

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

JANUARY 8, 2008

On Tuesday, January 8, 2008, the Commissioners Court of Collin County, Texas, met in regular session with the following members present, and participating to wit:

Keith Self
Phyllis Cole
Jerry Hoagland
Joe Jaynes (Not present)
Jack Hatchell

County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

Judge Self led the Invocation.

Commissioner Cole led the Pledge of Allegiance.

Commissioner Hoagland 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 1:37 p.m.

ITEM NO. 1 Judge Self convened the Collin County Commissioners Court meeting at 1:37 p.m.

FYI NOTIFICATION

1. AI-27773 Addendum No. 1 to Services: Upgrade to Jury IVR System to make various changes to the request for proposal, Information Technology.
2. AI-27781 Budget amendment in the amount of \$490 to purchase furniture utilizing the Drug Forfeiture fund, District Attorney.
3. AI-27605 Budget amendment in the amount of \$15,000 to establish a Drug Forfeiture budget to purchase various items, District Attorney.
4. AI-27738 Please note utilization of the State of Texas TXMAS-6-840160 contract to award the purchase of a chill water 100 HP pump/drive for the Collin County Central Plant to Johnson for HVAC Maintenance and Service (budgeted), Facilities.
5. AI-27755 Please note utilization of the BuyBoard contract per VTCA LGC 271.102 to purchase one (1) 1/2 ton and one (1) 3/4 ton pick up (budgeted), Public Works.

6. AI-27771 Please note utilization of the BuyBoard contract per VTCA LGC 271.102 to purchase one (1) fork truck (budgeted), Public Works.

7. AI-27813 City of Allen annual update regarding Reinvestment Zone No. 2, Commissioners Court.

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

Item No. 2 Public Comments. There were none.

Item No. 3 AI-27786 Presentation of service pins to employees with 10, 20, 25, and 30 years of service in the month of January, Human Resources. Jon Kleinheksel, Public Works, presented Billy Bob Bunch, Public Works, with a 30-year pin. (Time: 1:37:51 p.m.)

Item No. 4 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 pulled 4f2. Commissioner Hatchell motioned to approve the remainder of the consent agenda, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:39:07 p.m.)

a. AI-27831 Filing of the January 8, 2008, Regular Agenda.
COURT ORDER NO. 2008-001-01-08

b. AI-27780 Disbursements for the period ending January 2, 2008, Auditor.
COURT ORDER NO. 2008-002-01-08

c. AI-27772 Tax Refunds totaling \$131,791.18, Tax Assessor Collector.
COURT ORDER NO. 2008-003-01-08

d. Advertisement(s):

1. AI-27775 Professional Services, Engineering: Engineering Services for Bridges, Special Projects.
COURT ORDER NO. 2008-004-01-08

2. AI-27776 Professional Services, Engineering: Engineering Services for Roads, Special Projects.
COURT ORDER NO. 2008-005-01-08

e. Agreement(s):

1. AI-27767 Amendment to the contract with the Department of State Health Services for the FY2008 Bioterrorism/Pan Flu grant funds - Contract No. 2008-022943, Attachment No. 001, Amendment No. 001A: CPS-Bioterrorism Preparedness in the amount of

\$835,370, establish the budget for same and further authorize the County Judge to finalize and execute the agreement, Auditor.

COURT ORDER NO. 2008-006-01-08

2. AI-27763 Interlocal Agreement for Animal Control Services with the City of Lucas Payments will be made in quarterly installments for an annual amount of \$16,430, Development Services.

COURT ORDER NO. 2008-007-01-08

3. AI-27752 Interlocal Agreement with the City of Dallas for the Investigation of Internet Crimes Against Children grant assistance program to reimburse Collin County in the amount of \$4500 for expenses incurred for equipment, travel, training, overtime and undercover expenses, Sheriff.

COURT ORDER NO. 2008-008-01-08

f. Amendment(s):

1. AI-27769 No. 1 for Animal Sheltering Services with the City of McKinney to extend the contract for one (1) year and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2008-009-01-08

2. AI-27764 Amended Interlocal Agreement with the City of Lucas for the construction, operation and use of the Collin County Animal Shelter for a ten (10) year term for an FY2008 amount of \$14,570 to be made in quarterly installments, Development Services. Commissioner Hoagland expressed concern that a ten year term was too long a period with a 3% inflation factor. Mr. Bilyeu explained that these are numbers for the first year only; the price will recalculate each year. Commissioner Hoagland motioned to approve, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:40:04 p.m.)

COURT ORDER NO. 2008-010-01-08

g. Change Order(s):

1. AI-27308 No. 1 to Services, Mowing: Soil Conservation Structures and Various County Locations with Tandem Mowing Service to extend the contract for one year through and including September 30, 2008 and to apply a 2.4 percent price increase to contract items and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2008-011-01-08

Commissioners Court Minutes

January 8, 2008

Page 4 of 8

2. AI-27777 No. 2 to Road Materials: AC-20 Hot Mix Asphaltic Concrete with APAC to add high performance mix to the contract (budgeted), Public Works.

COURT ORDER NO. 2008-012-01-08

h. Receive and File, Auditor:

1. AI-27754 County Clerk (2nd & 3rd Quarter FY2007).

COURT ORDER NO. 2008-013-01-08

2. AI-27756 District Attorney (4th Quarter FY2007).

COURT ORDER NO. 2008-014-01-08

3. AI-27759 Justice of the Peace, Precinct 2 (4th Quarter FY2007).

COURT ORDER NO. 2008-015-01-08

4. AI-27758 Substance Abuse (4th Quarter FY2007).

COURT ORDER NO. 2008-016-01-08

5. AI-27757 Handheld Inventory (FY2007).

COURT ORDER NO. 2008-017-01-08

6. AI-27760 Jail Kitchen Inventory (FY2007).

COURT ORDER NO. 2008-018-01-08

7. AI-27761 Minimum Security Kitchen Inventory (FY2007).

COURT ORDER NO. 2008-019-01-08

i. Miscellaneous

1. AI-27715 Re-designation of County Road 25 between County Road 71 & 72 and Preston Road to Rockhill Road (with address updates), GIS/Rural Addressing.

COURT ORDER NO. 2008-020-01-08

2. AI-27788 Reclassification of an Animal Control Supervisor position to an Animal Services Lead position, Human Resources.

COURT ORDER NO. 2008-021-01-08

3. AI-27762 Purchase of a Nextel phone for the Utility Coordinator and a budget amendment in the amount of \$99 for same, Public Works.

COURT ORDER NO. 2008-022-01-08

GENERAL DISCUSSION

5. AI-27596 Public Hearing adopting the Collin County Mobility Plan, Engineering. Ruben Delgado, Engineering, stated he was back before the Court with a presentation addressing questions and comments presented at the June 2007 Court, with the goal of leading to the adoption of the Collin County Mobility Plan. Mike McAnelly, Project Manager, Jacobs Carter Burgess, came before the Court with a Power Point presentation entitled "Collin County Mobility Plan 2007 Update". Mr. McAnelly continued with the Power Point presentation outlining the following topics: Plan Development Methodology; Study Area – Collin County, Texas; Adopted CCMP 2002 Update; Purpose of Mobility Plan; Changes Since 2002 Update; Collin County Population and Employment Growth Forecasts; Future Land Use; continued Future Land Use; Environmental Constraints; Population Forecast; continued Population Forecast; Employment Forecast; continued Employment Forecast; Transportation Serial Zones; Projected Future Traffic Year 2030 PM Peak Hour; Travel Demand Forecasts; Level of Service; Projected Level of Service (LOS) for 2015 PM Peak Hour; Projected Level of Service (LOS) for 2030 PM Peak Hour; 2015 Network Improvements; Recommended Thoroughfare Plan Collin County Mobility Plan 2007 Update; Typical Sections Collin County Mobility Plan 2007 Update.

Commissioner Hoagland asked if the area colored gray on the map represented a sparsely populated area. Mr. McAnelly replied gray represented sparsely populated rural development, yellow represented residential, brighter colors represented commercial, manufacturing or office employment, and green represented open space. Mr. McAnelly continued with the Power Point presentation, explaining the level of service designations for roadways. Commissioner Hatchell motioned to adopt the Collin County Mobility Plan, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:05:53 p.m.)

COURT ORDER NO. 2008-023-01-08

6. AI-27684 Consideration, discussion and any action regarding Sexually Oriented Businesses, Commissioners Court. Bill Bilyeu, Administrative Services, stated the Court had been presented with a copy of a proposed sexually oriented business court order to start the public hearing process with a workshop scheduled for February or March. Jim Shepherd explained that he looked at the existing sexually oriented business order in order to legally further restrict the possibility of the existence of sexually oriented businesses in Collin County. Mr. Shepherd said the question is how do you regulate the businesses lawfully, how do you license the businesses properly, and how do you revoke a license when a business crosses the line. Commissioner Hatchell asked what the legal distances are between churches and sexually oriented businesses and if the current distances can be increased. Mr. Shepherd replied there are a few different ways to address that concern: how far is far enough, or do you group all of the like businesses together. Discussion followed between Mr. Shepherd and the Court on topics of alcohol sales, location of businesses from schools, parks and churches, proximity

to highways and hours of operation. Commissioner Hatchell motioned to move ahead with enactment of this item, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:23:23 p.m.)

COURT ORDER NO. 2008-024-01-08

7. AI-27765 Consideration, discussion and any action regarding right of way donation in Farmersville for the Collin County Outer Loop, Commissioners Court.

HELD

8. AI-27784 Update, discussion and any action regarding the outer loop right of way acquisition, Engineering. Ruben Delgado, Engineering, stated he was before the Court as requested with an update on the progress of the Outer Loop in the last year. Mr. Delgado explained the Outer Loop is fifty-five (55) miles long, extending from the Denton County line, going eastward towards Blue Ridge, turning south towards Farmersville, and then south towards Rockwall County. Mr. Delgado continued, adding there are three important segments in the Outer Loop, and he would be discussing the sections showing the growth in Collin County, which is where the Outer Loop is coincident with mainly the Dallas North Toll road and Preston Road, between US 75 and Highway 121. Commissioner Hoagland expressed concern about the corridor from Rockwall County. Mr. Delgado replied that section was included. At this point Mr. Delgado referred to the Recommended Thoroughfare Plan, Collin County Mobility Plan 2007 Update Map, and the Outer Loop ROW Acquisition handout, which listed thirty (30) parcels affected between US 75 and Highway 121.

Jeff Durham, Parks and Projects Manager, explained the Outer Loop ROW Acquisition handout, stating they have all the appraisals and surveying documents needed to proceed with the right-of-way acquisition and have acquired the services of Maptech, an acquisition firm, which is working on securing the right-of-way in that area. Mr. Durham continued with an explanation of the handout. Explanation and discussion continued between Mr. Durham, Rusty Ozmer, HNTB, and the Court, with Commissioner Hoagland asking if the surveyors will need to enter parcel no. 30's property. Mr. Ozmer replied they may need to, and Mr. Durham agreed. Commissioner Hatchell asked about the acreage listed on the handout, and Mr. Durham replied that that 174 acres was the total amount of acreage for the first eighteen (18) parcels. Mr. Durham also stated there were some homes that would be affected and would be acquired, and that there is a damage amount to the remainder of the property. Commissioner Hoagland noted the property owners with "no reply" and "right of entry denied" on the "Comments" section of the handout should be taken to Court. Mr. Delgado stated they were asking the Court's approval to do that. Mr. Durham stated the reason access to the properties is necessary is to be able to create the actual take area, have a legal survey, set monumentation, to come up with an acreage for the appraiser to value.

Commissioner Cole stated it would helpful for the Court to be able to look at the map and see how much land a property owner has and Commissioner Hoagland

requested another column be added to the handout listing total acreage. Mr. Delgado stated they needed the Court's approval to proceed with legal requirements to gain right of entry onto those properties listed on the handout. Commissioner Hoagland motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:37:00 p.m.)

Mr. Delgado stated Mr. Ozmer would give a brief report on the engineering. Mr. Ozmer stated HNTB was asked by the County to develop a two-lane roadway schematic from US 75 to Highway 121, and that has been completed and the right-of-way has been verified. Discussion followed between Mr. Ozmer, Mr. Delgado and the Court. (Time: 2:39:58 p.m.)

COURT ORDER NO. 2008-025-01-08

9. AI-27783 Consideration, discussion and any action regarding personnel appointments, Human Resources. Cynthia Jacobson, Human Resources, stated all appointments are within normal specifications, with the exception of one, a step two, because of prior direct experience. Commissioner Hatchell motioned to approve, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:40:06 p.m.)

COURT ORDER NO. 2008-026-01-08

10. AI-27785 Consideration, discussion and any action regarding personnel changes, Human Resources. Cynthia Jacobson, Human Resources, stated all actions are within normal specifications, with the exception of Jayson Hopper, Facilities, which should read "Building Maintenance Tech II" but instead reads "Building Maintenance Tech I" because space ran out. Ms. Jacobson also stated under "Corrections" for Diana Le'Bron, Detention Officer, there is a correction to salary due to direct prior experience. Commissioner Cole motioned to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:41:05 p.m.)

COURT ORDER NO. 2008-027-01-08

11. Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Funding Initiative, Commissioners Court. Bill Bilyeu, Administrative Services, stated Ruben Delgado, Engineering, has information from the RTC staff on cost overruns for projects being managed by TxDOT. Mr. Bilyeu added Ron Johnston, TxDOT, was present with a handout on the projects in Collin County and the status of those projects. Mr. Johnston came before the Court with a handout entitled "2007 RTR Funding Initiative Evaluation of Cost Overruns Collin County", and offered a synopsis of the document, explaining the chart tells TxDOT things such as who is responsible for a project. Mr. Johnston continued with his explanation and presentation to the Court. Discussion followed among Mr. Johnston, Mr. Delgado, and the Court regarding completion of projects, County funds committed to projects, and cost overrun money. (Time: 3:05:08 p.m.)

MINUTES

12. Possible future agenda items by Commissioners Court without discussion. Judge Self asked if there were any future agenda items. Commissioner Hoagland wanted to know when the DMT alignment north of Highway 380 would be back before the Court and he also requested an update from Jon Kleinheksel, Public Works, on the trash situation. (Time: 3:06:24 p.m.)

EXECUTIVE SESSION

Judge Self recessed the Court into Executive Session at 3:06 p.m. and reconvened the Court into Open Session at 3:17 p.m.

AI-27794 Board/Committee Appointments. Commissioner Hatchell motioned to appoint Dee Roessler to the LifePath Systems Board, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 3:17:48 p.m.)

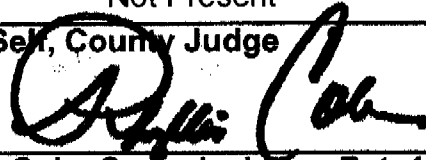
Commissioner Cole motioned to reappoint Pete Hosp to the Park Foundation Advisory Board, George Marks to the Planning Board, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 3:18:13 p.m.)

Judge Self motioned to appoint Stan Sewell to the Planning Board and Becky Airhart-Smith to the Park Foundation Advisory Board, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 3:18:28 p.m.)

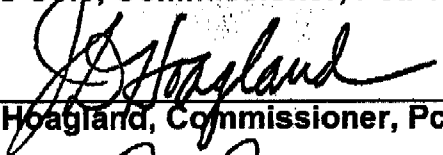
COURT ORDER NO. 2008-028-01-08

Not Present

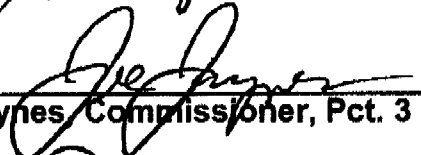
Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



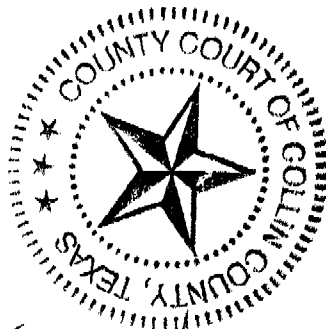
Jerry Hoagland, Commissioner, Pct. 2




Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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