

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

FEBRUARY 27, 2007

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

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

Commissioner Hatchell led the Invocation.

Commissioner Hoagland led the Pledge of Allegiance.

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

Judge Self called the **Collin County Health Care Foundation** meeting to order at 9:00 a.m. and adjourned at 9:01 a.m.

Item No. 1 Judge Self convened the **Collin County Commissioners Court** meeting to order at 9:01 a.m. Judge Self left at 9:24 a.m. to go to Arlington for the announcement with Governor Rick Perry, the Texas Department of Transportation (TxDOT) and Denton County leaders regarding a CDA for SH 121; the Commissioners watched via teleconference. Commissioner Cole served as acting chair for the Court during Judge Self's absence. The Court recessed at 11:53 a.m. after the news conference. Judge Self reconvened Court on his return at 1:27 p.m. and then recessed into an NCTCOG (North Central Texas Council of Governments) Public meeting on State Highway 121 at the Central Jury Room, Annex B, at 2:08 p.m. The NCTCOG meeting recessed at 2:30 p.m.

FYI NOTIFICATION

1. AI-26171 Change Order No. 7 Supplies: Printing, General Office Forms with Extreme Business Services for a price redetermination (budgeted), Purchasing.
2. AI-26216 Change Order No. 8 to Supplies: Printing, General Office Forms with Extreme Business Services to add Animal History Record Form (budgeted), Purchasing.

3. AI-26191 Change Order No. 11 to Uniforms: Law Enforcement and Related Items, Work Uniforms and Miscellaneous with Lone Star Uniforms to add Item 6.7.6 T-Shirt, Pull Over with name tag, Sheriff.
4. AI-26149 Change Order No. 21 to Construction: Addition and Renovation to the Collin County Adult Detention Center with Satterfield and Pontikes Construction, Inc. to add return air duct at dormitory (budgeted), Construction & Projects.
5. AI-26197 Addendum No. 3 to Construction Services: Fuel Oil Piping Replacement to make various changes to the bid invitation, Purchasing.
6. AI-26208 Routine Budget Amendment(s)/Adjustment(s) totaling \$285,000 (over \$5,000 per c/o 2005-589-08-01), Budget.
7. AI-26213 Utilization of Western Union Payment Services for receiving fines and fees money transfers, Budget.

Item No. 2 Public Comments. Lee McCormick spoke to General Discussion Item No. 5, IESI Private Activity Bond. (Time: 9:42:04 a.m.) Kent Kramer, McKinney, addressed the Court on General Item No. 12, Myers Park Concert Series. (Time: 2:01:23 p.m.) Several people came forward to be heard on the General Discussion Item No. 13, Creation of new District Courts, and all were in favor: Attorney Brian Loughmiller, McKinney; Businessman David Craig, McKinney; Vic Lattimore, Plano; Mayor David Dorman, Melissa; Judge John Roach, McKinney; Attorney Howard Shapiro, Plano; and Richard Abernathy, McKinney. (Time: 9:08:22 a.m.)

Item No. 3 Judge Self asked if any member of the Court or any member of the audience would like to have an item pulled off the consent agenda for individual consideration. Commissioner Hoagland requested 3c. Ruben Delgado, Engineering, stated that the developer wanted 3j4, the plat, totally pulled off the agenda. Commissioner Hatchell motioned to approve the rest of the consent agenda, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:02:21 a.m.)

- a. Filing of the February 27, 2007, Regular Agenda.
Court Order No. 2007-152-02-27
- b. AI-26227 Disbursements for the period ending February 21, 2007, Auditor.
Court Order No. 2007-153-02-27

- c. AI-26190 Tax Refunds totaling \$1,119,234.26, Tax Assessor Collector. Commissioner Hoagland led the discussion, asking questions of Don Cozad, Auditor. Mr. Cozad went over the current information and stated his desire for a SAS70 study. Mr. Cozad and the Court agreed that further analysis and study was needed. Commissioner Hoagland motioned to have the County Auditor move ahead with the analysis and to go ahead and approve the current item; Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:03:33 a.m.)
Court Order No. 2007-154-02-27

d. Advertisement(s):

1. AI-26206 Web Based Emergency Alert Notification System for Collin County (budgeted), Homeland Security.
Court Order No. 2007-155-02-27
2. AI-26194 Supplies: Lubricants, Oils and Miscellaneous Items (budgeted), Public Works.
Court Order No. 2007-156-02-27

e. Agreement(s):

1. AI-26205 Agreement in Principle Candidates for FY2007, Auditor.
Court Order No. 2007-157-02-27
2. AI-26125 Supplemental contract with SunGard HTE, Inc. for Software License and Services Agreement - Schedule A-Pricing and Payment Schedule, budget adjustment in the amount of \$17,400 and further authorize the Purchasing Agent to finalize and execute the agreement, Auditor.
Court Order No. 2007-158-02-27
3. AI-26182 Interlocal Cooperative Purchasing Agreement with Denton County for the purchase of various goods and services and further authorize the County Judge to finalize and execute the agreement, Purchasing.
Court Order No. 2007-159-02-27
4. AI-26185 Interlocal Agreement for funding through the Collin County Parks/Open Space Project Funding Assistance Program with the City of Wylie for acquisition of land for

development of Founders Park (budgeted - NTE \$163,238), Special Projects.

Court Order No. 2007-160-02-27

f. Amendment(s):

1. AI-26200 No. 1 to the Interlocal Cooperation Contract between CSCD and Collin County for the Score Program to make various changes to the contract and further authorize the County Judge to finalize and execute same, CSCD.

Court Order No. 2007-161-02-27

2. AI-26178 No. 3 to Professional Services: Engineering Services for Concurrent HOV Lanes from IH 635 to Bethany Road with PBS&J for lane modifications for the main lanes of US 75 for approx. 15 linear miles (budgeted), Engineering.

Court Order No. 2007-162-02-27

g. Change Order(s):

1. AI-26203 Change Order No. 22 to Construction: Collin County Courts Building with Hunt Construction Group to add various items to the Contract for an increase of \$139,871 (budgeted), Construction & Projects.

Court Order No. 2007-163-02-27

2. AI-26207 Change Order No. 22 for Construction: Addition and Renovation to Collin County Adult Detention Center with Satterfield and Pontikes Construction, Inc. to add various items to the contract for an increase of \$92,369 and budget amendment for same (budgeted), Construction & Projects.

Court Order No. 2007-164-02-27

3. AI-26199 No. 34 to Janitorial Services with Texas Industries for the Blind & Handicapped to add window cleaning of the glass at the Homeland Security areas at the Courthouse and University Drive Courts Facility and budget amendment in the amount of \$19,304 for same, Facilities.

Court Order No. 2007-165-02-27

h. Receive and File, Auditor:

1. AI-26220 Asset Verification for the 296th District Court.
Court Order No. 2007-166-02-27

2. AI-26219 Monthly Financial Statement for December 2006.
Court Order No. 2007-167-02-27

i. Filing of the Minutes, County Clerk:

1. AI-26234 February 5, 2007, Workshop Minutes.
Court Order No. 2007-168-02-27

2. AI-26226 February 13, 2007, Commissioners Court Minutes.
Court Order No. 2007-169-02-27

j. Miscellaneous

1. AI-26196 Acceptance of funding from the North Central Texas Council of Governments (NCTCOG) in the amount of \$25,000 to reimburse Collin County for a new voice recording system and budget amendment for same, Auditor.
Court Order No. 2007-170-02-27

2. AI-26162 Address update on Kreymer Ln from 1020 to 1016 and a new address assignment of 1018, for compliance with County Addressing Policy, GIS/Rural Addressing.
Court Order No. 2007-171-02-27

3. AI-26215 Adoption of a \$1 fee for disposable cardboard animal carrier and/or disposable leash furnished to citizens that fail to bring a method of transportation/transfer to the animal shelter, Development Services.
Court Order No. 2007-172-02-27

4. AI-26233 Replat of Rock Ridge Phase IIB, Engineering.
PULLED

5. AI-26202 Grant application in the amount of \$57,200 for grant funds from the Texas Department of Housing and Community Affairs Disaster Relief Funding to rebuild and repair homes damaged in the May 2006 Westminster Tornado, Homeland Security.
Court Order No. 2007-173-02-27

6. AI-26211 Termination of a contract for Supplies: Lubricants, Oils and Miscellaneous Items with Steagall Oil Company, Purchasing.

Court Order No. 2007-174-02-27

7. AI-26210 Disposal of the Judges chairs used by the 296th District Court and remove from County inventory (CC No. 30410), Purchasing.

Court Order No. 2007-175-02-27

GENERAL DISCUSSION

Item No. 4 AI-26209 Consideration, discussion and any action regarding the adoption of the amended Tax Abatement Policy, Budget. Rodney Rhoades, Budget Director, spoke before the Court, highlighting policy changes and gave explanations. Discussion followed for clarification. Commissioner Jaynes preferred the EDC to look it over; Commissioner Cole felt more careful wording was needed to help with future interpretation. The Court decided to hold this item. (Time: 9:27:15 a.m.)

HELD

Item No. 5 AI-26204 Consideration, discussion and any action regarding the IESI Private Activity Bond, Commissioners Court. Mr. Lee McCormick, Community Development Associates, Frisco, came forward requesting approval of the order before the Court; he gave details concerning this request. Commissioner Hatchell motioned to approve the item, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:41:54 a.m.)

Court Order No. 2007-176-02-27

Item No. 6 AI-26195 Discussion and any action regarding the endorsement of the NTTA legislative proposals, Commissioners Court. Bill Bilyeu, Administrative Services, addressed Court on behalf of the NTTA, North Texas Transportation Association. The question is whether the Court wants to approve the entire platform or only portions. Discussion and clarification followed. Commissioner Hoagland felt there needed to be more clarification on the statement, not just bullet items; Commissioner Hatchell agreed that clearer wording was needed to avoid misinterpretations. The Court decided to hold this item. (Time: 9:44:48 a.m.)

HELD

Item No. 7 AI-26127 Consideration, discussion and any action regarding the creation of a Citizens Bond Committee, Commissioners Court. Commissioner Hoagland proposed that first a decision be made on what committees were needed then each commissioner draft ten people to those specific committees rather than let the draftees decide on a committee because, traditionally, you get too many on

one and not enough on another. Commissioner Hatchell agreed with Commissioner Hoagland's suggestion and with ten people per committee. Commissioner Cole felt it was best to decide on the specific committees first, then decide how many people to draft for each. Commissioner Hoagland felt horizons needed stretching, for example adding a water supply committee this time, as this issue is only going to get bigger as time and population growth continues and that Collin County will eventually be defined by these water issues. The Court addressed Ruben Delgado, Engineering, concerning past history and asked for his input; he agreed to help and to get more needed information for the Court. Commissioner Hoagland recommended committees for open space, buildings and transportation with 12 committee members drafted per commissioner; and Commissioner Hoagland stressed that the committee members needed to be told that attendance would be mandatory. Getting these committees started will probably run into November 2007. The Court addressed Sharon Rowe, Elections, asking the timeframe to get this on the ballot. Court postponed this item for further discussion at the next Workshop and decided that each Commissioner should have their committee names by Court on March 13, 2007. (Time: 9:49:16 a.m.)

HELD

Item No. 8 AI-26218 Consideration, discussion and any action ordering a local option election for the City of Melissa to be held on May 12, 2007, Uniform Election Day for the legal sale of all alcoholic beverages for off-premise consumption only, Elections. Sharon Rowe, Elections, came forward to certify that the number of required signatures was sufficient for the Court to order this election. Commissioner Jaynes motioned to approve, Commissioner Hatchell seconded and the motion passed with a 4-0 vote of the Court. (Time: 10:03:53 a.m.)

Court Order No. 2007-177-02-27

Item No. 9 AI-26221 Discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources Director, addressed the Court giving history on the pool of temporaries created by the County; this pool fills temporary requests from within and has saved the county approximately \$15-20,000 a year. These temps do get hired into departments and this has created a temporary pool shortage. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 10:06:10 a.m.)

Court Order No. 2007-178-02-27

Item No. 10 AI-26222 Discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources Director, addressed the Court saying that all personnel appointments were within standard guidelines. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 10:08:04 a.m.)

Court Order No. 2007-179-02-27

Item No. 11 AI-26201 Consideration, discussion and any action regarding the amendment of Court Order No. 2005-048-01-25 to increase the County Administrator's authority to approve change orders for County construction projects up to \$50,000 per Local Government Code 262.031, Purchasing. Frank Ybarbo, Purchasing, addressed the Court on this issue. Commissioner Jaynes motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 3-1 vote of the Court. Commissioner Cole voted against, saying she liked seeing the change orders. (Time: 10:08:23 a.m.)

Court Order No. 2007-180-02-27

Item No. 12 AI-26214 Discussion and any action regarding the rental of Myers Park & Events Center by Side Bar Entertainment in association with Forever Free to hold special events and Friday night movie nights during June, July and August, Special Projects. Bill Bilyeu, Administrative Services, introduced Scott Wilson of Side Bar Entertainment. Mr. Wilson addressed the Court concerning his company's desire to rent Myers Park for special events. Commissioner Jaynes expressed support for the events and the timing, saying it would be a great way to assess the public's interest. Commissioner Jaynes made a motion to approve. Commissioner Cole recognized Sheriff Box who stressed he was not speaking against this item, but would like to be a part of discussions on the topic of security for the activities and how it impacts his office. Commissioner Hoagland agreed that more information was needed before making a decision. Commissioner Jaynes again moved to approve, Commissioner Cole seconded, and the vote was a 2-2 tie. (Time: 10:10:34 a.m.) Commissioner Jaynes made a motion to support Side Bar Entertainment's renting Myers Park for its summer series, if 1. the fee was doubled, and 2. the sheriff's office was consulted about how to handle the noise level. Commissioner Hoagland reiterated his stand of putting it out for bids and his feeling that a bit more 'homework' needed to be done concerning this topic. Commissioner Jaynes restated his motion to allow this summer concert series, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Hoagland voted no. (Time: 2:00:35 p.m.)

Court Order No. 2007-181-02-27

Item No. 13 Discussion and any action regarding legislative items for the upcoming 80th Legislative Session, Commissioners Court. The Commissioners discussed Representative Paxton's push on HB1517, that requires any contact made with any legislator be reported to the auditor's office and a form filled out that describes the involved financial expenses. The Commissioners agreed this was a burdensome bill requiring the county auditor's office to deal with increased paperwork for even just a 'hello' situation having to be reported as a lobbying effort. Commissioner Cole, after the discussion, suggested holding a vote till the next Court, and suggested asking Representative Paxton to slow down. (Time: 10:23:14 a.m.)

- a. AI-26241 District Courts. Judge Self reconvened on this issue stating that this is an incredibly complex issue and referred to a letter from the Office of Court

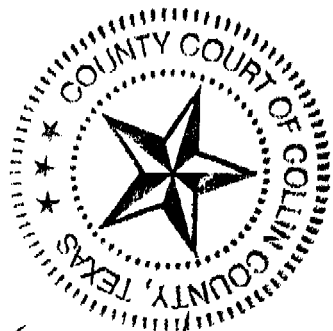
Administration. Judge Self referred to the statistics outlined in the letter and deduced that the numbers in this document itself did not support the creation of these new courts. Judge Self referred to Chief Justice Wallace B. Jefferson's February 20, 2007, address to members of the Texas Legislature, asking for the legislature to streamline the court system. According to Chief Justice Jefferson fewer civil suits are going to jury trials thus fewer courts are needed. Judge Self then referred to unfunded mandates 'pouring' out of this legislative session which include salaries and electronic court reporting; all these components go into creating these new courts and are all part of the discussion. Commissioner Jaynes spoke to his concern if these two new courts are not created; he supports the original resolution. Commissioner Hoagland handed out a substitute resolution to each court member; Commissioner Hoagland stated he would not support the resolution as previously stated but outlined his ideas for alterations and then stated a motion not to support the creation of additional courts. Commissioner Cole supported Commissioner Hoagland's thoughts in general except concerning the creation of the new Courts. Commissioner Cole supports the creation of one new district court. Discussion continued on the use of electronic court reporting, its use, costs, legal ramifications. Commissioner Cole clarified the motion as asking the legislature to give Collin County one additional court in 2009, in line with the election; the rest of the resolution is left off for further consideration. Commissioner Hatchell seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Hoagland voted no.

Court Order No. 2007-182-02-27

Item No. 14 Possible future agenda items by Commissioners Court without discussion. Commissioner Hoagland wanted to add the Evercall system that is used at the Detention Center. (Time: 10:27:14 a.m.)

EXECUTIVE SESSION

Judge Self recessed the Court into an NCTCOG (North Central Texas Council of Governments) Public meeting on State Highway 121 at the Central Jury Room, Annex B, at 2:08 p.m. The NCTCOG meeting recessed at 2:30 p.m. The next Court session is the Workshop, March 6, 2007.



ATTEST:

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

Keith Seft
Keith Seft, County Judge

Phyllis Cole
Phyllis Cole, Commissioner, Pct. 1

Jerry Hoagland
Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes
Joe Jaynes, Commissioner, Pct. 3

Jack Hatchell
Jack Hatchell, Commissioner, Pct. 4