

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

APRIL 10, 2007

On Monday, April 10, 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 Jaynes led the Invocation.

Commissioner Cole led the Pledge of Allegiance.

Commissioner Hatchell led the Pledge of Allegiance to the Texas Flag.

Judge Self called the **Collin County Health Care Foundation** meeting to order at 9:07 a.m. and adjourned at 11:01 a.m.

**Item No.1** Judge Self convened the **Collin County Commissioners Court** meeting at 9:07 a.m.

**FYI NOTIFICATION**

1. **AI-26436** Routine Budget Amendment(s)/Adjustment(s) totaling \$1,301,621 (over \$5,000) per c/o 2005-589-08-01), Budget.

2. **AI-26447** Acceptance of seized vehicles - these units will not be placed into service, but sold for proceeds at the next auction, Commissioners Court:

1993 Ford Tempo, VIN 2FAPP36X3PB116968.  
1999 Mitsubishi, VIN 4A3AA46G4XE043909.

The Court ask Jon Kleinhexsel, Public Works, for clarification on the state of these vehicles. Commissioner Cole stressed she did not want to put vehicles in poor quality back on the street. Mr. Kleinhexsel said they were seized vehicles and in very poor shape therefore the best option would be to sell them for salvage.

Commissioner Cole motioned to only sell these vehicles for salvage, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:09:42 a.m.)

**COURT ORDER NO. 2007-281-04-10**

**Item No. 2** Public Comments. There were no public comments.

**Item No. 3** AI-26406 Presentation of Service Pins to employees with 10, 15 and 20 years of service in the month of April, Human Resources. (Time: 9:01:23 a.m.)

Stacey Kemp	County Clerk	20 years
Kathy Scribner	County Clerk	25 years
Seth Terrazas	Facilities	10 years
Prudencio Ochoa	Public Works	10 years
Tony Tallant	Public Works	15 years
Micky Frizell	Sheriff's Office	10 years
Terrye Bradford	Sheriff's Office	15 years

**Item No. 4** Recognition, Commissioners Court:

- a. AI-26416 Deputy Andrew Hatch for rescuing a lady that was in serious jeopardy of drowning in a capsized kayak on Lake Lavon on March 10, 2007.
- b. AI-26440 Leigh Hornsby as a new member to the 21 Leaders of the 21st Century.
- c. AI-26441 Dr. Muriel Marshall as a new member to the 21 Leaders of the 21st Century.

**Item No. 5** 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 asked for f1 for discussion; Commissioner Cole wanted FYI 2, consent i6, and k11; Commissioner Jaynes asked for k2; and Judge Self asked for k3. Commissioner Jaynes made a motion to pass the remainder, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:08:18 a.m.)

- a. Filing of the April 10, 2007, Regular Agenda.  
**COURT ORDER NO. 2007-282-04-10**
- b. AI-26402 Disbursements for the period ending April 4, 2007, Auditor.  
**COURT ORDER NO. 2007-283-04-10**

- c. AI-26385 Tax Refunds totaling \$413,976.25, Tax Assessor Collector.  
**COURT ORDER NO. 2007-284-04-10**
- d. Advertisement(s):
1. AI-26421 Filters, Heating, Ventilation & Air Conditioning (HVAC) (budgeted), Facilities.  
**COURT ORDER NO. 2007-285-04-10**
- e. Award(s):
1. AI-26422 Equipment and Installation: Audio/Visual for New Courthouse (budgeted), Construction & Projects.  
**COURT ORDER NO. 2007-286-04-10**
2. AI-26399 Professional Services, Engineering: Bridge Evaluation and Rehabilitation Services, authorize the Purchasing Agent to finalize and execute the agreement and budget amendment of \$68,400 for same, Public Works.  
**COURT ORDER NO. 2007-287-04-10**
3. AI-26400 Supplies: Lubricants, Oils and Miscellaneous Items to Dial Lubricants, Inc. and W. Douglass Distributing (budgeted), Public Works.  
**COURT ORDER NO. 2007-288-04-10**
4. AI-26430 Purchase of 19 Digital Patrol Cameras to include complete installation of cameras, software, docking station and Mesh System from Motorola utilizing the Houston-Galveston Counsel of Governments Cooperative Purchasing Program (HGAC) (budgeted), Sheriff.  
**COURT ORDER NO. 2007-289-04-10**
- f. Agreement(s):
1. AI-26375 Grant exemption from the competitive bidding process per VTCA Local Government Code 262.024(a)(4) for a Professional Services Agreement with Linebarger Goggan Blair & Sampson, LLP. to provide specific legal services and enforce the collection of delinquent court fees and fines, and further authorize the County Judge to finalize and execute the agreement, Budget. Commissioners Hoagland and Hatchell stated they preferred to keep the agreement for this service with one local company. Rodney Rhoades, Budget, agreed but stated he had not received Gay, McCall and Isaacks proposal in time to put it

on this court and he felt it would be good to bring Linebarger in play while Gay, McCall, Isaacks got their system up and running. Judge Self asked Bob Dry of Gay, McCall, Isaacks, if a contract of this size would create issues for them since they did not currently have the process in place. Mr. Dry stated his agency would be fine handling the County's case load. Commissioner Hoagland motioned to give the contract to the local firm of Gay, McCall, Isaacks; Commissioner Cole seconded, and the motion passed with a 5-0 vote of the court. (Time: 9:12:28 a.m.)

**COURT ORDER NO. 2007-290-04-10**

2. AI-26423 Grant exemption from the competitive bidding process per VTCA Local Government Code 262.024 (a)(4) for an Architectural and Consulting Services Agreement with Spurgin & Associates NTE \$80,000 plus an additional \$8,000 for reimbursables and further authorize the Purchasing Agent to finalize and execute the agreement (budgeted), Construction & Projects.

**COURT ORDER NO. 2007-291-04-10**

3. AI-26432 Memorandum of Understanding (MOU) with 2-1-1 for information distribution, Public Information Office.

**COURT ORDER NO. 2007-292-04-10**

4. AI-26401 Blanket Purchase Agreement with The HON Company to acquire HON commercial products and delivery services directly from HON, with the assistance of authorized servicing dealer, Plano Office Supply, using pricing, terms, and conditions set forth in the HON TXMAS schedule contracts TXMAS-3-711090 and TXMAS-6-71111060, Purchasing.

**COURT ORDER NO. 2007-293-04-10**

g. Amendment(s):

1. AI-26414 Amendment No. 3 for Professional Services, Engineering: Planning and Engineering Services for the Construction of US 75 from SH 121 S to Fosters Crossing and County-Wide Pass-Through Program with HNTB Corporation to add additional funds to revise the Pass-Through Application (budgeted), Engineering.

**COURT ORDER NO. 2007-294-04-10**

2. AI-26394 No. 8 for Software: Cashiering, Indexing and Imaging for County Clerk to make various changes to the contract (budgeted), County Clerk.

**COURT ORDER NO. 2007-295-04-10**

h. Change Order(s):

1. AI-26413 No. 2 to Fencing with Rose Contracting to provide various changes to the contract (budgeted), Public Works.

**COURT ORDER NO. 2007-296-04-10**

2. AI-26420 No. 8 for Services: Exterminator, Pest Control and Termite Prevention/Treatment with Pestworks, LLC to add approximately 14,500 square feet at the Collin County Juvenile Detention Cluster 4 (budgeted), Facilities.

**COURT ORDER NO. 2007-297-04-10**

i. Receive and File, Auditor:

1. AI-26425 Development Services (3rd and 4th Quarters FY2006 and 1st Quarter FY2007).

**COURT ORDER NO. 2007-298-04-10**

2. AI-26387 Engineering (3rd and 4th Quarters FY2006 and 1st Quarter FY2007).

**COURT ORDER NO. 2007-299-04-10**

3. AI-26424 Fire Marshal (3rd and 4th Quarters FY2006 and 1st Quarter FY2007).

**COURT ORDER NO. 2007-300-04-10**

4. AI-26386 Constable, Precinct 1 (4th Quarter FY2006 and 1st Quarter FY2007).

**COURT ORDER NO. 2007-301-04-10**

5. AI-26426 Animal Services (1st Quarter FY2007). Commissioner Cole motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the court. (Time: 9:27:06 a.m.)

**COURT ORDER NO. 2007-302-04-10**

6. AI-26379 County Clerk - Asset and Cash Verification report. Commissioner Cole stated that she, and probably the other commissioners, would like to have their asset lists checked out to them. Discussion followed between the Commissioners, Frank Ybarbo, Purchasing, and Stacey

Kemp, current County Clerk, about the out-going County Clerk's asset list and inventory discrepancies. Mr. Ybarbo said that when the Auditor's office does their portion of the inventory audit before the Purchasing department does theirs, things can look very confusing (auditor inventory: cash audit and cursory inventory audit versus the Purchasing Department's thorough asset list which takes into consideration inventory that might be moved to other locations and the following list adjustments). Don Cozad, Auditor, came forward and stressed that this is mostly just an FYI to the Court and that his office would continue the follow-up, making another report to the Court, and eventually he would probably just write-off the missing inventory. Commissioner Cole motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the court. (Time: 9:20:35 a.m.)

**COURT ORDER NO. 2007-303-04-10**

j. Filing of the Minutes, County Clerk:

1. AI-26427 March 19, 2007 - Workshop.

**COURT ORDER NO. 2007-304-04-10**

2. AI-26429 March 27, 2007.

**COURT ORDER NO. 2007-305-04-10**

k. Miscellaneous

1. AI-26439 Amendment No. 3 for Professional Services: Planning and Engineering Services for the future Eastern and Southern expansion of the Collin County Outer Loop with HNTB Corporation to add additional funds for a parcel survey and completion of field notes and exhibits and budget amendment of \$139,300 for same (budgeted), Engineering.

**COURT ORDER NO. 2007-306-04-10**

2. AI-26381 Fee proposal from MACTEC Engineering and Consulting, Inc. in the amount of \$3,000 per parcel for right-of-way acquisition services for the Outer Loop - US 75 to SH 121 and budget amendment in the amount of \$108,000 for same, Engineering. Ruben Delgado came before the Court to clarify MACTEC's work for the County, what's involved and how their work is billed. Judge Self made a motion to approve, Commissioner Hatchell seconded, and

the motion passed with a 5-0 vote of the Court. (Time: 9:27:18 a.m.)

**COURT ORDER NO. 2007-307-04-10**

3. AI-26431 Disburse payments to JP Morgan Chase Bank (Master Card) by the 5th of each month in an amount not to exceed \$30,000 for charges made on the county's procurement cards to avoid any late penalties, Purchasing. Judge Self noted that the county credit card payment cycle is always behind the Court dates and therefore does not make it on the agenda as an item before needing to be paid. Judge Self suggested that a 'not to exceed' amount of \$30,000 be adopted which should avoid any late fees being incurred. The Commisisoners asked Frank Ybarbo about the use of the procurement credit cards; Mr. Ybarbo explained it and stressed there was a very stringent monitoring system in place between his office and the auditor's office. Judge Self made the motion to approve, Commissioner Hatchell seconded, and the motion passed by a 5-0 vote of the Court. (Time: 9:31:08 a.m.)

**COURT ORDER NO. 2007-308-04-10**

4. AI-26442 Resolution supporting SB 792, Commissioners Court.

**COURT ORDER NO. 2007-309-04-10**

5. AI-26397 Proclamation designating April 22nd - 28th, 2007 as National Crime Victims' Rights Week in Collin County, Commissioners Court.

**COURT ORDER NO. 2007-310-04-10**

6. AI-26418 Allow the District Attorney's Victims Assistance Program to display 18 silhouette's in a planting bed located on the east side of the main courthouse facility and place a 16x20 time clock on an easel in the courthouse lobby in recognition of National Crime Victim's Rights Week, 22 - April 28, 2007, Facilities.

**COURT ORDER NO. 2007-311-04-10**

7. AI-26419 Allow Inside Collin County Business to display photos and biographies of this years 21 Leaders of the 21st Century Class in the lobby of the Courthouse lobby July 2 - 23, 2007, Facilities.

**COURT ORDER NO. 2007-312-04-10**

8. AI-26412 Acceptance of 5 new feeder PC systems from Dell to be used in the Collin County IT Training facility for the CIJS

(Common Integrated Justice System) Project, Information Technology.

**COURT ORDER NO. 2007-313-04-10**

9. AI-26409 Donation of Collin County Inventory No. 36607, Code 360 model 1047A Lightbar to the Weston Volunteer Fire Department, Public Works.

**COURT ORDER NO. 2007-314-04-10**

10. AI-26408 Reimbursement of fencing materials and labor for property along County Road 126 to Mr. and Mrs. William Thurmon in the amount of \$3,205 (budgeted), Public Works.

**COURT ORDER NO. 2007-315-04-10**

11. AI-26384 Retention of three (3) surplus units to be used by the Sheriff's Office for additional patrol units, Public Works. Sheriff Box came before the Court to make his request for extra cruisers to be acquired from surplus, stating they could be used for times of a major disaster, or when a regular-use cruiser is out-of-service, or for extra county activities where squad cars are needed, and/or weekend patrol. Commissioner Cole motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Hoagland voted no. (Time: 9:33:30 a.m.)

**COURT ORDER NO. 2007-316-04-10**

12. AI-26411 Acceptance of the Texas Department of Transportation Traffic Safety CIOT STEP Grant in the amount of \$15,000 for overtime enforcement of seatbelt laws during the Memorial Day Holiday, Sheriff.

**COURT ORDER NO. 2007-317-04-10**

**GENERAL DISCUSSION**

**Item No. 6** AI-26209 Consideration, discussion and any action regarding the adoption of the amended Tax Abatement Policy, Budget (Held from February 27, 2007). Rodney Rhoades, Budget, stood before the Court stating that a copy of the proposed tax abatement policy was sent to the four cities of Allen, McKinney, Plano, and Frisco, asking for their input and that he had not received any response. Mr. Rhoades went over the possible options and his staff's recommendations; Court discussion followed with possible recommendations concerning smaller cities. Commissioner Jaynes stressed he did not want to have



a policy that is constantly being amended for some cities. The Court decided more thought needed to go into this policy and held it for further discussion. (Time: 9:35:49 a.m.)

## **HELD**

**Item No. 7** AI-26443 Consideration, discussion and any action regarding potential funding sources for transportation projects related to Pass Through Financing, Budget. Rodney Rhoades, Budget, led the discussion on ways to finance transportation projects using current dollars that are available to the County. Mr. Rhoades brought projects to the Commissioners attention that are not currently under construction or are stalled or are not yet designed. Judge Self condensed the subject to the pertinent facts and explained that this is simply a method to use currently available monies. Judge Self also noted that no action is required at this time but that the Court needs to be thinking about it as it is a good use for County money that is in-hand and that would require less taxes be paid later and it would get needed projects started. (Time: 9:42:52 a.m.) Mr. Rhoades returned to this topic with a handout for each commissioner, noting in detail by city, current abatements in place, vendor or company, length with start and end dates, percentage abated, total abatement value, and total annual taxes abated. Commissioner Hoagland wanted to see the number of jobs created by offering abatements that bring new business into the county. Judge Self suggested more information was needed on the chart and this motion should be tabled for the time being; Commissioner Jaynes agreed and made this motion, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:57:22 a.m.)

## **MINUTES**

**Item No. 8** AI-26334 Consideration, discussion and any action regarding night meetings, County Judge. It was clarified that Commissioners Court or Workshop night meetings could be moved around the county as long as public notice was posted. Due to various hardships involved in moving the Court to night meetings, the suggestion to try one Workshop per quarter for the next year was generally thought to be a good way to start. Commissioner Hoagland made the motion, suggesting Commissioner Cole go first since she is Precinct 1 and the first quarter of the year has already passed; Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:50:19 a.m.)

## **COURT ORDER NO. 2007-318-04-10**

**Item No. 9** AI-26337 Consideration, discussion and any action regarding Commissioners redistricting, Commissioners Court. Judge Self had a slide presentation and led a discussion on redistricting based census information and on projected population growth in the county. Commissioner Jaynes stressed his thought that the redistricting should wait till after the 2008 primary and made a motion stating such but added that the Court would start looking into it now.

Commissioner Cole seconded, and the motion passed with a 3-2 vote of the Court. Judge Self and Commissioner Hoagland voted no. (Time: 10:02:30 a.m.)

**COURT ORDER NO. 2007-319-04-10**

**Item No. 10 AI-26404** Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, stood before the Court noting that there were four appointments that are outside the standard and went on to explain those. Caren Skipworth, I.T., and Bill Bilyeu, Administrative Services, came forward and supported the information being shared. Commissioner Hoagland moved to approve except for the request from the District Clerk's Office, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:15:14 a.m.)

**COURT ORDER NO. 2007-320-04-10**

**Item No. 11 AI-26405** Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stood before the Court stating that all the changes, except one, were within standard guidelines. Ms. Jacobson explained the change for Margaret Powell, Court Coordinator, for Judge Oldner. Due to Judge Oldner being the new county administrative judge, Ms. Powell's duties will be wider in scope. Commissioner Hatchell moved to approve, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Hoagland voted no. (Time: 10:25:44 a.m.)

**COURT ORDER NO. 2007-321-04-10**

**Item No. 12 AI-26389** Consideration, discussion and any action regarding the Tax Abatement Agreement, Reinvestment Zone No. 106 with Regal Research Mfg. Co., LLP, City of Plano. Commissioner Hoagland noted that this situation is bringing in quite a few jobs. Commissioner Jaynes motioned to approve, provided it is consistent with the current policy; Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:27:25 a.m.)

**COURT ORDER NO. 2007-322-04-10**

**Item No. 13** Consideration, discussion and any action regarding legislative items for the 80th Legislative Session, Commissioners Court. Judge Self brought up the moratorium on privately funded CDA projects stating it has been altered but he believes it will pass. Exemptions existed for Dallas and Tarrant Counties, but 'our' Hwy 121 was not exempted so Judge Self thinks it will stay under the moratorium. Judge Self also spoke about indigent health-care and the ramifications of the current items. Judge Self had no idea about the status of SB 12, moving forward or not. (Time: 10:28:29 a.m.)

**MINUTES**

**Item No. 14** Possible future agenda items by Commissioners Court without discussion. Commissioner Hoagland stated he wanted to get moving on

the Bond Committee, coming up with a written charge for them, and he asked Bill Bilyeu, Administrative Services, to help with this. (Time:10:31:42 a.m.)

### **EXECUTIVE SESSION**

Judge Self recessed the Court into Executive Session at 10:37 a.m. and reconvened into Open Court at 11:00 a.m., adjourning the Health Care Foundation at 11:01 a.m. and reconvening Commissioners Court.

AI-26438 To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

AI-26444 Discussion of funds owed to the County by a former employee, Human Resources.


AI-26434 Board/Committee Appointments. Commissioner Jaynes named Susan Bartlemay and Rick Crawford to the Life Path Systems Board. Commissioner Hoagland moved to approve, Commissioner Jaynes seconded, and the vote passed with a 5-0 vote of the Court. (Time: 11:01:18 a.m.)

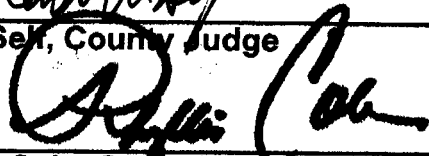
#### **COURT ORDER NO. 2007-323-04-10**

Appointments to the 2007 Bond Committee. Commissioner Cole named Cameron McCall to the Transportation Board; Commissioner Hatchell named Lissa Smith and Olin Jaye to the Transportation Board and Jim Waldbauer to the Facilities Board; Judge Self named Rob Wendland and David Coleman to the Transportation Board and Marc Paxton to Facilities. Commissioner Hoagland moved to approve, Commissioner Jaynes seconded, and the vote passed with a 5-0 vote of the Court. (Time: 11:01:18 a.m.)


#### **COURT ORDER NO. 2007-324-04-10**

There being no further business, Judge Self adjourned the Court at 11:02 a.m.

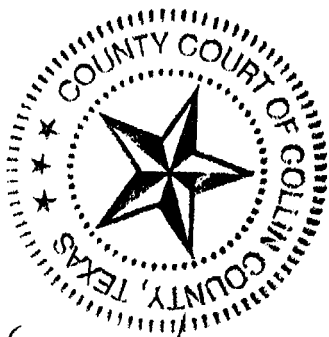
  
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Keith Sek, County Judge

  
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Phyllis Cole, Commissioner, Pct. 1

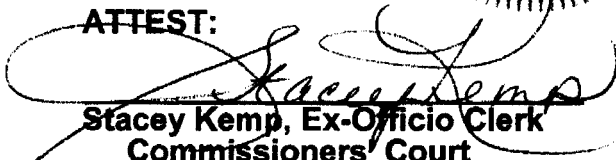
  
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Jerry Hoagland, Commissioner, Pct. 2

  
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Joe Jaynes, Commissioner, Pct. 3

  
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Jack Hatchell, Commissioner, Pct. 4



ATTEST:

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