

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

January 23, 2007

On Tuesday, January 23, 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 Hatchell led the Invocation.

Judge Self led the Pledge of Allegiance.

Commissioner Jaynes led the Texas Pledge.

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 1:58 p.m.

FYI NOTIFICATION

AI-26019 Amendment No. 2 to Insurance, Health: Group Benefits Program, Life Basic and Optional and AD&D with Prudential Insurance Company of America to provide for 60 day payment period, Human Resources.

AI-26053 Change Order No. 13 to Construction: Addition and Renovation to the Collin County Juvenile Detention Center with Satterfield & Pontikes Construction, Inc. to make various changes to the contract for a decrease of \$3,989, Construction & Projects.

AI-26055 Change Order No. 20 for Construction: Addition & Renovation to the Collin County Adult Detention Center with Satterfield and Pontikes Construction, Inc. to make various changes to the contract for a decrease of \$91, Construction & Projects.

AI-26084 Update of Indigent Defense expenditures, Budget. Judge Self noted the growing costs involved through the past years for indigent defense expenses. Commissioner Cole said that the costs are mostly for child protective services cases. The law currently states that parents, as well as the child, need counseling. Commissioner Cole, having talked with Judge Wheless, would like to see the law change for parents to get counseling after child termination takes place. Judge

Self made the observation that the County Courts need to get their costs in line, more like the District Courts. Commissioner Jaynes noted it would be good to get the County Courts to follow the same format as the District Courts. Commissioner Hoagland said a work session with the judges would be helpful. (Time: 9:11:07 a.m.)

AI-25981 Routine Budget Amendment(s)/Adjustment(s) totaling \$38,708,990 (over \$5,000 per c/o 2005-589-08-01, Budget.

Item No. 2 Public Comments. Perry Smith of Prestige Ford in Garland, Texas, came forward to be heard on Consent Agenda Item No. 3e4. Mr. Smith wanted to know why his bid, which was lower than the accepted bid, did not win the County contract. (Time: 9:03:03)

Item No. 3 Consent agenda to approve: 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. Judge Self asked for FYI 4, 3d1, 3e4, 3f5, 3g4, and 3i3; Commissioners Jaynes and Hatchell asked for 3e1; and Frank Ybarbo, Purchasing, requested 3f5. Commissioner Jaynes moved to accept the remainder of the consent agenda, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:09:19)

- a. **AI-26101** Filing of the January 23, 2007, Regular Agenda.
COURT ORDER NO. 2007-046-23
- b. **AI-26076** Disbursements for the period ending January 18, 2007, Auditor.
COURT ORDER NO. 2007-047-23
- c. **AI-26014** Tax Refunds totaling \$132,045.13, Tax Assessor Collector.
COURT ORDER NO. 2007-048-23
- d. **Advertisement(s):**
 1. **AI-26089** Equipment: HVAC Unit for Server Room (budgeted), Construction & Projects. Judge Self had requested some options to consider, thinking there would be a less expensive choice than getting the 5 ton unit since County offices will be moving into new facilities soon. Bill Bilyeu, Administrative Services, addressed the Court and agreed to get information on temporary units and a plan for moving forward on this issue. Caren Skipworth, Director of Information Technology, noted that the computer room would not be moving until December 2007, and she added the concern that the current air conditioning unit had flooded the room several times. Ms. Skipworth's preference is to shut it down and go with the temporary choice to cool the room. Ms. Skipworth also noted that time is of the essence. Commissioner Hatchel motioned to

approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:15:06 a.m., returned to topic for vote at 9:33:08 a.m.)

COURT ORDER NO. 2007-049-23

e. **Award(s):**

1. AI-26016 Grant exemption from the competitive bidding process per VTCA LGC 262.02 (4) for professional Services and award to MACTEC Engineering and Consulting Inc. for Right-of-Way acquisition services for the Collin County Outer Loop from East of U.S. Highway 75 to North of State Highway 121 and further authorize the Purchasing Agent to finalize and execute the agreement (budgeted), Engineering. Commissioner Hatchell wanted to know if the County could terminate this contract at any time, his concern being the County's expense incurred if someone else could eventually get control of the road project. Ruben Delgado, Director of Engineering, said he would be attending a meeting about it during the week. Commissioner Jaynes questioned if Jeff Durham, Special Projects, could handle the right-of-way acquisitions in-house; he then had questions for Mr. Delgado who went over the situation at length, the people involved, the costs, and the possible length of completion time. Commissioner Hoagland felt that hiring the proposed company would be preferable to letting it drag on, but he wanted to know what MACTEC would do to earn the County's money. Ruben Delgado said that this section being discussed was the 'keystone' to the whole project and that the County would accept the challenge in obtaining this right-of-way. Mr. Delgado stated that even with the experience between himself and Jeff Durham's office, MACTEC would be doing a lot of the legwork; but if the Court preferred to keep it all in-house, he would be prepared to do that. Mr. Delgado entertained questions from the Court and said that he would keep the Court informed. Commissioner Hoagland asked for specifics on what MACTEC would do for their payment. Mr. Delgado said they would familiarize themselves with the project, review title, review appraisals, deliver contracts and negotiate with the land owners, make presentations to the Commissioners on same, take the offers to the land owners and if accepted, close the contracts. Jeff Durham, Special Projects, and Bob Brown of TxDot, Texas Department of Transportation, both answered questions and addressed the Court from the audience giving more details on the subject. Commissioner Jaynes motioned to go ahead and approve this contract, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:17:09 a.m.) Ruben Delgado, Engineering, stepped forward again and asked to be given permission to negotiate and clarify with MACTEC for a lower price. Commissioner Hoagland reiterated his desire to see the company chosen be held accountable for what they charge and a more clearly

defined statement of what they are going to do for the County. Commissioner Jaynes amended his previous motion to allow Ruben Delgado to negotiate with MACTECH on price and for them to bring 'measures of success' back to the Court, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:40:18 a.m.)

COURT ORDER NO. 2007-050-23

2. AI-26075 Designate Integrated Computer Systems (ICS) as the sole source provider per Local Government Code 262.024(a)(7) and approve the agreements for the ICS installed software and hardware maintenance suite further authorizing the Purchasing Agent to finalize and execute the agreements (budgeted), Information Technology.

COURT ORDER NO. 2007-051-23

3. AI-26049 Services: Auto Body Repair and Painting to Caliber Collision Centers. (budgeted), Public Works.

COURT ORDER NO. 2007-052-23

4. AI-26050 Vehicle: Police Sedans and SUV's to Five Star Ford for line items 01 through 12 and further purchase line items 13 through 16 from Philpott Ford utilizing the Buyboard contract (budgeted), Public Works. After Perry Smith of Prestige Ford in Garland, Texas, addressed the Court during Public Comments, Frank Ybarbo, Director of Purchasing, spoke concerning the bidding process and how Mr. Smith failed to meet the bidding process timeframes. Mr. Ybarbo talked about past purchasing dealings with this dealership also. Commissioner Jaynes preferred to stand by the bidding process and Frank Ybarbo's facts of the situation and go with the Purchasing Department's award; he motioned to go ahead with the contract as awarded by the Purchasing Department. Commissioner Hatchell seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Hoagland voted no. (Time: 9:30:32 a.m.)

COURT ORDER NO. 2007-053-23

f. Agreement(s):

1. AI-26066 Grant exemption from the competitive bidding process per VTCA LGC 262.024 (a)(4) for professional services for an Agreement with Gay, McCall, Isaacks, Gordon, May & Roberts for the Collection of Delinquent Taxes, an Order Providing for an Early Additional Penalty to Defray Costs of Collecting Taxes Imposed on Personal Property and further authorize the County Judge to finalize and execute same, Administrative Services.

COURT ORDER NO. 2007-054-23

2. AI-26011 Grant exemption from the competitive bidding process per V.T.C.A.

Local Government Code, Chapter 262.024 (a)(4) for professional Services – Election Support Services Agreement with Diebold Election Systems, Inc. and further authorize the Purchasing Agent to finalize and execute the agreement (budgeted), Elections.

COURT ORDER NO. 2007-055-23

3. AI-26026 Agreement with Cingular Wireless LLC for cell phone and data services utilizing the State of Texas Department of Information Resources contract and further authorize the Purchasing Agent to finalize and execute the agreement (budgeted), Information Technology.

COURT ORDER NO. 2007-056-23

4. AI-26063 Interlocal agreement with the North Central Texas Council of Governments (NCTCOG) for digital aerial photography, elevation contours and planimetrics and budget adjustment of \$225,000 for same, Information Technology.

COURT ORDER NO. 2007-057-23

5. AI-26052 Grant exemption from the competitive bidding process per VTCA Local Government Code 262.024 for legal services with the law office of Hunton & Williams, LLP and further authorize the County Judge to finalize and execute the agreement, Purchasing.

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g. **Amendment(s):**

1. AI-26071 No. 1 to Professional Services: Engineering Services for FM 545 from FM 2933 to Business 78 with Lockwood, Andrews & Newman (Bond Project No. 99-11-15) for additional surveying, archaeological documentation, and public meetings and budget adjustment of \$81,170 for same, Engineering.

COURT ORDER NO. 2007-058-23

2. AI-26018 No. 2 to Professional Services: Planning and Engineering Services for the construction of US 75 from 121 South to Foster Crossing and County-Wide Pass-Through Program with HNTB and budget adjustment of \$70,384 for same, Engineering.

COURT ORDER NO. 2007-059-23

3. AI-26045 No. 3 to Engineering Services for Roads with Nathan D. Maier to add Additional engineering services to revise paving grades for improvement to FM 1378 from FM 544 to FM 3412 and budget adjustment of \$6,002 for same(budgeted), Engineering.

COURT ORDER NO. 2007-060-23

4. AI-26051 No. 5 to Professional Services: Engineering Services for Bridges on County Road 466 with Turner, Collie, & Braden, Inc. for construction

administration services for an increase of \$77,945.04 and budget adjustment for same, Special Projects. Judge Self asked for clarification on this contract. Ruben Delgado, Director of Engineering, addressed the Court with history on this particular contract, giving clarifications and details. Jeff Durham, Special Projects, also stood and gave history and information. Commissioner Hatchell motioned to approve the motion, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:32:52 a.m.)

COURT ORDER NO. 2007-061-23

h. Change Order(s):

1. AI-26059 No. 1 for Janitorial: Supplies with Clean Care Inc. to provide various changes to the contract, Purchasing.

COURT ORDER NO. 2007-062-23

2. AI-26060 No. 1 for Janitorial: Supplies with Corporate Express to provide various changes to the contract, Purchasing.

COURT ORDER NO. 2007-063-23

3. AI-26057 No. 1 for Janitorial: Supplies with Olmsted-Kirk Equipment and Supply, Inc. to provide various changes to the contract, Purchasing.

COURT ORDER NO. 2007-064-23

4. AI-26061 No. 1 for Janitorial: Supplies with Pyramid School Products to provide various changes to the contract, Purchasing.

COURT ORDER NO. 2007-065-23

5. AI-26028 No. 6 to Supplies: Printing, General Office Forms with Extreme Business Services to provide for pricing redetermination (budgeted), Purchasing.

COURT ORDER NO. 2007-066-23

6. AI-26042 No. 7 to Supplies: Tires with Gray's Wholesale Tire Distributors, Inc. to provide for pricing redetermination (budgeted), Purchasing.

COURT ORDER NO. 2007-067-23

7. AI-26056 No. 21 to Construction: Collin County Justice Center Courts Building with Hunt Construction Group to provide various changes to the contract for an increase of \$175,751 (budgeted), Construction & Projects.

COURT ORDER NO. 2007-068-23

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

1. AI-26043 Change Order No. 19 to Construction: Collin County Justice Center Courts Building with Hunt Construction Group to add various items to the

contract for an increase of \$198,292 (budgeted), Construction & Projects.

COURT ORDER NO. 2007-069-23

2. AI-25968 Change Order No. 19 to Construction: Addition & Renovation to Collin County Adult Detention Center with Satterfield and Pontikes Construction, Inc. to provide various changes to the contract and budget adjustment of \$88,822 for same, Construction & Projects.

COURT ORDER NO. 2007-070-23

3. AI-26044 Change Order No. 20 to Construction: Collin County Justice Center Courts Building with Hunt Construction Group to add computer room equipment to the contract for an increase of \$531,585 (budgeted), Construction & Projects. Bill Burke, Construction Projects, addressed the Court explaining the situation and clarified that this is for support of the infrastructure of the server room. Commissioner Hoagland moved to accept the change order, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:38:03 a.m.)

COURT ORDER NO. 2007-071-23

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

1. AI-26032 \$5,067 to establish the revenue budget for the FY2007 Visionaries in Preservation Grant.

COURT ORDER NO. 2007-072-23

2. AI-26009 \$10,000 to establish the budget for the Texas Department of Transportation FY2007 STEP - IDM grant for the reimbursement of overtime for enforcement of the Holiday "Drink, Drive, Go to Jail" program.

COURT ORDER NO. 2007-073-23

k. Final Plat, Engineering:

1. AI-26081 The Hills of Lone Star Phase 2B - Deer Meadow.

COURT ORDER NO. 2007-074-23

2. AI-26088 The Spohn Addition.

COURT ORDER NO. 2007-075-23

l. Miscellaneous

1. AI-25993 December 12, 2006, Minutes, County Clerk.

COURT ORDER NO. 2007-076-23

2. AI-25994 December 12, 2006, Public Hearing - Outer Loop Minutes, County Clerk.

COURT ORDER NO. 2007-077-23

3. AI-26058 Reject all bids for Software & Hardware: Elevator Monitoring, Construction & Projects.

COURT ORDER NO. 2007-078-23

4. AI-26047 Establish policies regarding assignment of non-emergency county personnel during public health and emergency situations, Homeland Security.

COURT ORDER NO. 2007-079-23

5. AI-26067 Additions/Deletions to the CIJS Project Team, Information Technology.

COURT ORDER NO. 2007-080-23

6. AI-26062 Additions/Deletions to the Court Technology Committee, Information Technology.

COURT ORDER NO. 2007-081-23

GENERAL DISCUSSION

Item No. 4 AI-26048 Public Hearing - Consideration, discussion and any action regarding the placement of Regulatory Signs on various County Roads, Public Works. John Kleinhessel, Director of Public Works, addressed the Court. There is a residential request for a stop sign. Commissioner Hoagland made a motion to accept, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. Commissioner Jaynes complimented Mr. Kleinhessel on his handling of all the new signage with so much construction in the County. (Time: 9:41:49 a.m.)

COURT ORDER NO. 2007-082-23

Item No. 5 AI-26083 Consideration, discussion and any action regarding adoption of the FY2007 Capital Projects budget and setting the appropriation budget for a grand total \$104,036,528, Budget. There was discussion with Rodney Rhoades, Director of Budget, about carryover amounts for projects not yet started, the benefit and cost of holding it or releasing it till needed, or reallocating the funds. Ruben Delgado, Director of Engineering, gave information from a road construction cost viewpoint. Judge Self asked Dave Medanich, Vice Chairman at First Southwest, to give his viewpoint. Commissioner Hoagland moved to approve as stated, Commissioner Jaynes seconded, and the vote passed with a 5-0 vote of the Court. (Time: 9:43:36 a.m.)

COURT ORDER NO. 2007-083-23

Item No. 6 AI-26085 Presentation, discussion and any action regarding the refunding opportunity of 1999 and 2001 Unlimited Tax Bonds, Budget. Rhodney Rhoades asked Dave Medanich, Vice Chairman at First Southwest, to speak to the Court to talk about refunding. There are funds that the County is holding that can be refunded to the Federal Government and save the County about a million dollars. Commissioner Hatchell moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:50:50 a.m.)

COURT ORDER NO. 2007-084-23

Item No. 7 AI-26034 Consideration, discussion and any action regarding the addition of members to the Criminal Justice: Growth and Vision Task Force, Commissioners Court (Held from January 9, 2007). Commissioner Hoagland explained that all members of Commissioners Court would be official members of the Task Force as well as Judge C. Henderson, District Attorney John Roach, Judge Greg Brewer, and Judge Oldner; others would be brought in as needed. The purpose of the Task Force would be to streamline the process and save money. No County Courts are involved at this time; the focus will be on District Courts for now. Commissioner Jaynes made a motion to accept these members, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:52:44 a.m.)

COURT ORDER NO. 2007-085-23

Item No. 8 AI-26092 Consideration, discussion and any action regarding application to the Texas Department of Transportation (TxDOT) on Pass-Through Projects and concession payments from SH 121 for US 75 and Pass-Through Program, Commissioners Court. Commissioner Jaynes asked that this item be discussed today; he went over his insights into this and he asked Ruben Delgado, Engineering, to speak to the issue. Mr. Delgado introduced Tom Diamond, HNTB Corporation, and Bob Brown, TxDot, who gave a presentation to the Court. They covered the priority projects, the costs, and timeline saying a formal application needs to be made to TxDot and it moves ahead from there. Commissioner Cole asked for clarification on the money aspect; there would be payment up front with partial reimbursement later. Judge Self suggested narrowing the focus on this request to the TxDot portion and moving ahead. There was some further clarification from Ruben Delgado and more questions answered. Commissioner Jaynes made the motion to narrow the focus, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:54:22 a.m.)

COURT ORDER NO. 2007-086-23

Item No. 9 AI-26029 Discussion and any action regarding legislative items for the upcoming 80th Legislative Session, Commissioners Court. Judge Self went over House Bill 272, indigent health care proposed legislation. Commissioner Cole said it is Robin Hood health care and this bill needs to be diligently fought. Commissioner Hoagland suggested lobbying surrounding counties to work with Collin County as it would probably be a Collin County led effort. Judge Self suggested putting together a simple motion to formalize a statement for the next court. Commissioner Hatchell agreed and so motioned, Commissioner Cole seconded and made an amendment for Judge Self to immediately draft and send a letter to judges of all non-hospital district counties in the State of Texas and then make a resolution, and the motion passed with a 5-0 vote of the Court. (Time: 10:16:13 a.m.)

COURT ORDER NO. 2007-087-23

A draft of a letter that Judge Copeland, Probate Court, was asking be approved, allowing for replacements when he is away from the bench. The Commissioners felt Judge Copeland's language was too broad. The suggested verbiage for g25.043 of the Collin County Statutory Probate Court Provisions as follows:

"Any statutory county court judge in Collin County may hear and determine a matter pending in the Collin County Statutory Probate Court, regardless of whether the matter is preliminary, final or whether there is a judgment in the matter."

Commissioner Hoagland motioned to accept the amended language, Commissioner Hatchell seconded, and the vote passed with a 5-0 vote of the Court. (Time: 10:29:56 a.m.)

COURT ORDER NO. 2007-088-23

Item No. 10 AI-26080 Discussion and any action regarding the creation of a Civil Section in the District Attorney's Office, District Attorney. District Attorney John Roach came before the Court and reviewed what he had presented at the previous Court concerning the start of a civil division in his office. He went over information he had been asked to gather, present and interpret. Bond Council cases, and delinquent tax cases are the only ones he found that would not be handled in a Civil Division; they are too specialized. Mr. Roach spoke to the costs which would include personnel, offices, equipment, and supplies for the first year. Mr. Roach stressed that he feels the time is perfect, with certain key people currently available to hire, and with the growth of the county. Commissioner Jaynes and Commissioner Cole expressed the opinion that things are going fine as they are, and they also stressed that they think the current costs are very reasonable. Commissioner Hatchell said he did not want to go ahead with two attorneys, he could support one; possibly hire another attorney in six months or so. Commissioner Hoagland pointed out that the County District Attorney has had the authority to move ahead with such a request by law and Commissioner Hoagland said he thinks it would be good to move ahead on this motion at this time. Judge Self was concerned about the 'fire wall' protection between the Commissioners Court and the District Attorney's criminal duties; in other words, can you be a watchdog for, and keep an eye on, the Court itself. District Attorney Roach stressed that there is no conflict in being that watchdog because he answers to the voters of Collin County. Commissioner Cole also expressed her concern because of the fact that a larger part of the County's need for an attorney comes because of personnel situations. Mr. Roach read the current description of his official duties and authority toward the County; he stressed that this new civil division would provide an attorney for the Commissioners Court. Commissioner Hoagland noted that the district attorney has always had the power to have this sort of division; the district attorney's office had just never exercised the right. And clarification was made by Judge Self, and Mr. Roach, stating that the district attorney has the authority of a criminal district attorney and civil attorney by statutory law. Judge Self lent his support for creating this civil division. Commissioner Hoagland motioned approval for District Attorney Roach's creating a civil division with one attorney, Commissioner Hatchell seconded, and then further discussion happened as Sheriff Box asked about specific use of this new division and Commissioner Hatchell and Commissioner Jaynes stressed that it needed to be discussed in a workshop scenario, the first being February 5. Commissioner Hatchell withdrew his second on Commissioner Hoagland's motion, and then motioned to move this action into the workshop session. Commissioner Hoagland seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Jaynes voted no. (Time: 10:32:47 a.m.)

MOVED TO WORK SESSION

Item No. 11 AI-26093 Discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Director of Human Resources, stepped forward to inform the Court

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concerning the current appointments. Commissioner Hatchell motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:15:18 a.m.)

COURT ORDER NO. 2007-089-23

Item No. 12 AI-26094 Discussion and any action regarding personnel changes, Human Resources. Cynthia Jacobson, Director of Human Resources, continued before the Court with changes in staff. There were two exceptions in pay status: one for Alicia Rocha, the other for Maria Hillblom. The Commissioners decided to move the discussion of Maria Hoagland into Executive Session. Commissioner Jaynes motioned to approve the balance, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:15:50 a.m.) Commissioner Cole moved to approve the JP4 position as recommended by Human Resources, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:00:07 p.m.)

COURT ORDER NO. 2007-090-23

Cynthia Jacobsen continued, asking for approval to pay temporary employees working in Kenneth Maun's, Tax Assessor-Collector, office. There is an issue in that Mr. Maun lets these temporaries work overtime although Human Resources has told him it is not authorized; this happened last year also. Cynthia Jacobson said that Human Resources stressed overtime was not allowed last year, but it has happened again this year. The Commissioners asked Rodney Rhoades, Budget, if they could agree to pay the temporary employees but take the overtime monies from elsewhere in Mr. Maun's budget. Mr. Rhoades stated that once the budget is set it is not allowable to detract from it, as in the Commissioner's current inquiry. Commissioner Jaynes suggested keeping track this year and subtracting it from Mr. Maun's budget next year. Commissioner Cole asked about taking the amount from another of Mr. Maun's line items in his budget. Rodney Rhoades said it can only be done that way if Mr. Maun agrees. Commissioner Hatchell stated that they cannot decrease his budget at this point. Commissioner Jaynes stressed that a running tally needed to be 'kept and remembered' come budget setting time in June. Judge Self made the statement that approval needed to be given to pay the temporaries, Commissioner Hatchell made the motion, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Hoagland voted no saying he wanted to send a message to Kenneth Maun. (Time: 11:17:45 a.m.)

COURT ORDER NO. 2007-091-23

Item No. 13 AI-26099 Discussion and any action regarding the creation of a position in the Sheriff's Office for transitional support due to the retirement of a command staff position, Budget. Sheriff Box addressed the Court, explaining that his right hand assistant, Dwayne Miller, Administrative Manager of 19 years, would be retiring under doctor's orders. Sheriff Box requested that he be allowed to hire a replacement to come in February to train under Dwayne Miller and get online with all the various processes while Mr. Miller is still available on County time to consult even from home (officially retiring in September 2007). Sheriff Box asked to be given permission to hire the replacement early and at a rate one; it would be from currently budgeted monies. Judge Self asked Cynthia Jacobson, Director of Human Resources, if this scenario met County policy. It was decided to further discuss this situation in Executive Session. (Time: 11:22:35 a.m.) Commissioner Cole motioned to create a transition Major position that would last now through March 2008 at \$73,000, Step 1; Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:00:41 p.m.)

COURT ORDER NO. 2007-092-23

Item No. 14 AI-25998 Discussion and any action regarding of award for Equipment: Grounds Maintenance to various vendors and further request the County Judge to draw lots to break the tie

and award bid item no. 1 per Local Government Code 262.027(a)(b) (budgeted), Public Works. A tie bid occurred between Austin Turf & Tractor and Ed's Lawn Equipment, so a drawing has to be held. Judge Self allowed Commissioner Hoagland to draw the name from an envelope. Ed's Lawn Equipment was drawn so this company was awarded the bid. (Time: 11:26:05 a.m.)

COURT ORDER NO. 2007-093-23

Item No. 15 AI-26095 Discussion and any action regarding water legal issues, Commissioners Court. Bill Bilyeu, Administrative Services, introduced the presentation of Manuel Mendez and Bruce Wasinger, from Bickerstaff, Heath, Pollan & Caroom in Austin. Mr. Wasinger stood before the Court and made the presentation: "Non-Profit Water Supply Corporations and County Water Authority." Mr. Wasinger entertained comments and questions afterward. (Time: 1:03:09 p.m.)

MINUTES

Item No. 16 Possible future agenda items by Commissioners Court without discussion: discussion of bond committee and getting a possible RFI for the outer loop from DNT to 289.

EXECUTIVE SESSION

Judge Self recessed the Court into Executive Session at 11:27 a.m. and reconvened the Court into Open Session at 12:58 p.m. Commissioner Hoagland was not present.

AI-26097 Board/Committee Appointments.

COURT ORDER NO. 2007-094-23

AI-26086 Appointment to the Plano Economic Development Board. Commissioner Hatchell made a motion to appoint Judge Keith Self to the Plano Economic Advisory Board, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:01:44 p.m.)

COURT ORDER NO. 2007-095-23

AI-26091 Barbara Ingram Vs. Collin County, Human Resources. Commissioner Hatchell motioned to authorize continued mediation at the amount discussed in Executive Session, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:02:11 p.m.)

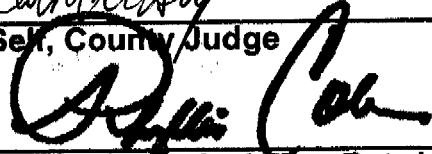
COURT ORDER NO. 2007-096-23

AI-25001 Update on SAP litigation.

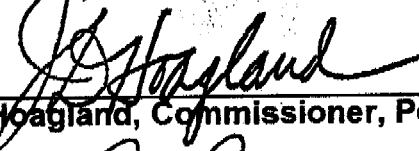
Judge Self announced there was no further business, and the next regular scheduled Commissioners Court meeting would be held on Tuesday, February 13, 2007, with executive session beginning at 9:00 a.m. There being no further business of the court, Judge Self adjourned the court meeting at 1:02:17 p.m.



Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



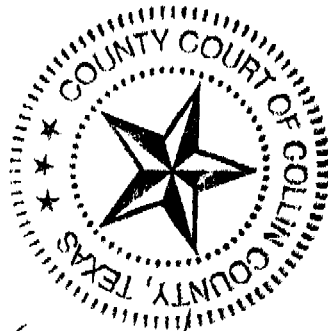
Jerry Hoagland, Commissioner, Pct. 2



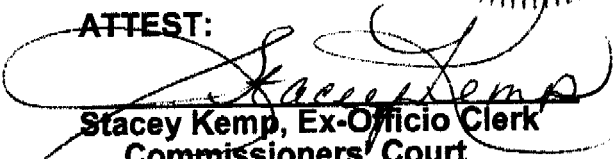
Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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