

COURT ORDER NO. 2007- 1038 -11-13

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

OCTOBER 23, 2007

On Tuesday, October 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	NOT PRESENT	Commissioner, Precinct 3
Jack Hatchell		Commissioner, Precinct 4

Commissioner Jaynes led the Invocation.

Commissioner Hatchell 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 1:35 p.m. and adjourned at 1:39 p.m.

Item No. 1 Judge Self convened the Collin County Commissioners Court meeting at 1:39 p.m.

FYI NOTIFICATION

1. AI-27429 Addendum(s) No. 1 - 4 for Construction, Building: Collin County Administration Building to make various changes to the bid invitation and extend due date one (1) day, Purchasing.
2. AI-27457 Utilization of the Department of Information Resources (DIR) contracts per court order 2004-188-03-23 to purchase hardware and software (project 03JUS) for desktops and monitors (budgeted), Information Technology.
3. AI-27415 Budget Amendment in the amount of \$10,000 to establish the budget the FY2008 National Association of County and City Health Officials (NACCHO) grant funds, Auditor.

Commissioners Court Minutes

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4. AI-27449 Receive and file the Oath of Office for Donald W. Cozad for the two year term beginning FY2008 and ending FY2009, Auditor.
5. AI-27419 Update of Indigent Defense expenditures, Budget.
6. AI-27464 Routine Budget Amendment(s)/Adjustment(s) totaling \$66,849, Budget.

Item No. 2 Public Comments. The following were present for General Discussion Item 8: Ronnie Evans, W&W Custom Spraying, Bill Hartman and Michael Telesz, De'Angelo Brothers.

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 requested g2, m1, m3 and General Discussion Item 8; Commissioner Hoagland requested f1 and h1; and Commissioner Jaynes requested g3, g4, and g5. Commissioner Jaynes moved to approve the remainder of the consent agenda; Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:43:37 p.m.)

- a. Filing of the October 23, 2007, Regular Agenda.
COURT ORDER NO. 2007-938-10-23
- b. AI-27443 Filing of the October 15, 2007, Special Session Agenda.
COURT ORDER NO. 2007-939-10-23
- c. AI-27446 Disbursements for the period ending October 17, 2007, Auditor.
COURT ORDER NO. 2007-940-10-23
- d. AI-27425 Tax Refunds totaling \$20,936.56, Tax Assessor Collector.
COURT ORDER NO. 2007-941-10-23
- e. Advertisement(s):
 1. AI-27428 Reject all bids received and re-advertise for Fencing: Labor/Materials Inclusive (budgeted), Public Works.
COURT ORDER NO. 2007-942-10-23
- f. Award(s):
 1. AI-27452 Construction, Building: Collin County Administration to Ratcliff Constructors, L.P. and budget amendment of \$20,000,000 for same (budgeted), Construction &

Projects. Bill Bilyeu, Administrative Services, gave the Court an overview of the issues and answered questions. Commissioner Hoagland motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:44:41 p.m.)

COURT ORDER NO. 2007-943-10-23

2. AI-27426 Road Materials: Flexible Base to TXI (budgeted), Public Works.

COURT ORDER NO. 2007-944-10-23

3. AI-27402 Travel Management Services: Fleet Fuel Card (budgeted), Public Works.

COURT ORDER NO. 2007-945-10-23

g. Agreement(s):

1. AI-27399 Grant exemption from the competitive bidding process per VTCA Local Government Code 262.024 for Legal Services with Zan Moltz and further authorize the County Judge to finalize and execute the agreement, Administrative Services.

COURT ORDER NO. 2007-946-10-23

2. AI-27456 Addition of Western National Bank to the Agreement in Principle Candidates for FY2007, Auditor. Jeff May, Auditor's Office, answered the Court's questions. Commissioner Hatchell motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:46:09 p.m.)

COURT ORDER NO. 2007-947-10-2

3. AI-27270 Agreement with the Collin County FireFighters Association, Inc. for equal quarterly installment payments of \$187,500 totaling \$750,000, Budget. Jeff May, Auditor's Office, answered the Court's questions. These checks are needed out-of-cycle with Commissioners Court and disbursement approval; early release is requested. Judge Self wants to find a way to 'fix the system' and get this type of payment generated on time rather than behind the due date so that early release can be used for its intended purpose which is for emergencies. Commissioner Jaynes agreed but was in support of early release for this particular situation. Commissioner Cole motioned to approve the request,

Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:46:15 p.m.)

COURT ORDER NO. 2007-948-10-23

4. AI-27450 Agreement with the City of Murphy for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute the agreement, Homeland Security. Kelly Stone, Homeland Security, came to answer the Court's questions on data sharing. Commissioner Jaynes questioned future costs to the County when the grants run out. Mr. Stone suggested charging a fee to the private sector using the fusion center for information gathering as it would be utilized for not only law enforcement but general information as well. Commissioner Jaynes motioned to approve the item, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:49:25 p.m.)

COURT ORDER NO. 2007-949-10-23

5. AI-27431 Interlocal Agreement with the City of Wylie for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute same, Homeland Security. Commissioner Jaynes motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:51:09 p.m.)

COURT ORDER NO. 2007-950-10-23

h. Amendment(s):

1. AI-27416 Amendment No. 2 for participation in the County Monthly Clean-Up Program with the North Texas Municipal Water District and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works. Jon Kleinheksel, Public Works, answered the Courts questions concerning this program and noted the popularity and constant use by residents. Mr. Kleinheksel predicted that without this program more trash and large items would be dumped on the side of the road. Commissioner Jaynes motioned to approve, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Hoagland voted no. (Time: 1:52:49 p.m.)

COURT ORDER NO. 2007-952-10-23

i. Change Order(s):

1. AI-27407 No. 1 for Detergent/Chemicals/Dispensers with Ecolab for a price increase and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.
COURT ORDER NO. 2007-953-10-23
2. AI-27408 No. 2 for Services: Inmate Healthcare with Naphcare Inc. for an annual increase in compensation of 3.1% and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.
COURT ORDER NO. 2007-954-10-23
3. AI-27454 No. 2 for Construction, Road: County Road 166 with L.H. Lacy Company, Ltd. To make various changes to the contract for an increase of \$5,288.54 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Special Projects.
COURT ORDER NO. 2007-955-10-23
4. AI-27432 No. 5 for Janitorial Supplies with Olmsted-Kirk Equipment and Supply Inc. to make various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Purchasing.
COURT ORDER NO. 2007-956-10-23

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

1. AI-27448 Ratification of the County Judge's prior approval to grant discretionary exemption from the competitive bidding process per VTCA LGC 262.024(a)(3) - an item necessary because of unforeseen damage to public property; for repairs to the Medical Examiner's facility and budget amendment in the amount of \$49,318 for same, Purchasing.
COURT ORDER NO. 2007-957-10-23

k. Receive and File, Auditor:

1. AI-27433 County Extension office.
COURT ORDER NO. 2007-958-10-23
2. AI-27435 Engineering, Special Projects and Development Services.
COURT ORDER NO. 2007-959-10-23

3. AI-27436 Homeland Security and Fire Marshal.
COURT ORDER NO. 2007-960-10-23

I. Filing of the Minutes, County Clerk:

1. AI-27453 October 15, 2007.
COURT ORDER NO. 2007-961-10-23

m. Miscellaneous

1. AI-27455 Adoption of the FY2008 Investment Policy per Local Government Codes 116.112 and Chapter 2256 and appoint Don Cozad and Rodney Rhoades as Investment Officers, Auditor. Judge Self asked for clarifications concerning this item. Jeff May, Auditor's Office, addressed those questions. Commissioner Cole motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:55:34)

COURT ORDER NO. 2007-962-10-23

2. AI-27458 Set a public hearing date for November 13, 2007 for the re-plat of Lots 3 & 4 of the Honey Creek Farms Addition, Engineering.

COURT ORDER NO. 2007-963-10-23

3. AI-27434 Creation of a Continuity of Operations Planning Committee business disruptions, Homeland Security. Kelley Stone, Homeland Security, addressed the Court and stated he had met with department heads across the county; the next step would be to appoint a committee. Mr. Stone stated that the County will receive \$103,000 of pandemic flu grant monies to complete the project. Commissioner Hoagland motioned to approve the item with the noted addition that both of the County Clerk's offices are to be represented on the committee; Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:56:54 p.m.)

COURT ORDER NO. 2007-964-10-23

4. AI-27398 Amended Public Official Bond for Gary Wayne Edwards, Deputy Constable - Precinct 2, Human Resources.

COURT ORDER NO. 2007-965-10-23

5. AI-27445 Termination of annual supplemental salary for Sandra Schilling, Human Resources.

COURT ORDER NO. 2007-966-10-23

6. AI-27403 Retention of a 2005 Ford Crown Victoria (Vehicle Unit No. 43716) to be used by the Juvenile Probation/Detention department, Public Works.

COURT ORDER NO. 2007-967-10-23

GENERAL DISCUSSION

Item No. 4 AI-27438 Public Hearing - Consideration, discussion and any action regarding the placement of Regulatory Signs on various County Roads, Public Works. Judge Self opened the public hearing; there were no speakers. Jon Kleinheksel, Public Works, explained where the signs would be placed. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:59:59 p.m.)

COURT ORDER NO. 2007-968-10-23

Item No. 5 AI-27463 Consideration, discussion and any action regarding Participation in the Emergency Watershed Protection Program for Little Elm 18A, budget amendment in the amount of \$333,333 and further authorize the County Judge to finalize and execute documents, Administrative Services. Greg Hudson, legal counsel for the County, came forward to discuss the item. It was agreed by Mr. Hudson and the Court that it would be best to discuss this item during Executive Session. (Time: 2:00:49 p.m.)

After Executive Session, the Court readdressed this item. Commissioner Hatchell motioned to accept the agreement contingent on the lawsuit being dropped; Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:25 p.m.)

COURT ORDER NO. 2007-969-10-23

Item No. 6 AI-27441 Presentation, discussion and any action regarding 2007 Spring/Summer Storm Impact and direction regarding Mr. J.D. Rollin's request for material reimbursement, Public Works. Jon Kleinheksel, Road & Bridge, gave a PowerPoint presentation of the inclement weather from spring and summer of 2007 and subsequent damage and repairs around the county. Discussion followed concerning the impact on private citizens' requesting county involvement in the repairs to their personal property and the possibility of FEMA funds for county repairs. Commissioner Hoagland motioned to have the individuals go to their personal insurance carriers; Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:09:23 p.m.)

NO ACTION

Item No. 7 AI-27414 Consideration, discussion and any action regarding the approval of Change Order No. 1 for Signs: Road, Parking & Custom with Custom Products Corporation for a price increase for line item no. 93 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works. Commissioner Hatchell motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:20:40 p.m.)

COURT ORDER NO. 2007-970-10-23

Item No. 8 AI-27427 Consideration, discussion and any action regarding the award of Services: Herbicide Treatment of Roadside Right of Way & Encroachments to SprayMAX, Inc. (budgeted), Public Works. Judge Self asked the people requesting to speak concerning this item to come forward at this time. Bill Hartman & Michael Telesz, De'Angelo Brothers, came forward questioning the bidding process and their viability as a contractor. Ronnie Evans, W&W Custom Spraying, also came in support of his bid for the project. Frank Ybarbo, Purchasing, answered the Court's questions concerning the bidding process. Jon Kleinheksel was asked for his input concerning the specific companies and past experiences. Commissioner Hoagland motioned to approve the item as submitted by Public Works; Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:21:45 p.m.)

COURT ORDER NO. 2007-971-10-23

Item No. 9 AI-27396 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, HR, came forward for this item. Commissioner Hoagland motioned to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:27:39 p.m.)

COURT ORDER NO. 2007-972-10-23

Item No. 10 AI-27397 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Ms. Jacobson again addressed the Court. John Roach, District Attorney, gave more clarification concerning Sandra Shilling's reclassification. Commissioner Hatchell motioned to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:28:36 p.m.)

COURT ORDER NO. 2007-973-10-23

Item No. 11 AI-27444 Consideration, discussion and any action regarding the reclassification from Senior Legal Secretary to Legal Secretary II, District Attorney. Commissioner Jaynes motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:32:10 p.m.)

COURT ORDER NO. 2007-974-10-23

Item No. 12 Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Funding, Commissioners Court. Ruben Delgado, Engineering, gave a brief overview of the possible projects. (Time: 2:32:30 p.m.)

Item No. 13 Possible future agenda items by Commissioners Court without discussion. Commissioner Hoagland requested the DNT-Dallas North Tollway alignment and future elections legislation. (Time: 2:35:16 p.m.)

EXECUTIVE SESSION

Judge Self recessed the Court into Executive Session at 2:36 p.m. and reconvened at 4:23 p.m.

AI-27423 2007 Merit Pay. Commissioner Hatchell motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:23:13 p.m.)
COURT ORDER NO. 2007-975-10-23

AI-27459 Employee mediation. Nothing was discussed at this time.

AI-27460 Compensation adjustment for a Tax Office Employee. Commissioner Jaynes motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:23:30 p.m.)
COURT ORDER NO. 2007-976-10-23


AI-27493 Compensation Adjustment JP4. Commissioner Hatchell motioned to approve, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Judge Self voted no. (Time: 4:24:22 p.m.)
COURT ORDER NO. 2007-977-10-23

AI-27494 Compensation Adjustment PFP. Commissioner Hatchell motioned to approve, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Jaynes voted no. (Time: 4:23:57 p.m.)
COURT ORDER NO. 2007-978-10-23

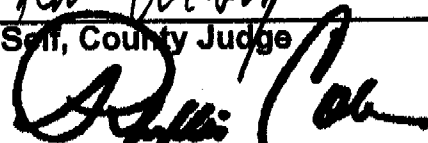
AI-27466 Board/Committee Appointments. None at this time.

AI-27471 Appointment to the North Central Texas Workforce Development Board. Commissioner Jaynes motioned to reappoint Frank O'Reilly, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:24:42 p.m.)
COURT ORDER NO. 2007-979-10-23

There being no further business, Judge Self adjourned the meeting at 4:26 p.m.



Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



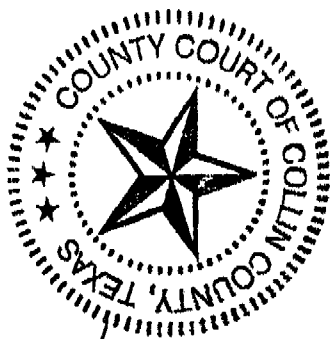
Jerry Hoagland, Commissioner, Pct. 2

NOT PRESENT

Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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