

COURT ORDER NO. 2007- 120 -02-13

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

January 9, 2007

On Tuesday, January 9, 2007, the Commissioners Court of Collin County, Texas, met in regular session with the following members present, and participating to wit:

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

Commissioner Hatchell led the Invocation.

Commissioner Cole led the Pledge of Allegiance.

Judge Self led the Pledge in Honor of the Texas Flag.

Judge Self called the Collin County Health Care Foundation meeting to order at 9:00 a.m. and recessed at 9:02 p.m.

**Item No. 1** Judge Self convened the Collin County Commissioners Court meeting to order at 9:02 a.m. and adjourned at 12:55 p.m.

**FYI NOTIFICATION**

AI-26004 Change Order No. 10 to Uniforms: Law Enforcement and Related Items, Work Uniforms and Miscellaneous with Lone Star Uniforms, Inc. to add item no. 6.5.17 to the contract (budgeted), Sheriff.

AI-26012 Addendum No. 1 to Construction Services: Touch Screen Retrofit for the Collin County Justice Center (budgeted), Purchasing.

AI-26013 Amendment No. 1 to Automated Teller Machine Services with Viewpoint Bank to acknowledge locations of ATM machines, Purchasing.

AI-25919 Receipt of a rebate check from BuyBoard Cooperative Purchasing in the amount of \$6,373.10 as an incentive for participation in The Local Government Purchasing Cooperative, Purchasing.

AI-25987 Receipt of a rebate check from Office Depot in the amount of \$3,089.59 as an incentive for using the NACO Office Depot contract on-line ordering, Auditor.

**Item No. 2** Public Comments. There was only one Public Comment directed to Number 15 under General Discussion; Judge Self stated that was being held till the end of Commissioner's Court.

**Item No. 3** AI-26007 Presentation of Service Pins to employees who will have 10, 15, 20, 25 and 30 years of service in the month of January, Human Resources. Commissioners Court presented service pins to the following employees for the month of January:

Jack Hatchell	County Commissioner	20 years
Joe Jaynes	County Commissioner	10 years
Jerry Lewis	Judge, County Court at Law	20 years
Paul Raleeh	Justice of the Peace	15 years
Linda James	Engineering Department	15 years
Trisey Eubanks	Probate Court	30 years
Laura Thompson	296 <sup>th</sup> District Court	10 years
Ruben Delgado	Engineering Department	25 years

Judge Self and the Commissioners thanked these employees for their service to Collin County.

**Item No. 4** 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. Don Cozad, Auditor, and Commissioner Hoagland asked for Item f2. Commissioner Jaynes asked for Item I1; Commissioner Hoagland asked for I2. Commissioner Jaynes motioned to approve the remainder of the consent agenda, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court.

- a. AI-26069 Filing of the January 9, 2007, Regular Agenda.  
**COURT ORDER NO. 2007-001-01-09**
- b. AI-26021 Filing of the December 12, 2006, Special Session Agenda.  
**COURT ORDER NO. 2007-002-01-09**
- c. AI-25985 Disbursements for the period ending January 3, 2007, Auditor.  
**COURT ORDER NO. 2007-003-01-09**

- d. AI-25973 Tax Refunds totaling \$144,599.78, Tax Assessor Collector.

**COURT ORDER NO. 2007-004-01-09**

e. **Advertisement(s):**

1. AI-25974 Communication Site Management, Tower Leasing for Collin County, Sheriff.

**COURT ORDER NO. 2007-005-01-09**

2. AI-25908 Construction, Road: County Road 466 (budgeted), Special Projects.

**COURT ORDER NO. 2007-006-01-09**

f. **Agreement(s):**

1. AI-25955 Lease Agreement with the Honorable Ralph Hall, a Member of the U.S. House of Representatives for property located at 1800 North Graves Street, McKinney, Texas 75069, Construction & Projects.

**COURT ORDER NO. 2007-007-01-09**

2. AI-25923 AT&T Enterprise Email Spam Filtering Services Agreement and pricing schedule with AT&T for 1600 accounts at an annual cost of \$23,040 and an initial set up fee of \$750, budget adjustment for same and further authorize the Purchasing Agent to finalize and execute the agreement (not budgeted), Information Technology. Commissioner Hoagland was concerned about the reliability of the filtering capabilities of the software. Caren Skipworth, Director of Information Technology, addressed the concerns and explained how the software works saying that no software is 100% effective and this particular software had cut down on spam infiltrating to County employees by 40%. Ms. Skipworth further stated that it will get better with time. Commissioner Hoagland moved to approve this service, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court.

**COURT ORDER NO. 2007-008-01-09**

3. AI-25965 Novation Agreement for Supplies: Jail and Personal Inmate to recognize the name change from Leslee Scott, Inc. to Bob Barker Company, Inc., Purchasing.

**COURT ORDER NO. 2007-009-01-09**

g. **Interlocal Agreement(s) for funding through the Collin County Parks/Open Space Project Funding Assistance Program, Special Projects:**

1. AI-25978 City of Frisco for the development of Stonelake Estates Trail (budgeted - NTE \$189,988).  
**COURT ORDER NO. 2007-010-01-09**

2. AI-25977 City of Melissa for improvements to Bob Miller Park Phase II (budgeted - NTE \$147,755).  
**COURT ORDER NO. 2007-011-01-09**

h. **Ratification of the County Judge's prior approval:**

1. AI-25989 Disbursements for the period ending December 18, 2006, Auditor.  
**COURT ORDER NO. 2007-012-01-09**

2. AI-25995 Agreement with MetaCarta for a donated pilot product which includes hardware and software for a very unique capability of mapping of documents at no cost to the County and further authorize the Purchasing Agent to finalize and execute the agreement, Homeland Security.  
**COURT ORDER NO. 2007-013-01-09**

3. AI-25972 Grant application for the NACCHO-Medical Reserve Corps (MRC) grant in the amount of \$10,000, Homeland Security.  
**COURT ORDER NO. 2007-014-01-09**

4. AI-25970 Acceptance of the TXDot, Texas Department of Transportation grant in the amount of \$10,000 for Holiday "Drink, Drive, Go to Jail" enforcement, Sheriff.  
**COURT ORDER NO. 2007-015-01-09**

i. **Budget adjustment/amendment(s), Auditor:**

1. AI-25971 \$3,477,787 for expenditures over the budget for FY2006 - necessary for preparation of the Comprehensive Annual Financial Report for 2006. Commissioner Hoagland asked for explanation and

Don Cozad, Auditor, addressed the Court. Mr. Cozad explained it is a general transfer from HCF to General Fund, a reclassification as a premium paid. GASB, accepted accounting principal, does not allow for transfer between an internal service fund to an operating fund. Commissioner Hoagland motioned to pass this adjustment, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court.

**COURT ORDER NO. 2007-016-01-09**

2. AI-25967 Encumbrance Rollover from FY2006 to FY2007 in the amount of \$9,517,546.27 and creation of the purchase orders for FY2007. Commissioner Hoagland motioned to pass this adjustment, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court.

**COURT ORDER NO. 2007-017-01-09**

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

1. AI-25959 \$537,711.97 to establish a beginning budget for the State Homeland Security Program (SHSP) 2006 and Urban Area Security Initiative (UASI) 2006 Grant.

**COURT ORDER NO. 2007-018-01-09**

k. **Receive and File, Auditor:**

1. AI-25984 CSCD (3rd and 4th Quarter FY2006).

**COURT ORDER NO. 2007-019-01-09**

2. AI-26001 Justice of the Peace - Precinct 1 (3rd and 4th Quarter FY2006).

**COURT ORDER NO. 2007-020-01-09**

3. AI-25996 Justice of the Peace - Precinct 2 (4th Quarter Y2006).

**COURT ORDER NO. 2007-021-01-09**

4. AI-25983 Myers Park (4th Quarter FY2006).

**COURT ORDER NO. 2007-022-01-09**

5. AI-25002 Monthly Financial Statement for October 2006.

**COURT ORDER NO. 2007-023-01-09**

6. AI-25003 Monthly Financial Statement for November 2006.  
**COURT ORDER NO. 2007-024-01-09**

I. **Miscellaneous**

1. AI-26034 Consideration, discussion and any action regarding the addition of members to the Criminal Justice: Growth and Vision Task Force, Commissioners Court. Commissioner Jaynes voiced the opinion that he thought the number of people first named to the Task Force, twenty names, was too many for manageability. Commissioner Jaynes suggested streamlining the Task Force and getting just one representative from each of the offices included. Commissioner Hoagland, stating that he had talked to Judge Henderson about this situation, explained that the expectation was not that all twenty people would meet every time, but that various combinations of the twenty would meet and eventually effect the desired changes to streamline the judicial process. Judge Self suggested that continued discussion with Judge Henderson would be good to see about streamlining the committee. It was decided this topic needed further thought and discussion.  
**HELD**
2. AI-25988 Final Plat for The Hills of Lone Star Lot 22/Gibbs Phase, Engineering.  
**COURT ORDER NO. 2007-025-01-09**
3. AI-26015 Final Plat for the Flying "T" Ranch Airpark Phase II, Engineering.  
**COURT ORDER NO. 2007-026-01-09**
4. AI-26010 Appointment of a Nuisance Abatement Hearing Officer for Collin County, Fire Marshal.  
**COURT ORDER NO. 2007-027-01-09**
5. AI-25980 Re-addressing of Butler Road and associated address updates for compliance with the County Addressing Policy, GIS/Rural Addressing.  
**COURT ORDER NO. 2007-028-01-09**

6. AI-25997 Reimbursement of fencing materials and labor for Property along County Road 617 to Joe Green in the amount of \$3,138.75 (budgeted), Public Works.

**COURT ORDER NO. 2007-029-01-09**

7. AI-25961 Declare property as surplus, authorize additions and/or deletions to the list as deemed necessary, authorize Purchasing Agent to sell same via on-line auction and advertise for same, Purchasing.

**COURT ORDER NO. 2007-030-01-09**

8. AI-25964 Acceptance of a donation of Framed Artwork from Mike Owens, Sheriff.

**COURT ORDER NO. 2007-031-01-09**

## **GENERAL DISCUSSION**

**Item No. 5** AI-25979 Presentation of the Collin County Historical Commission's new "Cruising Historical Collin County: By-roads to the Past" guide book, Commissioners Court. Lolisa Laenger of the Collin County Historical Commission presented the new brochure to the Commissioners. Judge Self made a motion to accept the brochure, Commissioner Hoagland seconded, and it passed with a 5-0 vote of the Court. (Time 9:16 a.m.)

**COURT ORDER NO. 2007-032-01-09**

**Item No. 6** AI-26023 Designation and ballot drawing of nine (9) public members (in lieu of nine elected officials) and four (4) alternate members from the 2006 Grand Jury members to be appointed and serve on the 2007 Salary Grievance Committee and any action, Commissioners Court. Names were drawn out of a box by the Commissioners and they were: Penelope Steele LeFlore, Isiah Joshua, Glen Renfro, David Alan Roper, Danny Lynn McKinzie, Ricardo Samuel Perez, Brandon Andrew Bartlett, Diane Tomlin, and Mary Beserra. The four alternates drawn were: Donald McKnight, Michael Howard, David Laisure, and Ladd Ellis, Jr. Judge Self made a motion to accept the nine names for the Grievance Committee with the other four names as alternates; Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:18 a.m., 12:18 p.m.)

**COURT ORDER NO. 2007-033-01-09**

**Item No. 7** AI-25982 Discussion and any action regarding the proposed changes to the NTTA Governance Structure, Commissioners Court. Paul Wageman, Chairman of the Board of the North Texas Tollway Authority, NTTA, one of two Collin County representatives on the Board came before Commissioners Court. Gary Base, the other representative, was not feeling well and did not appear. Allen Rudder, Executive Director, appeared. These men

came at the Commissioners' request to discuss an ordinance change that the NTTA is pursuing. Mr. Wageman gave an overview of the NTTA and its Board Members. The ordinance change, proposed at the NTTA's December 2006 Board meeting, would eliminate the two rotating seats; Fannin County would get two permanent seats; and Tarrant County would immediately get a second board seat. New counties seeking admittance to the NTTA would be granted one seat upon admission and be required to have a current project. A second seat would be given to a county that has a project, but only after three years of operation and exceeding ten miles in length. Additional change to the governance would require an 85% vote by the Board for major decisions. These by-law changes were approved by acclamation at the December 2006 Board meeting and a legislative package is being prepared for adoption. Currently, the NTTA has received resolutions in support of these changes from Denton County and Tarrant County; Dallas County is considering the changes and has asked NTTA representatives to appear before their court. Commissioner Hatchell moved to approve NTTA's ordinance changes; Commissioner Jaynes seconded and the motion passed with a 4-0 vote of the Court (Commissioner Hoagland had stepped away from the dais and did not vote.) (Time: 10:10 a.m.)

**COURT ORDER NO. 2007-034-01-09**

**Item No. 8** AI-26030 Consideration, discussion and any action regarding Payment of 1985 Compensatory Time, Human Resources. Cynthia Jacobson, Human Resources Director, explained that with the Peoplesoft software conversion, it was brought to Human Resources attention that several County employees still have comp time left over from as far back as 1985. The question was whether to carry it over into Peoplesoft or go ahead and pay it out but at what rate, 1985 dollars or the current rate. Commissioner Hoagland made the motion to go ahead and pay this comp time and at the 1985 rate since it was acquired in 1985; Commissioner Cole seconded, and the motion passed with a 3-2 vote of the Court. Commissioner Hatchell and Commissioner Jaynes voted no. (Time: 9:20 a.m.)

**COURT ORDER NO. 2007-035-01-09**

**Item No. 9** AI-26029 Discussion and any action regarding legislative items for the upcoming 80th Legislative Session, Commissioners Court. Bill Bilyeu, Administrative Services, addressed the Court saying each time the Commissioners Court meets, the most updated CDC legislative Bill analysis and tracking will start being included in the paperwork. There is a timeliness issue as the Collin County agenda is created prior to the latest legislative updates, but each Commissioner is on an email list to receive these legislative updates. Judge Self noted that Health Care needed to be added and Bill Bilyeu said that it was on the latest version the Commissioner had received. Commissioner



Hoagland motioned to accept these legislative items for review, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:25 a.m.)

**COURT ORDER NO. 2007-036-01-09**

**Item No. 10 AI-26025** Discussion and any action regarding the creation of a Civil Section in the District Attorney's Office, District Attorney. John Roach, District Attorney, gave a detailed presentation to the Court concerning the creation of a civil division being developed through the District Attorney's office; he went over the advantages and disadvantages, he covered history and made projections based on the size of our county. Mr. Roach covered funding, staffing, special issues that would require outside counsel, how it would grow, specifics on how it could be utilized, and he stressed that the timing is right for such an entity to be created. Rodney Rhoades handed out documentation to the Court showing past expenditures on civil cases. Commissioner Jaynes suggested leaving this issue till the formal budget discussions in the future. Commissioner Cole wanted more discussion and interaction. Commissioner Hoagland wanted to move ahead with DA Roach's suggestion, 'strike while the iron is hot and there are good available personnel to hire'. Commissioner Jaynes motioned to continue the discussion with more study on the issue; Commissioner Cole seconded asking for more clarification on the presentation; and the motion passed with a 5-0 vote of the Court. (Time: 9:31 a.m.)

**COURT ORDER NO. 2007-037-01-09**

**Item No. 11 AI-25975** Discussion and any action regarding postage for the District Attorney's Office brochures in the amount of \$39,530.30, Commissioners Court. (Time: 10:10 a.m.)

**PULLED**

**Item No. 12 AI-26037** Discussion and any action regarding Commissioners Court Work Shops, Commissioners Court. Judge Self expressed the need for off-cycle, open meetings for county residents in order to have the opportunity to listen to the Commissioners discuss the various issues. Commissioner Cole concurred and gave some information on Dallas County's approach. Commissioner Jaynes also expressed his support, saying that being able to talk about the issues without being under the constraints of the formal Court meeting would be good and would help in better decision making. Bill Bilyeu, Administrative Services, clarified that a detailed agenda still has to be prepared even without formal voting; when you have a meeting, notification has to be posted 72 hours continuously prior to the meeting, or workshop. Regularly scheduled Commissioners Court meetings will continue on Tuesdays; Commissioner Jaynes stressed the need to discuss holding some Court sessions at other times for better public access; and Commissioner Hoagland noted holding Court at different locales would also be in the public interest. Judge Self suggested holding this idea for a future discussion. Commissioner Jaynes

motioned to have workshops on Monday of the non-Commissioner Court week to discuss future items on the agenda; Commissioner Cole seconded; and the motion passed with a 5-0 vote of the Court. January 29, 2007 will tentatively be the first workshop date. (Time: 10:21:17 a.m.)

**COURT ORDER NO. 2007-038-01-09**

**Item No. 13 AI-26039** Discussion and any action regarding Agenda format including items for Executive Session, Commissioners Court. Judge Self stated he would like to move as much as possible out into open court session, unless personnel issues of a negative or inflammatory nature were being discussed. Judge Self stated Commissioners meetings ought to be open to the public to experience the Commissioners at work. Unless there is a personal reason to keep discussions confidential, they should be discussed in open session. Commissioner Hatchell made the motion to move as much as possible to open court sessions, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:39:36 )

**COURT ORDER NO. 2007-039-01-09**

**Item No. 14 AI-26040** Discussion and any action regarding Collin County staff involvement with non-profits providing health care services, Commissioners Court. Bill Bilyeu, Administrative Services, addressed court at Commissioner Hoagland's request. Commissioner Hoagland wanted clarification on non-profits, grant writing issues, non-profits dependence on the county's help in seeking grant writing to obtain funds. The Court specifically discussed Michelle Patrick's assignments, how her time has been used, and how it will be used. Bill Bilyeu and Rodney Rhoades, Budget, both gave clarification and explanation. Candy Blair, Healthcare Services, also spoke about Michelle Patrick's help in grant writing. Commissioner Hoagland made a motion to move this discussion to the first workshop, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:42:04 a.m.)

**COURT ORDER NO. 2007-040-01-09**

**Item No. 15 AI-26027** Presentation, discussion and any action regarding proposed new District Courts, District Courts. Dale Rose, currently the President Elect of the Collin County Bar Association (has served as Secretary and Director of the same organization) stood before Commissioners Court. Mr. Rose presented information about the Collin County Bar Association. As representative of the attorneys involved in that association, he appeared before Commissioners Court in support of Judge Henderson and his presentation concerning the creation of two new district courts. Judge Curt Henderson, 219<sup>th</sup> District Court, came to ask the Commissioners to champion the cause for the creation of two new district courts. Judge Henderson stressed that the creation of only one new court would be a mere lifeline; that two new courts is what would bring some relief. Judge Henderson gave a presentation looking at juvenile, criminal and civil case filings; how they have grown through the years; and the

process cases go through before actually being assigned to a court. At our county's growth rate, without the second court to handle the growing caseload, Judge Henderson explained that temporary injunctions would be first, criminal cases second, and civil would go to the bottom of the pile and not have a hope of being assigned in terms of months but rather years. Judge Henderson stressed that these cases represented real people, with a right to come to the courthouse to receive a peaceful resolution to their case in a speedier manner than what will occur. Judge Henderson is specifically asking for a new district court by September of 2007 and a second by September 2008. The Commissioners asked District Attorney Roach about staffing issues. The Commissioners then asked Judge Henderson about specialized courts/dockets. There was discussion among the Commissioners about population growth, waiting for the State Legislature to appoint a new court based on that population, the costs and where that money would come from, the public and their feeling of need for the second court. Bill Bilyeu, Administrative Services, addressed the issue of when the Governor steps in mandate creation a new court. Judge Henderson stressed that if the second district court isn't created, there will be a reduction in services. Judge Self noted hearing from attorneys and judges, but what about the citizens. Commissioner Jaynes stated that the citizens were heard when voting to support the building of the new District Courts Building. Commissioner Hoagland noted that Collin County had, in the recent past, tried to anticipate needs and be proactive, although a bit behind the curve at times. Commissioner Hoagland suggested the installation of a new district court October 2007 and letting the Legislature appoint one in early 2009. Judge Henderson stressed that he can support that, but would like the Commissioners enthusiasm in support as they petition Austin. Commissioner Hoagland made a motion that they ask the Legislature to approve one new district court in September 2007 and then appoint a second one in January 2009 (one elected and one appointed,; Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. Judge Self was the dissenting vote, but he expressed a desire to further discuss the issue with Judge Henderson. (Time: 12:19:10 p.m.)

**COURT ORDER NO. 2007-041-01-09**

**Item No. 16**

Possible future agenda items by Commissioners Court without discussion: the water presentation, evening meeting times, rotating meeting locations which must be workshops, and workshop dates. Commissioner Jaynes stressed that he wanted to look at citizen's committees for consensus with projects. Commissioner Jaynes motioned to set February 5 to be the first workshop, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 12:51:30 p.m.)

**EXECUTIVE SESSION**

Judge Self recessed the Court into Executive Session at 11:10 a.m. and reconvened the Court into Open Session at 12:18 p.m.

AI-26005 Personnel Appointments, Human Resources. Commissioner Hatchell made a motion to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court.

**COURT ORDER NO. 2007-042-01-09**

AI-26006 Personnel Changes, Human Resources. Commissioner Hoagland made a motion to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court.

**COURT ORDER NO. 2007-043-01-09**

AI-26031 Board/Committee Appointments. Commissioner Cole reappointed Carol Coffee, Child Protective Services; Historical Commission, Maggie Sprague; Parks Foundation, Zelda Goldman. Commissioner Jaynes made a motion to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. Commissioner Jaynes reappointed Jane Willard to Collin County Historical Commission. Commissioner Hoagland made a motion to accept, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. Commissioner Hatchell reappointed Terry Hagan to the Healthcare Advisory Board. Commissioner Jaynes motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. Judge Self is holding his appointments. (Time: 12:54:51 p.m.)

**COURT ORDER NO. 2007-044-01-09**

AI-26024 Wilson Vs. Collin County. Commissioner Hatchell made a motion to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court.

**COURT ORDER NO. 2007-045-01-09**

Judge Self announced there was no further business, and the next regular scheduled Commissioners Court meeting would be held on Tuesday, January 23, 2007, with executive session beginning at 9:00 a.m. There being no further business of the court, Judge Self adjourned the court meeting at **12:55** p.m.



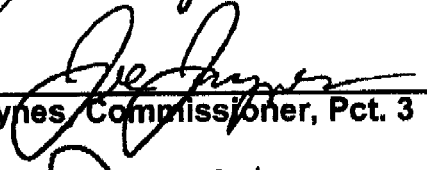
Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



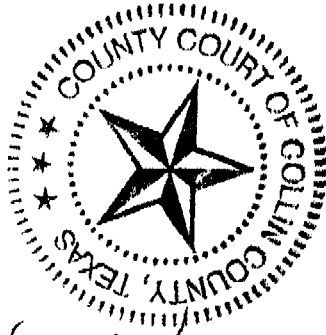
Jerry Hoagland, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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