

COURT ORDER NO. 2007 1146 -12-18

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

NOVEMBER 27, 2007

On Tuesday November 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 Jaynes led the Invocation.

Judge Self led the Pledge of Allegiance.

Commissioner Cole led the Pledge to the Texas Flag.

Judge Self called the Collin County Health Care Foundation meeting to order at 1:34 p.m. and adjourned at 6:04 p.m.

Item No. 1 Judge Self convened the Collin County Commissioners Court meeting at 2:08 p.m.

FYI NOTIFICATION

1. AI-27641 Budget Amendment in the amount of \$41,198 to appropriate funds from the Tax Assessor Collector's VIT account for the Automatic Tax Pay System project, Budget.
2. AI-27640 Please note utilization of the Department of Information Resources (DIR) contracts to purchase IBM T61 laptops (total of 60 laptops for various projects) from Lenovo, Inc. (budgeted), Information Technology.
3. AI-27631 Routine Budget Amendment(s)/Adjustment(s) totaling \$523,255 (over \$5,000 per c/o 2005-589-08-07), Budget.

1. Call to order. The court will convene in open session for consideration of the following business matters:

Item No. 2 Public Comments. Shonda Powell, Blue Ridge, Texas, stood before the Court and addressed the matter of County employees not being able to carry their spouses who are CSCD employees on County insurance. (Time: 2:09:11 p.m.)

Item No. 3 Consent agenda to approve. Judge Self asked if any member of the Court or member of the audience would like to have an item pulled off the consent agenda for individual consideration. Commissioner Hoagland requested to pull 3i; Bill Bilyeu, Administrative Services, requested to pull e1; Judge Self requested to pull g1 and l5 for discussion. Commissioner Jaynes motioned to approve the balance, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time 2:10:50 p.m.)

- a. AI-27679 Filing of the November 27, 2007, Regular Agenda.
COURT ORDER NO. 2007-1064-11-27
- b. AI-27608 Disbursements for the period ending November 19, 2007, Auditor.
COURT ORDER NO. 2007-1065-11-27
- c. AI-27589 Tax Refunds totaling \$36,892.13, Tax Assessor Collector.
COURT ORDER NO. 2007-1066-11-27
- d. Advertisement(s):
 1. AI-27628 Services: Upgrade to Jury IVR System (budgeted), Information Technology.
COURT ORDER NO. 2007-1067-11-27
- e. Award(s):
 1. AI-27636 Modification after award for Construction, Building: Collin County Administration Building with Ratcliff Constructors, L.P. (per VTCA Local Government Code 262.0305) to remove Alternate No. 3 from the award and revise and award Alternate No. 2 for a reduction of \$91,750 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Construction & Projects. Bill Bilyeu, Administrative Services, stated this is a contract to start construction on the administration building; therefore, permit fees must be paid during the interim between Courts. Commissioner Cole motioned to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:11:35 p.m.)
COURT ORDER NO. 2007-1068-11-27
 2. AI-27595 Services: Herbicides/Chemical Application for County Locations to Trugreen-Chemlawn and budget amendment

in the amount of \$1,585 for same, Facilities.

COURT ORDER NO. 2007-1069-11-27

3. AI-27609 Services Maintenance: Electrical Contractor to Richardson Ready Electric Inc. (budgeted), Facilities.

COURT ORDER NO. 2007-1070-11-27

4. AI-27612 Services, Maintenance: HVAC Contractor to Gulf Energy Systems Inc. (budgeted), Facilities.

COURT ORDER NO. 2007-1071-11-27

5. AI-27626 Services: On-Site Secure Shredding to Iron Mountain Records Management (budgeted), Information Technology.

COURT ORDER NO. 2007-1072-11-27

6. AI-27611 Fencing: Labor and Materials Inclusive to Robinson Fence (budgeted), Public Works.

COURT ORDER NO. 2007-1073-11-27

7. AI-27386 Uniforms: Law Enforcement & Related Items, Work Uniforms and Miscellaneous to Lone Star Uniforms, Inc. (budgeted), Sheriff.

COURT ORDER NO. 2007-1074-11-27

f. Agreement(s):

1. AI-27576 Interlocal Agreement with the Plano Public Library for Library Services in equal quarterly installment payments of \$19,778 totaling \$79,113, Budget.

COURT ORDER NO. 2007-1075-11-27

2. AI-27617 Agreement with Tarrant County for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute same, Homeland Security.

COURT ORDER NO. 2007-1076-11-27

g. Amendment(s):

1. AI-27590 No. 2 to Professional Services: Mobility Plan Update with Carter & Burgess, Inc. to add additional services and extend the completion date to December 7, 2007 and further authorize the Purchasing Agent to finalize and execute same (not budgeted), Engineering. Judge Self asked Michael D. McAnelly, Project Manager, Carter & Burgess, Inc., about a delayed analysis outlined in a memo dated October 5, 2007, resulting in an additional

thirty (30) man hours. Mr. McAnelly stated Carter & Burgess received the results of a travel demand model analysis using new demographics. Information was supposed to have been delivered April 1, 2007, but was not ready until July 1, 2007. Analysis was started without that information, and then updated and changed when the information became available. Commissioner Hoagland motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:13:14 p.m.)

COURT ORDER NO. 2007-1077-11-27

2. AI-27603 No. 3 to the Lease Agreement with Collin County Homeland Security for property located at 1800 N. Graves Street, McKinney, Texas to expand the total square footage to 1086 sq. ft., increase the lease payment to \$633.50 per month, extend the lease term through December 31, 2008 and further authorize the County Judge to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2007-1078-11-27

3. AI-27598 No. 4 to the Lease Agreement with the Collin County Health Care Trust Foundation and Collin County Bio-Terrorism for property located at 825 N. McDonald Street, McKinney, Texas to reduce the total square footage to 409 sq. ft. (234 sq. ft. office space and 175 sq. ft. storage space), reduce the amount of payment to no charge, extend the lease term through December 31, 2008 and further authorize the County Judge to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2007-1079-11-27

h. Change Order(s):

1. AI-27581 No. 1 to Maintenance, Road: Micro-Surface Program with Ballou Construction Co. to extend the contract for one (1) year and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2007-1080-11-27

2. AI-27634 No. 1 to Printing, General Office Forms with Data Flex Business Products to delete item no. 03080-07-19-01 - Marriage License from the contract and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2007-1081-11-27

3. AI-27635 No. 2 to Printing, General Office Forms with Scott Merriman to add various items to the contract and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2007-1082-11-27

i. Budget adjustment/amendment(s):

1. AI-27605 \$15,000 to establish a Drug Forfeiture budget to purchase various items, District Attorney. Commissioner Hoagland inquired whether District Attorney John Roach would be willing to take money out of the hot check fee fund for this purpose. Commissioner Cole stated since the Court did not have control over the drug forfeiture fund, she didn't feel the Court should vote on this. Commissioner Hoagland requested to hold the item. (Time: 2:16:46 p.m.)

HELD

j. Receive and File, Auditor:

1. AI-27623 FY2007 Final Annual Inventory for Equipment Services Parts.

COURT ORDER NO. 2007-1083-11-27

2. Payroll Audit:

- a. AI-27622 Constable, Precinct 4.

COURT ORDER NO. 2007-1084-11-27

- b. AI-27621 Justice of the Peace, Precinct 4.

COURT ORDER NO. 2007-1085-11-27

k. Filing of the Minutes, County Clerk:

1. AI-27633 November 13, 2007.

COURT ORDER NO. 2007-1086-11-27

2. AI-27627 November 14, 2007 - Special Session.

COURT ORDER NO. 2007-1087-11-27

l. Miscellaneous

1. AI-27597 Set a public hearing date for January 8, 2008 for the

adoption of the Collin County Mobility Plan, Engineering.
COURT ORDER NO. 2007-1088-11-27

2. AI-27615 Design/Engineering Services to MD Engineering, L.P. for the Chilled Water Piping Extension from the current vault No. 4 to the new vault to be located at the site of the new Collin County Administration Building, further approve the Engineering Services Agreement (with subsequent negotiated fee of \$4500 per VTCA LGC 2254) and authorize the Purchasing Agent to finalize and execute same (budgeted), Facilities.
COURT ORDER NO. 2007-1089-11-27
3. AI-27625 Declare property as surplus, authorize additions and/or deletions to the list as deemed necessary, authorize Purchasing Agent to sell same via on-line auction and advertise for same, Purchasing.
COURT ORDER NO. 2007-1090-11-27
4. AI-27585 Deposit the net proceeds totaling \$298,624.48 from the Collin County On-Line Auction held on October 24, 2007, Purchasing.
COURT ORDER NO. 2007-1091-11-27
5. AI-27584 Memorandum of Understanding (MOU) with the North Central Texas Council of Government for participation in the Law Enforcement Analysis Portal (LEAP) and further authorize the County Judge to finalize and execute same, Sheriff. Judge Self asked Terry Box, County Sheriff, if he felt the Fusion Center would provide the Sheriff's Office and Kelley Stone, Director of Homeland Security, everything needed in terms of tactical data sharing. Judge Self also asked if LEAP (Law Enforcement Analysis Portal) would no longer be necessary. Sheriff Box agreed that LEAP would not provide any data that could not be gotten out of the Fusion Center. Mr. Stone added there will be an agreement with LEAP. Commissioner Cole motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time 2:21:45 p.m.)
COURT ORDER NO. 2007-1092-11-27
6. Final Plat(s), Engineering:
 - a. AI-27624 Preston Park Estates Phase III.
COURT ORDER NO. 2007-1093-11-27

b. AI-27618 The Estates at Lakeshore.

COURT ORDER NO. 2007-1094-11-27

GENERAL DISCUSSION

Item No. 4 AI-27345 Presentation, discussion and any action regarding Tollroad alignment North of FM 428, Commissioners Court. Tom Diamond, HNTB, came before the Court with a Power Point presentation entitled DNT Extension (North of FM 428) Update. Mr. Diamond stated the purpose of the presentation was to remind the Court of the history with the Dallas North Tollway extension north of 380, and to summarize the current NTA's planning efforts north of FM 428. The Power Point gave DNT corridor background on US 380 to FM 428 and FM 428 to SH 56. Mr. Diamond answered questions from the Court. The Court directed Mr. Diamond to contact Grayson County concerning the proposed alignment of the DNT extension within Grayson County. In addition, the Court asked Mr. Diamond to provide an estimate of the right of way acquisition costs for moving the entire alignment into Collin County. Bill Bilyeu and Rodney Rhoades agreed to provide the court with an estimate of the tax revenue implications of moving the entire alignment within Collin County. Judge Self stated the item would be tabled. (Time: 4:13:36 p.m.)

MINUTES

Item No. 5 Presentation, discussion and any action regarding Longevity Options, Human Resources. Cynthia Jacobson, Director of Human Resources, came before the Court with a Power Point presentation as a result of the Court's prior concerns about longevity pay. Ms. Jacobson stated that she, along with Rodney Rhoades, Budget Director; and Don Cozad, County Auditor, reviewed concerns of the Court and were prepared to address each item. Ms. Jacobson added that Commissioner Hoagland was concerned about the cost of longevity; Commissioner Jaynes didn't want a two-tiered set of benefits for existing employees versus new employees, and he wanted employees involved in the process, although it was decided not to do a focus group; and Commissioner Cole asked that a cap associated with longevity pay be considered. Ms. Jacobson stated that she, Mr. Rhoades and Mr. Cozad examined the overall purpose of longevity pay and the reason for it. Ms. Jacobson continued with the Power Point presentation, answering questions from the Court. There was discussion back and forth between the Court and Ms. Jacobson regarding prior service (whether or not to total months of service for employees who left the County and then were re-hired), new employees (should longevity pay be offered to new employees when Collin County is a salary leader in the area), a cap on longevity pay (paying up to a certain amount, and no more), and longevity payment to retirees (should payment to retirees be pro rated to number of months worked after last longevity payment or should payment be for the full year). (Time: 3:25:59 p.m.)

a. AI-27553 Longevity Pay - Prior Service. Commissioner Jaynes motioned to eliminate the prior service credit, but to

grandfather in the 140 current County employees who fall under that category, Commissioner Hoagland seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Cole dissented. (Time: 3:42:22 p.m.)

COURT ORDER NO. 2007-1095-11-27

- b. AI-27677 Longevity Pay. Commissioner Jaynes stated that the longevity payment to retirees should be pro-rated to the number of months worked after last longevity payment. Additionally, Commissioner Jaynes stated that longevity pay should be based on the prior year's salary and that employees become eligible for longevity pay after one year of employment. And, finally, longevity pay be capped at 10% of the employee's base salary until that salary catches up. Commissioner Jaynes made that in the form of a motion, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 3:42:29 p.m.)

COURT ORDER NO. 2007-1096-11-27

- c. AI-27678 Longevity Pay for New Employees. Commissioner Hoagland stated that since Collin County is leading the market in salaries paid and employees have the incentive of the Pay for Performance program, that he would motion to eliminate longevity pay for any future new hires, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Jaynes dissented. (Time: 3:43:48 p.m.)

COURT ORDER NO. 2007-1097-11-27

Item No. 6 AI-27607 Consideration, discussion and any action regarding the Bureau of Justice Assistance (BJA) updated Guidelines required for the FY2007 SCAAP applicants, Auditor.

PULLED

Item No. 7 AI-27480 Consideration, discussion and any action regarding the replacement of gallery seating at the new Collin County Courthouse, Construction & Projects. Bill Bilyeu, Administrative Services, stated this matter is back before the Court following a request by the Court to have Bill Burke, Building Projects Manager, look at and measure the gallery seating in the new Courthouse. Mr. Bilyeu added that the judges feel the seats are too narrow. Chris Oldner, District Judge, stated the seats are nineteen (19) inches from center armrest to center armrest and people have complained. Mr. Burke added it would cost \$207,000 to take out the old seats and replace them with new seats, as opposed to \$42,000 to reconfigure the existing seats. Commissioner Jaynes motions to stagger the seats, Commissioner Hatchell seconded, and the motion was denied with a 3-2

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vote of the Court. Judge Self, Commissioner Hoagland and Commissioner Cole dissented. (Time: 4:27:17 p.m.)

DENIED

Item No. 8 AI-27498 Consideration, discussion and any action regarding the Advance Funding Agreement with Texas Department of Transportation (TXDOT)

for the construction of northbound and southbound left turn lanes on SH 121 from north of CR 509 to south of CR 509 (Collin County's portion is \$555,750) and further authorize the County Judge to finalize and execute same (not budgeted), Engineering. Tracy Homfeld, Engineering, stated TXDOT has completed 95% of the plans to this point. Ms. Homfeld requested the Court approve the resolution to fund the northbound-southbound lanes. Commissioner Hoagland asked if right-of-ways would be needed. Ms. Homfeld stated right-of-ways are owned by TXDOT. Commissioner Cole motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:28:09 p.m.)

COURT ORDER NO. 2007-1098-11-27

Item No. 9 AI-27638 Consideration, discussion and any action regarding authorization to opt out of the Public Power Pool Energy Procurement Contract, Facilities. Dan James, Facilities Director, came before the Court and stated that under the terms of the contract that the County has with P3, twelve months' notice must be given before the County can opt out of the contract. Even if the Court opts out today, the County will be under contract until December 31, 2008. Mr. James added that he is looking at other ways to procure power to help reduce the current \$2.5 million a year in electricity costs to Collin County. Additionally the County pays \$500,000 to \$600,000 in natural gas. Commissioner Hoagland suggested Mr. James look at what a prospective firm was able to do to save energy costs in 2007 versus what Collin County spent in 2007. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Cole dissented. (Time: 4:37:05 p.m.)

COURT ORDER NO. 2007-1099-11-27

Item No. 10 AI-27646 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Director of Human Resources, came before the Court to request that employees hired during this Court receive longevity pay. Ms. Jacobson also noted four personnel appointments: Larry Cernosek, IT Department; Sheila Lee, District Clerk's Office; Dan Chandler, HVAC; Robert Vanaman, Animal Control; and she requested that the appointment of Curtis Carey be withdrawn until he receives medical clearance. Commissioner Hoagland motioned to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:43:24 p.m.)

COURT ORDER NO. 2007-1100-11-27

Item No. 11 AI-27647 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Director of Human Resources, addressed personnel changes, stating there was one change that

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needed to come to the Court's attention: Jason Lane, Bioterrorism Planner, Homeland Security Department. Homeland Security obtained a grant in order to have Mr. Lane do assistant emergency management work, which is for more money than Mr. Lane earns. Ms. Jacobson continued, stating Homeland Security requested a pay increase, yet there is no increase in responsibilities that would fit

under the guidelines. Ms. Jacobson added that it did not meet HR's criteria for a pay increase. Judge Self stated he did not see the need for a pay increase. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:47:36 p.m.)

COURT ORDER NO. 2007-1101-11-27

Item No. 12 AI-27658 Consideration, discussion and any action regarding Workshops for FY2008, Commissioners Court. Commissioner Hatchell stated he wanted to discuss whether Workshop sessions should continue to be bi-weekly or should the Court consider having them once a month, due to increased work on staff and scheduling concerns. Judge Self said he felt the Workshops were a good way for the Court to have open, legal conversations. Commissioner Jaynes suggested having two Courts per month with one Workshop session. Commissioner Hoagland motioned to have regular meetings twice a month, on the second and fourth Tuesdays, and Workshop on the third Tuesday at 1:30 p.m. starting in 2008; Commissioner Hatchell seconded, and the motion passed with a 4-1 vote of the Court. Judge Self dissented. (Time: 4:56:36 p.m.)

COURT ORDER NO. 2007-1102-11-27

Item No. 13 AI-27600 Consideration, discussion and any action regarding appointments to the Outer Loop Stakeholder Roundtable at NCTCOG, Commissioners Court. Bill Bilyeu, Administrative Services, stated the appointments had to be two elected officials. Judge Self recommended that he and Commissioner Jaynes be appointed as RTC member and County judge. Commissioner Hoagland stated it is in his precinct. Judge Self asked for a motion for the appointment of Commissioner Jaynes and Commissioner Hoagland, Commissioner Hatchell motioned to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 5:02:36 p.m.)

COURT ORDER NO. 2007-1101-11-27

Item No. 14 Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Funding Initiative, Commissioners Court. Judge Self asked if there was any discussion. There was discussion among the Commissioners. (Time: 5:06:59 p.m.)

MINUTES

Item No. 15 Possible future agenda items by Commissioners Court without discussion.

Executive Session

Judge Self recessed the Court into Executive Session at 5:07 p.m. and reconvened the Court into Open Session at 6:04 p.m.

AI-27660 Board/Committee Appointments.

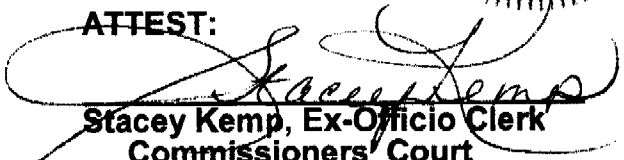
AI-27644 Employee Mediation, Human Resources.


Legal (551.071)

There being no further business of the Court, Judge Self adjourned the meeting at 6:04 p.m.

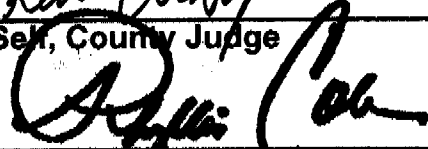


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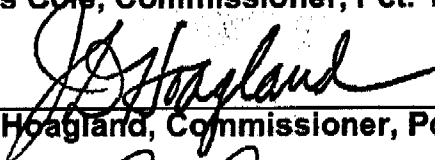

**Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, TEXAS**




Keith Self, County Judge




Phyllis Cole, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4