discussion. Commissioner Williams suggested placing Commissioner Webb on the board since his entire precinct was in Plano; the comment was made in the form of a motion. (Time: 10:54 a.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2011-026-01-10

10. Potential 82nd Legislative items, Commissioners Court:

a. **AI-31816** Discussion of legislative priorities

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

NO ACTION TAKEN

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session at 10:55 a.m., in accordance with Chapter 551 of the Government Code, to discuss the following subjects:

Real Estate (551.072)

AI-33128 Settlement offer regarding the condemnation of Abernathy land, Special Projects.

Judge Self reconvened the meeting into Commissioners' Court at 11:09 a.m. A motion was made to reject the counter offer. (Time: 11:09 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Joe Jaynes
Vote: 3 – 0 Passed

Commissioner Williams was not present when the vote was taken.

COURT ORDER NO. 2011-027-01-10

There being no further business of the Commissioners' Court, Judge Self adjourned the meeting at 11:09 a.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S