

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

FEBRUARY 12, 2008

On Tuesday, February 12, 2008, 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> (Not present)	<b>Commissioner, Precinct 2</b>
<b>Joe Jaynes</b>	<b>Commissioner, Precinct 3</b>
<b>Jack Hatchell</b>	<b>Commissioner, Precinct 4</b>

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 1:38 p.m. and adjourned at 1:40 p.m.

**Item No. 1** Judge Self convened the Collin County Commissioners Court meeting at 1:40 p.m.

### **PUBLIC HEARINGS**

1. AI-27960 Consideration, discussion and any action regarding the adoption of an Order to regulate sexually oriented businesses in unincorporated areas of Collin County, Texas, Administrative Services. Jim Shepherd came before the Court with updated information regarding the adoption of an Order to regulate sexually oriented businesses. Rick Allen, Chief Deputy Sheriff, stated sexually oriented businesses bring in a bad element, which is why all sexually oriented businesses in Collin County were closed in the early 1990's. The Collin County Sheriff's Office supported the adoption of this Order. Jim Goodrich, real estate appraiser, stated upon review of the "Survey of Appraisers of Dallas Fort Worth, Effects of Land Usage on Surrounding Property Values" over 90% of the real estate appraisers surveyed agreed that sexually oriented businesses have a serious, adverse, and negative effect on property values. Judge Self asked if any member of the public would like to address the Court. There were none.

Judge Self stated the Court read approximately 1,000 pages of studies provided by Mr. Shepherd on the negative effects of sexually oriented businesses. Commissioner Jaynes commended Mr. Shepherd on a thorough job, and moved

for approval of the adoption of an Order to regulate sexually oriented businesses, Commissioner Cole seconded, and the motioned passed with a 4-0 vote of the Court. (Time: 1:50:10 p.m.)

**COURT ORDER NO. 2008-080-02-26**

2. AI-27877 Consideration, discussion and any action regarding the amended Collin County On-Site Sewage Facility Order, Development Services. Misty Brown, Development Services Manager, requested an amendment to the present court order for on-site sewage facility regulations. The additions requested are: all on-site sewage facility (OSSF) installations and/or repairs be made by a licensed OSSF professional; additional testing be added for OSSF; notification from homeowners when their maintenance provider has checked their system; and homeowners must be properly trained and certified if they are going to maintain their own system. Ms. Brown added these requirements were removed by the legislature at the last session and now would have to be ordered by Commissioners Court. Commissioner Jaynes stated this is just for aerobic systems. Chris Gracy, Septic Solutions, stated he maintained over 1,250 septic systems in Collin County. Mr. Gracy urged the Court to approve the amendment set forth by Ms. Brown. Improperly maintained systems can cause hepatitis and dysentery. Candy Blair, Health Care Administrator, also urged the Court to approve this item in order to prevent a public health crisis. Bill Bilyeu stated the Court must vote today or re-post. Commissioner Jaynes wanted more clarification. Judge Self stated he agreed with Commissioner Jaynes, and objected to paragraph "g" of the amendment. Judge Self asked all in favor of the amendment as it stands, Commissioner Hatchell said aye, Commissioner Cole said aye, Commissioner Jaynes said no, and Judge Self said no. Commissioner Jaynes asked that it be brought back before the Court. (Time: 2:15:35 p.m.)

**HELD**

**FYI NOTIFICATION**

1. AI-27914 Addendum No. 1 for Video Conference Equipment & Installation to add various items to the bid invitation, Budget.
2. AI-27946 Addendum No. 1 for Services: Janitorial to make various changes to the bid invitation, Facilities. No Action
3. AI-27906 Notification of a grant application through the Office of the Governor Criminal Justice Division for the FY2009 Victims of Crime Assistance and Security (VOCA) grant in the amount of \$25,000 with a 20% County match, Budget.
4. AI-27885 Please note utilization of the BuyBoard Cooperative contract to purchase two (2) 3/4 ton pickups per VTCA LGC 271.102 and further award to Philpott Motors (budgeted), Public Works.
5. AI-27883 Acceptance of the BuyBoard Cooperative Purchasing rebate check in the amount of \$2,715.62, Purchasing.

6. AI-27928 Budget amendment(s)/adjustment(s) totaling \$5,140,608.22 (over \$5,000 per c/o 2005-589-08-01) for Bond Fund cleanup, to move funds to appropriate lines and for the amount needed for the revised Local Transportation Project Advanced Funding Agreement, Budget.

**PULLED**

7. AI-27930 Budget amendment(s)/adjustment(s) totaling \$2,132,081 (over \$5,000 per c/o 2005-589-08-01) for the Air Check Texas fund, Budget.

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

**Item No. 2** Public Comments.

**Item No. 3** Presentation/Introduction:

a. AI-27952 Service Pins to employees with 10, 15, 20 and 25 years of service in the month of February, Human Resources. Cynthia Jacobson, Human Resources Director, stated there were no service pin presentations. (Time: 1:41:10 p.m.)

b. AI-27924 Gregory Church as the new CEA Horticulturist, Texas AgriLife Extension Service. Carrie Brazeal, Texas AgriLife Extension Service, introduced Gregory Church, new Horticultural Agent, to the Court. (Time: 1:42:10 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 Jaynes pulled 4e6. Commissioner Hatchell moved to approve the remainder, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:16:10 p.m.)

a. Filing of the February 12, 2008, Regular Agenda.  
**COURT ORDER NO. 2008-081-02-26**

b. AI-27922 Filing of the February 5, 2008 Special Session Agenda.  
**COURT ORDER NO. 2008-082-02-26**

c. AI-27948 Disbursements for the period ending February 6, 2008, Auditor.  
**COURT ORDER NO. 2008-083-02-26**

d. AI-27894 Tax Refunds totaling \$552,648.59, Tax Assessor Collector.  
**COURT ORDER NO. 2008-084-02-26**

e. Advertisement(s):

1. AI-27919 Maintenance: APC UPS/PDU Next Business Day Onsite Service (budgeted), Facilities.  
**COURT ORDER NO. 2008-085-02-26**
  2. AI-27560 Equipment & Installation: Projectors, Mounts, and DVD/VCR Combo for UDCF (budgeted), Information Technology.  
**COURT ORDER NO. 2008-086-02-26**
  3. AI-27892 Services; Auto Body Repair and Paint For Light, Medium and Heavy Duty Vehicles (budgeted), Public Works.  
**COURT ORDER NO. 2008-087-02-26**
  4. AI-27881 Services; Full Depth Reclamation with Type 1 Portland Cement (budgeted), Public Works.  
**COURT ORDER NO. 2008-088-02-26**
  5. AI-27933 Prisoner Transport Services (budgeted), Sheriff.  
**COURT ORDER NO. 2008-089-02-26**
  6. AI-27857 Relocation of Existing Truss Bridge from CR 475 to the Collin County Adventure Camp (budgeted), Special Projects. Commissioner Jaynes asked for an update from Jeff Durham, Parks and Projects Manager. Mr. Durham stated the bridge will be moved to the Collin County Adventure Camp in Westminster. Commissioner Jaynes requested the Historical Society be kept informed. Commissioner Jaynes moved to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:17:32 p.m.)  
**COURT ORDER NO. 2008-090-02-26**
- f. Agreement(s):
1. AI-27897 Grant exemption from the competitive bidding process per V.T.C.A. Local Government code, Chapter 262.024 (a)(4) for professional services and (a)(7)(A) for an item that can only be obtained from one (1) source; approve an agreement with Premier Election Solutions (formerly Diebold) for election support services for up to 5 county wide elections in 2008 calendar year and further authorize the Purchasing Agent to finalize and execute same (budgeted), Elections.  
**COURT ORDER NO. 2008-091-02-26**
  2. AI-27916 Contractor Agreement with Rockwall Controls Company, Inc. for a Software Update and Assimilation of Invensys HVAC Processes into the County Wide network for the Justice Center site and further authorize the Purchasing Agent to finalize and execute the

agreement (not budgeted), Facilities.

**COURT ORDER NO. 2008-092-02-26**

3. AI-27912 Grant exemption from the competitive bidding process per V.T.C.A. Local Government code, Chapter 262.024 (a)(4) for professional services and (a)(7)(A) for an item that can only be obtained from one (1) source; approve a System Operation and Maintenance Support agreement with ADB Consulting for the NCT Data Fusion Center and further authorize the Purchasing Agent to finalize and execute same (budgeted), Homeland Security.

**COURT ORDER NO. 2008-093-02-26**

4. AI-27950 Host Agency Agreement with Experience Works to provide public benefit by providing training and work experience for Senior Community Service Employment Program (SCSEP) participants (at no cost to the County), Human Resources.

**COURT ORDER NO. 2008-094-02-26**

5. AI-27942 Data/Storage Infrastructure Assessment agreement with Innovative Storage Solutions offered at no cost to Collin County and further authorize the Purchasing Agent to finalize and execute the agreement, Information Technology.

**COURT ORDER NO. 2008-095-02-26**

6. AI-27941 Desktop Management-Onsite Demo/Assessment agreement with Persysent Technologies offered at no cost to Collin County and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

**COURT ORDER NO. 2008-096-02-26**

7. AI-27943 Printer/Scanner/Copier Assessment agreement with Lexmark offered at no cost to Collin County and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

**COURT ORDER NO. 2008-097-02-26**

8. AI-27774 Electronic Check Payment Processing agreement with Official Payments Corporation to process citizens payments or property taxes via credit card and/or electronic check, Tax Assessor/Collector.

**COURT ORDER NO. 2008-098-02-26**

- g. Amendment(s):

Commissioners Court Minutes

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1. AI-27921 No. 3 to Professional Services, Architectural: Collin County Administration Building with PGAL to add Architectural and Engineering Services for Furniture, Fixtures and Equipment (FF&E) Services for an increase in the amount of \$90,700 (budgeted), Construction & Projects.  
**COURT ORDER NO. 2008-099-02-26**
  
2. AI-27920 No. 3 to the Inmate Healthcare contract with NaphCare Inc. to increase the hours for the Jail Psychiatrist from 11 hours to 15 hours per week for a total increase of \$3,276 per month and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.  
**COURT ORDER NO. 2008-100-02-26**
  
- h. Change Order(s):
  1. AI-27725 No. 1, 2 and 3 for the Bloomdale Road Bridge Project with the Texas Department of Transportation (TxDOT) to make various changes to the project in the amount of \$12,676.85 and budget amendment for same, further authorizing the Purchasing Agent to finalize and execute the change orders, Engineering.  
**COURT ORDER NO. 2008-101-02-26**
  
- i. Budget adjustment/amendment(s), Engineering:
  1. AI-27898 \$2,620.69 for additional funding for Collin County's participation costs with the Texas Department of Transportation (TxDOT) for right-of-way acquisition for the 1983 Bond Project No. 83-44A - SH 78 from the Dallas/Collin County Line to FM 544.  
**COURT ORDER NO. 2008-102-02-26**
  
  2. AI-27903 \$5,615.31 for additional funding for Collin County's participation costs with the Texas Department of Transportation for right-of-way acquisition for 1983 Bond project #83-41 - US 380 from FM 1461 to US 75.  
**COURT ORDER NO. 2008-103-02-26**
  
- j. Receive and File, Auditor:
  1. AI-27947 1st Quarter Investment Report for FY2008.  
**COURT ORDER NO. 2008-104-02-26**
  
  2. AI-27940 FY2007 Annual Facilities Inventory.  
**COURT ORDER NO. 2008-105-02-26**
  
  3. AI-27939 Public Works Stockpile Physical Inventory FY2007.  
**COURT ORDER NO. 2008-106-02-26**

4. Final Audit Results:

- a. AI-27936 Constable, Precinct 2 (4th Quarter FY2007 & 1st Quarter FY2008).  
**COURT ORDER NO. 2008-107-02-26**
- b. AI-27938 Elections (4th Quarter FY2007).  
**COURT ORDER NO. 2008-108-02-26**
- c. AI-27937 Justice of the Peace, Precinct 4 (4th Quarter FY2007).  
**COURT ORDER NO. 2008-109-02-26**

5. Monthly Financial Statement:

- a. AI-27915 October 2007.  
**COURT ORDER NO. 2008-110-02-26**
- b. AI-27917 November 2007.  
**COURT ORDER NO. 2008-111-02-26**
- c. AI-27923 December 2007.  
**COURT ORDER NO. 2008-112-02-26**

k. Filing of the Minutes, County Clerk:

- 1. AI-27893 January 14, 2008 - Workshop.  
**COURT ORDER NO. 2008-113-02-26**
- 2. AI-27951 January 15, 2008 - Special Session.  
**COURT ORDER NO. 2008-114-02-26**
- 3. AI-27909 January 22, 2008.  
**COURT ORDER NO. 2008-115-02-26**

l. Miscellaneous

- 1. AI-27953 Grant exception to the Tuition Reimbursement Policy to allow monthly reimbursement payments from Jason Lorange, Administrative Services.  
**COURT ORDER NO. 2008-116-02-26**
- 2. AI-27913 Grant application with the Texas Task Force on Indigent Defense for the FY2009 Discretionary Grant funds, Budget.  
**COURT ORDER NO. 2008-117-02-26**
- 3. AI-27887 Utilization of the University Drive Courts Facility, Public Works Services Center and the Collin County Sheriff's Facility by Carter

Blood Care on February 20, 2008 from 7:00 a.m. – 3:00 p.m. and the 6th Floor Conference Room of the Collin County Courthouse located at 210 S. McDonald Street on February 20, 2008 from 8:00 a.m. – 3:00 p.m. to host a blood drive event and further waiving insurance and other related fees, Facilities.

**COURT ORDER NO. 2008-118-02-26**

4. AI-27896 Address updates on Wheelis Road from 1101 - 1123 to 1251 - 1404 and a new address assignment of 1175 Wheelis Road, for compliance with the Collin County Address Policy (Map Page 1K4), GIS/Rural Addressing.

**COURT ORDER NO. 2008-119-02-26**

5. AI-27874 Consideration, discussion and any action regarding reclassification of an Assistant Emergency Management Specialist, Homeland Security.

**COURT ORDER NO. 2008-120-02-26**

6. AI-27889 Close a portion of CR 105, 132, 134, 135, 175 and 177 from 9:00 a.m. to 3:30 p.m. on March 9, 2008 to accommodate the Texas High School Cycling League to facilitate a bicycle race, Public Works.

**COURT ORDER NO. 2008-121-02-26**

7. AI-27931 Reimburse Mr. and Mrs. Baltzer in the amount of \$2000 to relocate a shed away from the easement on County Road 173 (budgeted), Public Works.

**COURT ORDER NO. 2008-122-02-26**

8. AI-27929 Replace a 3/4 ton Pickup (Vehicle Unit No. 34351) with a Flex Fuel 1/2 ton Pickup utilizing the BuyBoard contract per VTCA LGC 271.102 (budgeted), Public Works.

**COURT ORDER NO. 2008-123-02-26**

9. AI-27918 Donate thirteen (13) Patrol Mobile Data computers to the Princeton Police Department per LGC VTCA 263.152 (a)(1), Sheriff.

**COURT ORDER NO. 2008-124-02-26**

10. AI-27932 Grant permission to use Prisoner Transportation Services (PTS) for prisoner transport if needed, effective February 8, 2008 until new award can be made for services (budgeted), Sheriff.

**COURT ORDER NO. 2008-125-02-26**

11. AI-27935 Increase the amount of the cash change fund in the Bond Division at the Detention Facility from \$1,000 to \$1,500, Sheriff.

**COURT ORDER NO. 2008-126-02-26**



**GENERAL DISCUSSION**

5. AI-27886 Consideration, discussion and any action to appoint an evaluation recommendation committee for RFQ No. 11064-08 (Architect - JJAEP), RFQ No. 12175-08 for Bridges and RFQ No. 12176-08 for Roads (Engineering - 2007 Bond Projects), Administrative Services. Bill Bilyeu, Administrative Services, asked the Commissioners if they wanted to participate in a committee to approve and negotiate RFI's. Commissioner Jaynes said he would prefer that dedicated professionals bring recommendations back to the Court. Commissioner Hatchell and Judge Self said they would like to look at proposals. Judge Self stated that he, Commissioner Hoagland, Commissioner Hatchell, Commissioner Cole, Mr. Bilyeu, Mr. Delgado, and Bill Burke would serve on the committee. Mr. Bilyeu stated this item will be back before the Court for Workshop on February 19<sup>th</sup>, 2008. Mr. Jaynes asked to be included in the committee. Judge Self stated there was no need to vote. (Time: 2:24:54 p.m.)

**MINUTES**

6. AI-27954 Consideration, discussion and any action regarding the appointment of a Collin County representative on the Arts of Collin County Commission Advisory Committee, Administrative Services. Judge Self said the Arts of Collin County Commission Advisory Committed recommended Commissioner Jaynes be re-appointed. Commissioner Cole nominated Commissioner Jaynes, Commissioner Hatchell seconded, and the motion passed with a 3-0 vote of the Court. Commissioner Jaynes did not vote. (Time: 2:25:21 p.m.)

**COURT ORDER NO. 2008-127-02-26**

7. AI-27866 Consideration, discussion and any action regarding a budget amendment in the amount of \$45,439 to establish the budget for the FY2008 Juvenile Probation Out of County Sex Offenders Program, Auditor. Judge Self asked Rodney Rhoades, Budget Director, to explain the potential impact on the County budget. Mr. Rhoades stated during budget process, all revenues were accounted for in this fund. This money is the revenue source for housing out of county sex offenders with Denton, Hunt and Fannin Counties. The Juvenile Board moved \$45,000 to a special fund, which is the budget amendment before the Court. Mr. Rhoades added the transfer of funds from the general fund is done at the Court's discretion. Commissioner Cole stated she would like to see numbers when the Court is asked to transfer the funds. Judge Self stated he would like to meet with the Juvenile Board. Judge Self added there was nothing to vote on today. (Time: 2:35:58 p.m.)

**HELD**

8. AI-27945 Consideration, discussion and any action regarding an Engineering Services Agreement with Lockwood, Andrews and Newnam, Inc. (LAN) to fund engineering services for SH 289 from North of US 380 to Business 289 North of Celina and budget amendment in the amount of \$113,500 for same,

Engineering. Ruben Delgado, County Engineer, requested the Court allocate funds to keep Lockwood, Andrews and Newnam (LAN) working on three vital projects that were delayed due to shortfalls within TxDOT. Commissioner Jaynes moved to approve out of 2003 bonds, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:40:14 p.m.)

**COURT ORDER NO. 2008-128-02-26**

9. AI-27899 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources Director, requested walk-in appointments since the Election Department was in need of temporary workers. Regular appointments are at step one or intern, with the exception of three, which are prior direct experience or rehire. Commissioner Cole moved to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:41:46 p.m.)

**COURT ORDER NO. 2008-129-02-26**

10. AI-27900 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources Director, stated all changes are within required specifications with the exception of a request by the Tax Department to hire a temporary at step 3. Human Resources recommended hiring at step 1 for lack of direct experience. Commissioner Jaynes moved to approve as recommended by Human Resources, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:42:33 p.m.)

**COURT ORDER NO. 2008-130-02-26**

11. AI-27864 Designation and ballot drawing of nine (9) public members (in lieu of nine elected officials) and four (4) alternate members from the 2007 Grand Jury members to be appointed and serve on the 2008 Salary Grievance Committee and any action, Commissioners Court. The Court drew the following names to be appointed and serve on the 2008 Salary Grievance Committee: Tom Ford, Gary Caplinger, Floyd Elliott, Jennifer Jill McCall, Winnetta Morrow, Richard Corbin, Pam Toney, Lynn Powell, and James Robert Dawkins. The Court drew the following names to serve as alternate members: Nancy Crawford, Gary Lisle, Sr., Sharon Lewis, and Richard D. Macfee. (Time: 2:44:59 p.m.)

**COURT ORDER NO. 2008-131-02-26**

12. Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Funding Initiative, Commissioners Court. Bill Bilyeu, Administrative Services, stated there was no update. Commissioner Jaynes stated there was a meeting next week with Michael Morris for an update. (Time: 2:45:21 p.m.)

**NO ACTION**

13. Possible future agenda items by Commissioners Court without discussion. Commissioner Cole requested that the Salary Grievance Committee be allowed to set Commissioners Court salaries. Commissioner Jaynes suggested the

committee set salaries for all elected officials. Judge Self stated that was a topic for a future Workshop. (Time: 3:10:54 p.m.)

**EXECUTIVE SESSION**

Board/Committee Appointments (551.0745)

AI-27959 Board/Committee Appointments. Commissioner Jaynes appointed Sally Terrell, Allen, and George Balsam, McKinney, to Health Care, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 3:12:11 p.m.)

Judge Self appointed Susan Fletcher to Health Care and Loydell Seward to the Historical Commission, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. (Time: 3:12:30 p.m.)

**COURT ORDER NO. 2008-132-02-26**

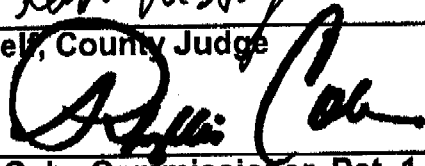
Real Estate (551.072)

AI-27890 Discussion and update regarding Outer Loop Right-of-Way Acquisition, Special Projects.

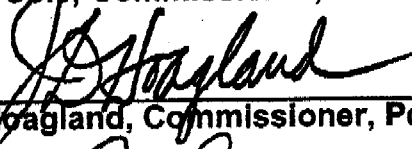
**NO ACTION**



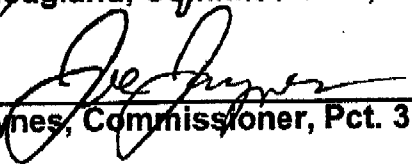
Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



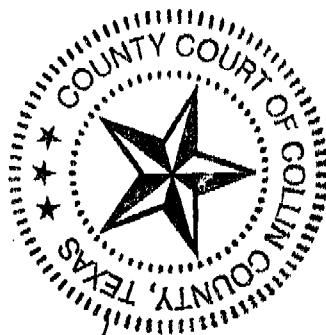
Jerry Hoagland, Commissioner, Pct. 2




Joe Jaynes, Commissioner, Pct. 3

**NOT PRESENT**

Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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