

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

MAY 8, 2007

On Tuesday, May 8, 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 Jaynes led the Invocation.

Commissioner Cole led the Pledge of Allegiance.

Commissioner Hatchell led the Pledge to the Texas Flag.

President Self called the **Collin County Health Care Foundation** meeting to order at 9:00 a.m. and adjourned at 9:06 a.m.

Item No. 1 Judge Self convened the **Collin County Commissioners Court** meeting to order at 9:02 a.m. and adjourned at 12:01 p.m.

FYI NOTIFICATION

1. **AI-26568** Addendum No. 1 to Services: Installation of KI Gallery Seating for the new Courthouse to make various changes to the bid invitation, Purchasing.
2. **AI-26521** Change Order No. 1 for Supplies: Jail and Personal Inmate with Bob Barker, Inc. to add Caps, Baseball to the contract (budgeted), Purchasing.
3. **AI-26562** Change Order No. 2 for Supplies: Herbicides, Fungicides, Insecticides, and Miscellaneous Chemicals with Townsend Chemical Division to add aquashade aquatic plant growth control to the contract, Purchasing.
4. **AI-26576** Update of Indigent Defense expenditures, Budget. Commissioner Cole noted that progress had been made in the projected upcoming year's budgeted expenses versus the past four years. Commissioner Hoagland asked Bill Bilyeu, Administrative Services, for his observations as to why that is. Mr. Bilyeu addressed the Court saying people at higher levels are scrutinizing the

requested expenditures more closely and that is a good thing. (Time: 9:08:35 a.m.)

5. AI-26520 Placement of historical markers recognizing three locations of historical significance in Collin County, Public Works.

6. AI-26565 Utilization of contract with Jamail Construction (per Interlocal Agreement with Denton County - Court Order No. 2007-159-02-27) for the Collin County Post Office Museum: Repaint and repair plaster on ceiling and hallway walls in the amount of \$27,877.79 (budgeted), Purchasing.

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

Item No. 3 Presentation/Recognition:

- a. AI-26533 Service Pins to employees who will have 10, 15, 20 and 25 years of service in the month of May, Human Resources. (Time: 9:03:28 a.m.)

| | | |
|--------------------|---------------------------------|----------|
| Paul Elkins | Constable Pct 1 | 20 years |
| Arthur Atteberry | Constable Pct 3 | 25 years |
| Pamela Dugger | County Clerk | 20 years |
| Cynthia Springer | District Attorney | 10 years |
| Rebecca Henigsmith | District Clerk | 15 years |
| Kay O'Brien | District Clerk | 20 years |
| Linda Short | Justice of the Peace Pct 3-2 | 10 years |
| Rocky Graham | Sheriff's Office | 10 years |
| Mark Rainwater | Sheriff's Office | 15 years |
| Lt. Gerald Ballard | Sheriff's Office | 20 years |
| Katina Cole | Tax Assessor | 10 years |

- b. AI-26593 County employees that helped out during the May 2, 2007 flood at the Health Care Annex, Commissioners Court. Judge Self read the list of names of those employees that helped out all night after the flooding. (Time: 9:05:19 a.m.)

| | | |
|--------------------|-------------------|-----------------|
| Josh Ables | Josh Fisher | Gary Mackey |
| Price Ables | Doug Graves | David McCurdy |
| Estella Almendarez | Bobby Grounds | Johnny McKinzie |
| Charles Atteberry | Clifford Howell | Randell Moody |
| Leisa Copin | Bobby Jones | Michael Mosier |
| Derrick Cormier | Robby Jones | Mark Myers |
| Danny Craft | Scott Jones | Gerald Ragsdale |
| Tim Dooley | Joyce Lally | Lloyd Rollins |
| Buddy Driver | Chris Liles | Lanette Saetre |
| Greg Elliott | William Litchford | Keith Self |

| | |
|-----------------|------------------|
| Dayne Shepherd | Bill Bilyeu |
| Phillip Tallent | Dan James |
| Seth Terrazas | Jon Kleinhessel |
| Brenda Turner | Laz Vadasz |
| Don Warden | Steve Deffibaugh |
| Richard White | |
| Joe White | |
| Rodney Wilson | |
| Ernie Wood | |

Item No. 4 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. Commissioner Cole asked for 4m1 and 4m7. Commissioner Hoagland asked that FYI 4 be discussed. Judge Self asked that 4h1 be discussed. Commissioner Hatchell moved to approve the remainder, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:07:20 a.m.)

- a. Filing of the May 8, 2007, Regular Agenda.
COURT ORDER NO. 2007-368-05-08
- b. AI-26592 Disbursements for the period ending May 2, 2007, Auditor.
COURT ORDER NO. 2007-369-05-08
- c. AI-26516 Tax Refunds totaling \$474,341.53, Tax Assessor Collector.
COURT ORDER NO. 2007-370-05-08
- d. Advertisement(s):
 1. AI-26540 Construction, Building: SCORE Barn (not budgeted), Construction & Projects.
COURT ORDER NO. 2007-371-05-08
- e. Agreement(s):
 1. AI-26571 Novation Agreement for Improvements to FM 1378 from FM 3412 to FM 2514 to change the name from Hunter Associates Texas, Ltd. to TRC Engineers, Inc. and further authorize the Purchasing Agent to finalize and execute the agreement, Purchasing.
COURT ORDER NO. 2007-372-05-08
 2. AI-26509 Cooperative Agreement with the U.S. Army Corps of Engineers, Fort Worth District to provide additional law enforcement services for Lake Lavon from May 26, 2007 through September 8, 2007 (NTE \$57,092.42), Sheriff.
COURT ORDER NO. 2007-373-05-08

f. Amendment(s):

1. AI-26507 No. 1 for Professional Services with Justice Benefits, Inc. to extend the contract through and including May 31, 2008, Budget.

COURT ORDER NO. 2007-374-05-08

g. Change Order(s):

1. AI-26523 No. 1 for Construction, Bridge: CR 466 at Stiff Creek with JMI Maintenance, Inc. for relocation of an existing gate and budget amendment of \$5,870 for same (budgeted), Special Projects.

COURT ORDER NO. 2007-375-05-08

2. AI-26566 No. 27 to Construction: Collin County Justice Center Courts Building with Hunt Construction Group to add an interior signage package for an increase \$90,160 (budgeted), Construction & Projects.

COURT ORDER NO. 2007-376-05-08

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

1. AI-26582 Disburse the May 2007 procurement card payment to JP Morgan Chase Bank (Master Card) in an amount not to exceed \$30,000 (per Court Order No. 2007-308-04-10), County Judge. Judge Self asked Bill Bilyeu, Administrative Services, to address the Court on this issue. Mr. Bilyeu explained that State law is clear and in order to cut a check the governing authority, Commissioners Court, has to approve it. Mr. Bilyeu continued that there are some gray areas and that this credit card's billing statement falls out of the cycle of Court thus possibly causing the County to have to pay a late fee. In order to avoid that, the common practice has become getting the Judge to pre-approve some payments and then ratifying those payments after the fact, which is a necessary process and the above noted order was signed previously allowing this solution to incurring late fees. (Time: 9:09:57 a.m.)

DISCUSSED, NO ACTION TAKEN

i. Exercise 5 year buyback provision, Public Works:

1. AI-26502 2002 John Deere Track Loader with RDO Equipment Company for a repurchase price of \$88,400.

COURT ORDER NO. 2007-377-05-08

2. AI-26515 2002 Volvo Motor Grader with Romco Equipment Co. for a repurchase price of \$112,800.
COURT ORDER NO. 2007-378-05-08

- j. Filing of the Minutes, County Clerk:
 1. AI-26573 April 16, 2007 Workshop.
COURT ORDER NO. 2007-379-05-08

 2. AI-26575 April 24, 2007.
COURT ORDER NO. 2007-380-05-08

- k. Notification of budget adjustment(s)/amendment(s), Auditor:
 1. AI-26525 \$209 to cover shipping costs for portfolios purchased for the training room utilizing LEOSE funds.
COURT ORDER NO. 2007-381-05-08

 2. AI-26510 \$214 to cover additional items needed for the upgrade to the Orion ST 801 Tracking System utilizing Drug Forfeiture funds.
COURT ORDER NO. 2007-382-05-08

- l. Receive and File, Auditor:
 1. AI-26513 Final Audit Results – Sheriff (4th Quarter FY2006).
COURT ORDER NO. 2007-383-05-08

 2. AI-26570 Monthly Financial Statement for March 2007.
COURT ORDER NO. 2007-384-05-08

- m. Miscellaneous
 1. AI-26580 Allocation of 2003 Bond Funds sold in 2007 and budget amendment of \$46,132,000 for same, Budget. Commissioner Cole asked for clarification concerning some backup information and its placement in the packet. Rodney Rhoades, Budget, stated that these funds were approved in December 2006, this request is more for accounting purposes at this time. Commissioner Cole motioned to approve the item,

Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:13:16 a.m.)

COURT ORDER NO. 2007-385-05-08

2. AI-26583 Set a public hearing date for May 22, 2007 regarding an automotive wrecking yard at 1500 West FM 6, Nevada, Texas, Commissioners Court.

COURT ORDER NO. 2007-386-05-08

3. AI-26579 Final Plat for McKinney Meadows Phase III, Engineering.

COURT ORDER NO. 2007-387-05-08

4. AI-26514 Membership application with the Volunteer Center of North Texas, Homeland Security.

COURT ORDER NO. 2007-388-05-08

5. AI-26535 Termination of the contract with Municipal Services Corporation for the collection of delinquent fines, Justice of the Peace - Precinct 1.

COURT ORDER NO. 2007-389-05-08

6. AI-26454 Application to participate in the TX Building & Procurement Commission's Federal Surplus Property Program and further authorize the County Judge to finalize and execute the application, Purchasing.

COURT ORDER NO. 2007-390-05-08

7. AI-26300 Declare a Nextel phone (Inventory No. 50174) as lost/stolen property and remove from County inventory, Purchasing. Judge Self asked Frank Ybarbo, Purchasing, for clarification on this item. Mr. Ybarbo addressed Judge Self's concerns about this type of item and how it is noted in inventory. Commissioner Jaynes moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:14:52 a.m.)

COURT ORDER NO. 2007-391-05-08

GENERAL DISCUSSION

Item No. 5. PUBLIC HEARING - Consideration, discussion and any action for the issuance of a "Mass Gathering" permit to Sidebar Entertainment for Summer Concerts and Friday Movie Nights at Myers Park in accordance to the Health and Safety Code 751, County Judge: No one came forward from the audience to

speak. Commissioner Jaynes moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:16:53 a.m.)

- a. AI-26503 May 27, 2007 (Kansas).
COURT ORDER NO. 2007-392-05-08
- b. AI-26543 June 1, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-393-05-08
- c. AI-26544 June 8, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-394-05-08
- d. AI-26545 June 9, 2007 (Blood, Sweat and Tears).
COURT ORDER NO. 2007-395-05-08
- e. AI-26546 June 15, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-396-05-08
- f. AI-26547 June 22, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-397-05-08
- g. AI-26548 June 29, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-398-05-08
- h. AI-26549 June 30, 2007 (ELO).
COURT ORDER NO. 2007-399-05-08
- i. AI-26550 July 6, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-400-05-08
- j. AI-26551 July 13, 2007 (America).
COURT ORDER NO. 2007-401-05-08
- k. AI-26552 July 14, 2007 (Al Yankovich).
COURT ORDER NO. 2007-402-05-08
- l. AI-26553 July 20, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-403-05-08
- m. AI-26554 July 27, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-404-05-08
- n. AI-26555 August 3, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-405-05-08
- o. AI-26556 August 4, 2007 (Joan Jett).
COURT ORDER NO. 2007-406-05-08

- p. AI-26557 August 10, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-407-05-08
- q. AI-26558 August 17, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-408-05-08
- r. AI-26559 August 18, 2007 (K.C. & The Sunshine Band).
COURT ORDER NO. 2007-409-05-08
- s. AI-26560 August 24, 2007 (Drive-in Movie).
COURT ORDER NO. 2007-410-05-08

Item No. 6 AI-26539 PUBLIC HEARING - Consideration and any action for the issuance of a "Mass Gathering" permit for the Forever Free event at Myers Park and Event Center on July 4, 2007 in accordance to the Health and Safety Code 751, County Judge. No one came forward from the audience to speak. Commissioner Jaynes moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:16:53 a.m.)
COURT ORDER NO. 2007-411-05-08

Item No. 7 AI-26581 Presentation, discussion and any action regarding the North Texas Tollway Authority (NTTA) Annual Report by NTTA, Engineering. Paul Wageman, Chairman of the Board of NTTA, North Texas Tollway Authority, came

forward with his colleagues, Director Gary Base, and Acting Deputy Executive Director Rick Herrington, to make a presentation to the Court on the NTTA's 2006 Comprehensive Annual Financial Report. Mr. Wageman, Mr. Base, and Mr. Herrington answered questions and gave clarification concerning their presentation. Commissioner Cole and Commissioner Hatchell verbally applauded the presentation and the work of the NTTA. Commissioner Hoagland motioned to embrace the NTTA's plan and to have Commissioner Hatchell carry Collin County's thoughts up to the RTC, Regional Transportation Council, in the form of a resolution ("In the event state revenues are not available, the Collin County Commissioners Court strongly supports RTC, Regional Transportation Commission, and TxDOT, Texas Department of Transportation, consideration of the NTTA proposal for State Highway 121 toll project and strongly supports the retention and use of all revenues within the NTTA service area. In addition, the Commissioners Court strongly supports full compliance with the RTC business rules."); Commissioner Jaynes seconded, and the motion carried with a 5-0 vote of the Court. (Time: 9:17:48 a.m.)

COURT ORDER NO. 2007-412-05-08

Item No. 8 AI-26506 Consideration, discussion and any action regarding the North Central Texas Council of Government 2007 - 2008 Executive Board Nomination, Commissioners Court. The Court discussed the open position, the timeframe involved, and what it would mean for the Court member participating. Commissioner Hoagland nominated Judge Self to the position, Commissioner

Hatchell seconded, and the motion passed with a 4-0 vote of the Court. Commissioner Cole had stepped away for a moment. (Time: 9:59:48 a.m.)

COURT ORDER NO. 2007-413-05-08

Item No. 9. **AI-26586** Consideration, discussion and any action regarding the 2007 RTC Comprehensive Development Agreement Funding Initiative, Commissioners Court. Ruben Delgado, Engineering, stood and addressed the Court on the importance of this initiative and Collin County's involvement. After discussion, the Court decided to move this item to the next Workshop, May 14, 2007, at 1:00 p.m. in the 6th Floor Commissioners Courtroom. Mr. Delgado will bring a list of projects to the Workshop. (Time: 10:03:44 a.m.)

MOVED TO WORKSHOP

Item No. 10 **AI-26536** Consideration, discussion and any action regarding TX 21 Membership dues, Commissioners Court. Judge Self asked Rodney Rhoades, Budget, to compile a list of membership dues and fees that Commissioners Court pays to organizations and associations. It was noted that the dues to TX 21 were one of the largest on the list. Commissioner Hoagland requested that TX 21 come before the Court and give a presentation of what it does and why it's a benefit to the county to continue participating and paying dues. Judge Self asked Bill Bilyeu, Administrative Services, to set up such a presentation for a workshop session. Judge Self asked the Court to look this list over and be ready to further discuss the possibility of paring down the list at the next workshop session. (Time: 10:39:00 a.m.)

MOVED TO WORKSHOP

Item No. 11 **AI-26538** Consideration, discussion and any action regarding a nomination to serve as a member on the Municipal Solid Waste Management and Resource Recovery Advisory Council, Commissioners Court. Commissioner Hatchell motioned to nominate Commissioner Jaynes to this Council, Judge Self seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:46:27 a.m.)

COURT ORDER NO. 2007-414-05-08

Item No. 12 **AI-26511** Consideration, discussion and any action regarding Furniture: Benches for the District Courts Facility to Hall Manufacturing Ltd. (budgeted), Construction & Projects. Bill Bilyeu, Administrative Services, explained that the architect of the new courts facility had designed benches for the public waiting area. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:49:16 a.m.)

COURT ORDER NO. 2007-415-05-08

Item No. 13 **AI-26572** Consideration, discussion and any action regarding a three (3) year agreement for Cisco Equipment Maintenance awarded to certified Cisco equipment partner Calence per Court Order 2007-634-04-24 and authorize Purchasing Agent to execute documents with Cisco/Calence Partner, Key

Government Finance, Inc. and further assignment of all annual installment payments to Key Government Finance, Inc. according to contract. The three (3) year agreement is based upon annual fiscal funding (not budgeted), Information Technology. Caren Skipworth, I.T., stated that the approval given on April 24, 2007, was to award the contract to Calence and that the current term is for a three year proposal versus a yearly proposal which would lower costs. Judge Self was alarmed at the amount; Ms. Skipworth pointed out that the amount is due to the County's growth in terms of new buildings and the number of users. Ms. Skipworth went on to explain that this maintenance coverage is for all the equipment that's generally found in the data closets found on every floor of every county building, sometimes multiple, and it also covers a massive amount of equipment in the actual data center. It hooks up all the fiber, copper, network phone and data systems in the entire county for every user. Commissioner Jaynes asked about the recent flood damage and Ms. Skipworth said she has not been able to find any maintenance contracts that cover acts of Mother Nature. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:50:04 a.m.)

COURT ORDER NO. 2007-416-05-08

Item No. 14 AI-26531 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, stated there was only one personnel appointment that is outside of the standard, and that it was for Dawn Rheaume, Tax Assessor/Collector's Office, due to her experience. Commissioner Jaynes moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:54:00 a.m.)

COURT ORDER NO. 2007-417-05-08

Item No. 15 AI-26532 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stated that the only notable change is for Arthur Renteria, Road & Bridge. Commissioner Jaynes motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:54:28 a.m.)

COURT ORDER NO. 2007-418-05-08

Item No. 16 AI-26508 Consideration, discussion and any action regarding Maintenance, Road: Micro-Surface Program (budgeted), Public Works. Jon Kleinhexsel, Road & Bridge, came forward to ask permission from the Court to solicit bids for this program, which is a basic maintenance function. Mr. Kleinhexsel explained this is a seal that goes over the existing asphalt that will lengthens road life by 5-7 years. Commissioner Hoagland motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:57:10 a.m.)

COURT ORDER NO. 2007-419-05-08

Item No. 17 AI-26567 Consideration, discussion and any action regarding Body Armor, Threat Levels IIA, II, and IIIA (budgeted), Sheriff. Sheriff Box came

before the Court and explained this item is budgeted and it is for the replacement of body armor for every county employee that is required to wear it. Cynthia Jacobson joined the discussion concerning the EEOP, Equal Employment Opportunity Plan, grant that has previously partially paid for the body armour. It was discussed that the County is not compliant with this EEOP grant, and never has been, due to its stringent requirements. The report is required to be on hand but apparently has never been requested. Sheriff Box and Ms. Jacobson are partnering to work out the requirements and reporting, the information gathering may be housed within PeopleSoft. Commissioner Hatchell motioned to go ahead and get proposals for the body armour, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:58:57 a.m.)

COURT ORDER NO. 2007-420-05-08

Item No. 18 Consideration, discussion and any action regarding legislative items for the 80th Legislative Session, Commissioners Court. Rodney Rhoades, Budget, came forward and made note of House Bill 1892 and 1638 and the Court discussed. (Time: 11:08:31 a.m.)

MINUTES

Item No. 19 Possible future agenda items by Commissioners Court without discussion.

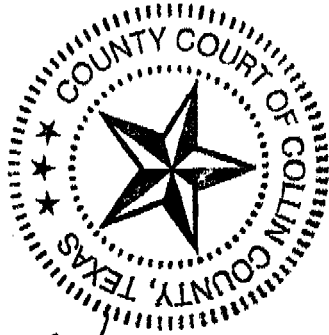
EXECUTIVE SESSION

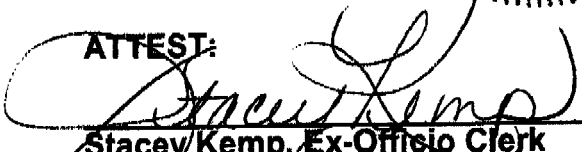
The Court reconvened into open session at 11:57 a.m.

AI-26585 Board/Committee Appointments. Commissioner Hatchell named Matt Jackson to the Transportation Bond Committee, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:57:15 a.m.)

COURT ORDER NO. 2007-421-05-08

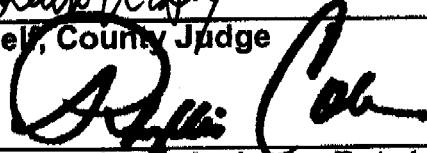
There being no further business of the Court, Judge Self adjourned the meeting at 12:01 p.m.



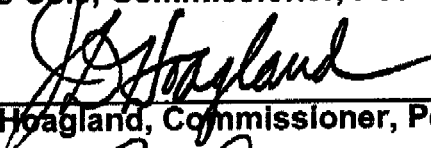
ATTEST:

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



Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3

NOT PRESENT

Jack Hatchell, Commissioner, Pct. 4