

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

MAY 22, 2007

On Tuesday, May 22, 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>Not Present</b>	<b>Commissioner, Precinct 4</b>

Commissioner Jaynes led the Invocation.

Commissioner Hoagland led the Pledge of Allegiance.

Judge Self led the Pledge to the Texas Flag.

Judge Self called the **Collin County Health Care Foundation** meeting to order at 9:03 a.m. and adjourned at 9:07a.m.

**Item No. 1** Judge Self convened the **Collin County Commissioners Court** to order at 9:07 a.m. and adjourned at 10:47 a.m.

#### **FYI NOTIFICATION**

1. **AI-26569** Amendment No. 1 to Equipment & Installation: Audio Visual Equipment for the new Courthouse to delete various items from the contract, Construction & Projects.

2. **AI-26589** Amendment No. 1 for Engineering Services: Testing and Balancing for various projects at the new Courthouse with Engineered Air Balance Co., Inc. to make various changes to the contract for an increase of \$3,555 (budgeted), Construction & Projects.

**Item No. 2** Presentation(s):

- a. **AI-26616** Presentation of the First Place Award for Most Informative Map and the First Place Award for Most Creative Map to the GIS department by South Central ARC Users Group, GIS/Rural Addressing. Tessa Alburg, GIS Manager for the

City of McKinney and also the Vice President for the South Central ARC User Group, presented the first place award to the Collin County GIS department for the Most Creative Map and Most Informative Map. The Collin County GIS department also received second place in Applications and third place in the Mapa Contest. (Time: 9:09:15 a.m.)

- b. AI-26624 Presentation of the Walk Across Texas winners for 2007, Texas Co-Operative Extension. Carrie Brazeal, County Extension Agent, introduced A-Team, the winning team and captain, Angie Yost, who in turn introduced the team members: Stephanie Buckley, Vivian Spears, Carmen Longoria, Alva Priest, Jeannie Arredondo, Candy Blair and Lena Decker. (Time: 9:11:01 a.m.)

**Item No. 3** Public Comments. There were no public comments.

**Item No. 4** Judge Self asked if any member of the Court or any member of the audience would like to have an item pulled off the consent agenda for individual consideration. Tim Nolan, GIS, asked for item 4m1 to be pulled off to be rescheduled. Judge Self asked for 4b, 4e1, and 4l1. Commissioner Hoagland motioned to approve the remainder of the Consent Agenda, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:07:44 a.m.)

- a. AI-26648 Filing of the May 22, 2007, Regular Agenda.  
**COURT ORDER NO. 2007-422-05-22**
- b. AI-26638 Disbursements for the period ending May 16, 2007, Auditor. Judge Self inquired about two specific disbursements. Jerry Higgins, Auditor's Office, did not immediately have answers for Judge Self's questions and said he would research and have a response after Executive Session. (Time: 9:14:18 a.m.) Mr. Higgins had the answers on return to Court after Executive Session. Commissioner Hoagland motioned to approve, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 10:41:27 a.m.)  
**COURT ORDER NO. 2007-423-05-22**
- c. AI-26598 Tax Refunds Totaling \$181,651, Tax Assessor Collector.  
**COURT ORDER NO. 2007-424-05-22**

d. Advertisement(s):

1. AI-26620 Construction, Bridge: CR 590 at Bois d'Arc Creek (budgeted), Special Projects.  
**COURT ORDER NO. 2007-425-05-22**

e. Award(s):

1. AI-26623 Services: Moving to Premiere Office Movers and budget adjustment in the amount of \$68,984, Construction & Projects. The Court members discussed; the cost was attributed to the move to the new court house. (Time: 9:15:15 a.m.)  
**COURT ORDER NO. 2007-426-05-22**

f. Agreement(s):

1. AI-26605 Personal Services Agreement with Thomas McGill to pickup and legally dispose of large deceased livestock on an as needed basis (budgeted), Development Services.  
**COURT ORDER NO. 2007-427-05-22**

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

1. AI-26600 Discretionary exemption to the competitive bid process per VTCA LGC 262.024 to purchase items in a case of public calamity to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county, and items necessary for repairs and debris clean up services due to unforeseen damage to public property. Repairs and clean up to begin immediately for Collin County property damage due to May 2, 2007 flood at Health Care Annex, Purchasing.  
**COURT ORDER NO. 2007-428-05-22**

h. Change Order(s):

1. AI-26588 Change Order No. 26 for Construction: Addition and Renovation to the Collin County Adult Detention Center with Satterfield & Pontikes Construction, Inc. (per Court Order No. 2007-180-02-27) to add various items to the contract for an increase of \$13,320 and budget amendment for same, Construction & Projects.  
**COURT ORDER NO. 2007-429-05-22**

- i. Budget adjustment(s)/amendment(s):
  1. AI-26633 \$2,489,514 to move funds to the appropriate line item to eliminate negative balances for the capital projects, Budget.  
**COURT ORDER NO. 2007-430-05-22**
  
- j. Receive and File, Auditor:
  1. AI-26619 Transcor America, LLC (FY2005, FY2006 and 1st Quarter FY2007).  
**COURT ORDER NO. 2007-431-05-22**
  
  2. AI-26618 Inmate Trust (1st Quarter FY2007).  
**COURT ORDER NO. 2007-432-05-22**
  
- k. Re-designation of Private Road, with associated address updates, GIS/Rural Addressing:
  1. AI-26603 PR 5546 to Grace Ranch Trl.  
**COURT ORDER NO. 2007-433-05-22**
  
  2. AI-26604 PR 5550 to Lacore Ln.  
**COURT ORDER NO. 2007-434-05-22**
  
- l. Filing of the Minutes, County Clerk:
  1. AI-26634 April 30, 2007 - Workshop. Commissioner Hoagland stated he was not going to pursue Item 6 from the past workshop as there did not appear to be much interest; Judge Self said it would be dropped. Concerning the Juvenile Probation Bill presented by Joe Scott at the Workshop, Judge Self asked Bill Bilyeu to do some research on this. Commissioner Jaynes asked for a notation to be added to the Workshop Minutes noting his absence was due to a previously scheduled TxDot, Texas Department of Transportation, Towne Hall Meeting. (Time: 9:15:40 a.m.)  
**COURT ORDER NO. 2007-435-05-22**
  
  2. AI-26636 May 8, 2007.  
**COURT ORDER NO. 2007-436-05-22**

m. Miscellaneous

1. AI-26602 Acceptance of the Rural Addressing Maintenance Funds from the North Central Texas Council of Governments (NCTCOG) in the amount of \$33,439.04, GIS/Rural Addressing. (Time: 9:07:50 a.m.)  
**PULLED**
2. AI-26632 Updated Collin County AED (Automated External Defibrillator) Protocol, Health Care Services.  
**COURT ORDER NO. 2007-437-05-22**
3. AI-26597 Accept an additional \$247,000 from the 2006 Homeland Security Grant Program with the State of Texas, Division of Emergency Management, Homeland Security.  
**COURT ORDER NO. 2007-438-05-22**
4. AI-26615 Public Official Bond in the amount of \$2,000 for Kristoffer Craft, Reserve Deputy Constable - Precinct 4, Human Resources.  
**COURT ORDER NO. 2007-439-05-22**
5. AI-26578 Reject all bids received for Insurance, Health: Medigap Coverage, Human Resources.  
**COURT ORDER NO. 2007-440-05-22**
6. AI-26595 Cancellation of RFI for Communication Site Management Tower Leasing, Sheriff.  
**COURT ORDER NO. 2007-441-05-22**

**GENERAL DISCUSSION**

**Item No. 5** AI-26631 Public Hearing - Consideration, discussion and any action regarding the re-plat of lots 1 and 2 of the Surrey Wood Subdivision, Engineering. Tracy Homfeld, Engineering, stood before the Court and asked for approval for the re-plat, barring any negative input. Judge Self asked if there was anyone in the audience wanting to address this item; there was no response. Commissioner Jaynes motioned to close the public hearing and approve the re-plat, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:17:21 a.m.)

**COURT ORDER NO. 2007-442-05-22**

**Item No. 6** AI-26577 Public Hearing - Consideration, discussion and any action regarding the operation of an automotive wrecking yard 1500 West FM 6, Nevada,

Texas, Fire Marshal. Bill Bilyeu, Administrative Services, stood and gave explanation on this situation explaining that the Fire Marshal is asking that if approved, a permit be required from the state. Judge Self asked for public comment; there was none. Commissioner Hoagland motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:18:53 a.m.)

**COURT ORDER NO. 2007-443-05-22**

**Item No. 7** AI-26622 Consideration, discussion and any action regarding Change Order No. 28 to Construction: Collin County Justice Center Courts Building with Hunt Construction Group to add various items to the contract for an increase of \$144,628 (budgeted), Construction & Projects. Bill Burke, Building Projects Manager, was not present; he was on-site at the new Court House. Bill Bilyeu, Administrative Services, addressed the Court explaining that the change orders are collected and presented monthly. The current change orders are concerning the server room and air conditioning, including the utilities for the month of March and for elevation grading. Commissioner Hoagland motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:21:13 a.m.)

**COURT ORDER NO. 2007-444-05-22**

**Item No. 8** AI-26628 Consideration, discussion and any action to canvass the May 12, 2007, Constitutional Amendment Election, Elections. Sharon Rowe, Elections Administrator, addressed the Court stating there were 20,793 votes cast, 5.7% of registered voters; 17,774 voted for the measure and 2,103 voted against the measure. Commissioner Jaynes motioned to accept this canvass, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:22:50 a.m.)

**COURT ORDER NO. 2007-445-05-22**

**Item No. 9** AI-26630 Consideration, discussion and any action to canvass the May 12, 2007, Local Option Election held in the City of Melissa, Elections. Sharon Rowe, Elections Administrator, continued her report. There were 485 ballots cast; 163 votes for the measure and 290 votes against the measure. The measure failed. Commissioner Hoagland motioned to approve the vote, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:23:40 a.m.)

**COURT ORDER NO. 2007-446-05-22**

**Item No. 10** AI-26561 Consideration, discussion and any action regarding an Interlocal Agreement with the City of Plano for the widening of Parker Road from K Ave. to Raton Lane; reallocate the remaining funds from various Plano bond projects to Parker Road - 2003 bond project #03-50 and further authorize the County Judge to finalize and execute the agreement (NTE \$2,162,365.94), Engineering. Judge Self asked for clarification on this item and Ruben Delgado, Engineering, came forward to explain the situation. Allen Upchurch, Project Manager in Plano, was also present to offer supportive information. The Court was

being asked, not to approve new funds, but to reallocate already approved funds. Discussion followed concerning the specific project and allocations. Commissioner Cole motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:24:27 a.m.)

**COURT ORDER NO. 2007-447-05-22**

**Item No. 11**    **AI-26608**    Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, came forward and said that the first position concerning the Public Information Officer, due to years of experience, was not starting at the beginning step. The next position concerned the rehire of a former retired county employee for a part-time position. The third offer was being rescinded until additional background information could be collected. Judge Self asked questions concerning the rehire of retired personnel and how retirement pay is impacted. Commissioner Hoagland motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:33:03 a.m.)

**COURT ORDER NO. 2007-448-05-22**

**Item No. 12**    **AI-26609**    Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stated that all the changes were strictly within county guidelines, no deviations. Commissioner Hoagland motioned to approve, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 9:36:14 a.m.)

**COURT ORDER NO. 2007-449-05-22**

**Item No. 13**    **AI-26536**    Consideration, discussion and any action regarding TX 21, Commissioners Court. Judge Self made comment that these dues have been paid for the current year, previous to receiving the invoice; it was approved in the December 2006 Court session. Tex-21 sent a letter to the Court asking for continued support and membership. Judge Self said he had received many good comments concerning this item. For instance, why is there not a 'measures of performance' report for Tex-21 since the payment is considered to be for a professional services contract. Judge Self continued by saying that with Pay-for-Performance in place for county employees, it only makes sense to have something in place for success measurement when professional services are being paid for. There was further discussion among the Commissioners. Commissioner Jaynes stated that since it is paid for the year it would be good to watch and see the performance for 2007 and then re-evaluate at year end, prior to paying dues again. (Time: 9:36:51 a.m.)

**MINUTES**

**Item No. 14**    **AI-26586**    Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Agreement, Commissioners Court. Judge Self asked for any updates and discussion. Commissioner Jaynes asked for SH 121 North to the Outer Loop be added to the map. Ruben Delgado agreed and added that Parker Road from Murphy Road to SH 1378 needs to be added; also, the intersection of SH 205 and SH 78. It was stated that there is a large

unknown factor with these projects concerning the pass-through financing at this time due to the legislature's decisions; discussion followed. (Time: 9:40:48 a.m.)

**MINUTES**

**Item No. 15** AI-26639 Consideration, discussion and any action regarding redistricting the Commissioners precincts, Commissioners Court. Bill Bilyeu, Administrative Services, shared information he had from various entities concerning the definitive use of the census numbers for redistricting. Discussion followed concerning the best time to go through the redistricting process and what is involved. (Time: 9:46:33 a.m.)

**MINUTES**

**Item No. 16** AI-26594 Consideration, discussion and any action regarding the designation of a County representative to an Architectural Design Review Committee for the Justice Center Site, Commissioners Court. Commissioner Jaynes commented that this item was something he had discussed with Commissioner Hoagland several weeks ago and more recently with Judge Self, stating it would be good to have someone looking out for the County's interests concerning construction near the new Court facilities. The desire is for a voice in the zoning and architectural style that is chosen for this land and Commissioner Jaynes suggested Bill Burke, Building Projects for the County, and Bill Bilyeu, Administrative Services, would be the appropriate people for the job. The goal would be to make sure the plans for the area meet the goals and standards of the City and County and that the buildings to be constructed meet the architectural style of the Courts complex. Commissioner Hoagland made the motion for Mr. Burke and Mr. Bilyeu to be on the committee, Commissioner Jaynes seconded, and the vote motion passed with a 4-0 vote of the Court. (Time: 9:52:21 a.m.)

**COURT ORDER NO. 2007-450-05-22**

**Item No. 17** Consideration, discussion and any action regarding legislative items for the 80th Legislative Session, Commissioners Court. Rodney Rhoades, Budget Director, briefed the Court on the latest legislative items of concern, including HB 1892 and HB 792. Discussion between Mr. Rhoades and the Court followed concerning various legislative issues, what they entail, the possible intent, and various ramifications. There was in-depth discussion about the various items and the effect on county roadway construction and funding. Ruben Delgado, Engineering, was also asked to share his insights with the Court. Judge Self asked Bill Bilyeu and Commissioner Hoagland to confer during the recess and prepare a resolution for the Court's signature to send to the County's legislative representatives expressing disfavor with any Collin County funds going anywhere outside of Collin County to subsidize road construction. (Time: 9:54:58 a.m.) After their return from Executive Session, Commissioner Jaynes started the discussion saying he would have to vote against a new resolution, saying he felt the Commissioners had already made their feelings clear, that no one wants to see SH 121 become a 'Robin Hood' Tollway and that this is too late an hour to send a new



resolution and it could come back 'to haunt us' later. Commissioner Cole agreed with Commissioner Jaynes. Judge Self said he agreed with Commissioner Hoagland and Commissioner Cole's earlier comments that this Court is not in charge of this process, the County is not being allowed to make the decisions, and has little authority concerning this. He also stated he thinks the Court made their position clear early on in the Cintra and NTTA processes; saying Collin County needs to now build relationships within the NTTA and RTC and to make the best situation possible. However, Judge Self stated that if Commissioner Hoagland wanted to make a motion, a vote would be taken. No motion was made. (Time: 10:43:11 a.m.)

**MINUTES**

**Item No. 18** Possible future agenda items by Commissioners Court without discussion. No items were offered.

**EXECUTIVE SESSION**

Judge Self recessed the Court into Executive Session at 10:18 a.m. and reconvened the Court into Open Session at 10:41 a.m.

AI-26645 Board/Committee Appointments. Commissioner Hoagland made a motion to replace Don Grissom with Jim Brown on the Facilities Bond Committee, Commissioner Cole seconded and the motion passed with a 4-0 vote of the Court. (Time: 10:45:15 a.m.)

**COURT ORDER NO. 2007-451-05-22**

Commissioner Hoagland made a motion to replace himself with Judge Self on the Purchasing Board as he was resigning from that seat, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 10:45:40 a.m.)

**COURT ORDER NO. 2007-452-05-22**


AI-26606 Chalkley Vs. Collin County. Commissioner Jaynes made a motion to settle for the amount discussed in Executive Session, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court.

**COURT ORDER NO. 2007-453-05-22**

There being no further business of the Court, Judge Self adjourned the meeting at 10:47 a.m.

NOT PRESENT

Keith Sak, County Judge



Phyllis Cole, Commissioner, Pct. 1



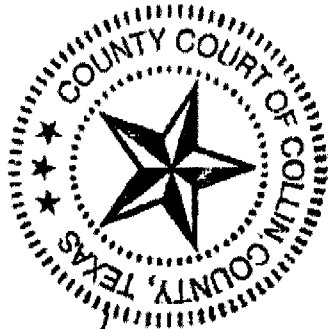
Jerry Hoagland, Commissioner, Pct. 2

NOT PRESENT


Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



Stacey Kemp, Ex-Officio Clerk  
Commissioners' Court  
Collin County, TEXAS