

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

MARCH 26, 2008

On Wednesday, March 26, 2008, 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.

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 1:36 p.m. and adjourned at 1:38 p.m.

Item No. 1 Judge Self convened the **Collin County Commissioners Court** meeting at 1:38 p.m.

FYI NOTIFICATION

1. **AI-28104** Change Order No. 3 for Construction: The Landing at Myer's Park (IFB No. 04082-07) with KC Construction Services, Inc. to make various changes to the contract for an increase of \$2,859.18 (budgeted), Construction & Projects.
2. **AI-28026** Please note utilization of the Department of Information Resources (DIR) contracts (per court order 2004-188-03-23 which complies with Local Government Code 271-102) to purchase hardware from Sirius for the DASD Sirius project (budgeted), Information Technology.
3. Notification of budget amendment(s)/adjustment(s), Auditor:
 - a. **AI-28062** \$4,500 to establish a revenue/expenditure budget for the Internet Crime Against Children grant assistance program.

- b. AI-28066 \$87,519 to establish the budget for the State Homeland Security Program 2007 Emergency Management Performance Grant (EMPG) funds.
 - c. AI-28089 \$253,637 to establish the budget for the 2007 UASI grant funds for the Fusion System Project.
4. AI-28102 Budget amendment(s)/adjustment(s) totaling \$22,022 (over \$5,000 per c/o 2005-589-08-01), Budget.

Item No. 2 Public Comments. There were no public comments.

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. Commissioner Cole pulled item g1; Ruben Delgado, County Engineer, pulled item k1. Commissioner Hatchell moved to approve the remainder of the consent agenda, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:38:58 p.m.)

- a. Filing of the March 26, 2008, Regular Agenda.
COURT ORDER NO. 2008-192-03-26
- b. AI-28090 Disbursements for the period ending March 19, 2008, Auditor.
COURT ORDER NO. 2008-193-03-26
- c. AI-28081 Tax Refund totaling \$1,979,995.34, Tax Assessor Collector.
COURT ORDER NO. 2008-194-03-26
- d. Advertisement(s):
 - 1. AI-27973 Services: Outpatient Substance Abuse Treatment Program – RFP No. 02438-08 (not budgeted), County Court at Law 4.
COURT ORDER NO. 2008-195-03-26
- e. Termination(s):
 - 1. AI-28048 Contract for Janitorial Services with Texas Industries for the Blind and Handicapped (TIBH), Facilities.
COURT ORDER NO. 2008-196-03-26
- f. Award(s):
 - 1. AI-28046 Services: Janitorial (RFP No. 01390-08) (budgeted), Facilities.
COURT ORDER NO. 2008-197-03-26

2. AI-28061 Grant exemption from the competitive bidding process per L.G.C. 262.024(a)(4) Professional Service, award to ADB Consulting, LLC and approve the Consulting Agreement for the North Central Texas Fusion System Maturation contract utilizing Urban Area Security Initiative (UASI) 2007 grant funds and further authorize the Purchasing Agent to finalize and execute the agreement, Homeland Security.

COURT ORDER NO. 2008-198-03-26

g. Agreement(s):

1. AI-28063 Memorandum of Understanding (MOU) with the Junior League of Plano for assistance in emergency/disaster events (at no cost to Collin County) and further authorize the County Judge to finalize and execute same, Homeland Security. Commissioner Cole introduced members of the Junior League of Plano and thanked them for volunteering to assist in emergency/disaster events. Kelley Stone, Homeland Security, thanked the Junior League of Plano for their support and professionalism. Commissioner Cole moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:41:22 p.m.)

COURT ORDER NO. 2008-199-03-26

2. AI-28074 Interlocal agreement with the City of Commerce for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute same, Homeland Security.

COURT ORDER NO. 2008-200-03-26

3. AI-28007 Memorandum of Understanding with the U.S. Secret Service for Electronic Crimes and further authorize the County Judge to finalize and execute same (budgeted), Sheriff.

COURT ORDER NO. 2008-201-03-26

4. AI-28082 Interlocal Agreement with the Police Departments for the Cities of Allen, Frisco, McKinney, Plano and Wylie for access to the entire "Offender Watch" software solution, budget amendment in the amount of \$15,000 for same and further authorize the County Judge to finalize and execute the agreement, Sheriff.

COURT ORDER NO. 2008-202-03-26

5. AI-28083 Agreements with the US Army Corp of Engineers and the Trinity Trail Preservation Association for the Operation, Maintenance and Development of Trinity Trail at Lavon Lake and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2008-203-03-26

6. AI-28077 Interlocal Agreement with the City of Frisco for the acquisition of land for Miramonte Neighborhood Park for funding through the Collin County Parks/Open Space Project Funding Assistance Program and further authorize the County Judge to finalize and execute same (budgeted - NTE \$390,000), Special Projects.

COURT ORDER NO. 2008-204-03-26

h. Amendment(s):

1. AI-28101 No. 1 to the Lease of State of Texas Registration and Title System (RTS) Information Resources and Support agreement for the use of the State of Texas automation equipment adding equipment for one (1) additional location (Huffines Kia McKinney) for dealers and subcontractors providing registration services and further authorize the County Judge to finalize and execute same, Tax Assessor Collector.

COURT ORDER NO. 2008-205-03-26

i. Change Order(s):

1. AI-28088 No. 8 for the Bloomdale Road Bridge Project with the Texas Department of Transportation (TxDOT) to pay off-duty police officers used on the project for freeway closures and for night work in the amount of \$495 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Engineering.

COURT ORDER NO. 2008-206-03-26

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

1. AI-28053 Ratification of the County Judge's prior approval of a Novation Agreement for Services: Vending (IFB No. 04063-05) to change the vendor name from Specialized Quality Vending to Vend Pro and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2008-207-03-26

k. Budget adjustment/amendment(s):

1. AI-28095 \$3,390,000 for the remaining funds for the US 75 at Parker Road project (Bond Project No. 03-046) with the Texas Department of Transportation (TxDOT), Engineering. Ruben Delgado, County Engineer, requested early release of the remaining funds for TxDOT for the Parker Road project. Commissioner Hatchell moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:43:14 p.m.)

COURT ORDER NO. 2008-208-03-26

l. Receive and File, Auditor:

1. AI-28067 Monthly Financial Statement for January 2008.

COURT ORDER NO. 2008-209-03-26

2. Final Audit Results:

- a. AI-28119 Engineering (4th Quarter FY2007).

COURT ORDER NO. 2008-210-03-26

- b. AI-28118 Myers Park & Event Center (4th Quarter FY2007).

COURT ORDER NO. 2008-211-03-26

- c. AI-28115 Justice of the Peace, Precinct 3-2 (4th Quarter FY2007).

COURT ORDER NO. 2008-212-03-26

- d. AI-28113 County Clerk (1st Quarter FY2008).

COURT ORDER NO. 2008-213-03-26

- e. AI-28114 Engineering (1st Quarter FY2008).

COURT ORDER NO. 2008-214-03-26

- f. AI-28107 Medical Examiner (1st Quarter FY2008).

COURT ORDER NO. 2008-215-03-26

3. Payroll Audit:

- a. AI-28108 Administrative Services (Payroll).

COURT ORDER NO. 2008-216-03-26

- b. AI-28110 Commissioners Court (Payroll).

COURT ORDER NO. 2008-217-03-26

- c. AI-28111 Elections (Payroll).

COURT ORDER NO. 2008-218-03-26

d. AI-28117 Highway Patrol (Payroll).

COURT ORDER NO. 2008-219-03-26

m. Filing of the Minutes, County Clerk:

1. AI-28116 Amend Court Order No. 2008-181-03-11 Commissioners Court Workshop Minutes for February 19, 2008 to include detailed discussion for General Discussion Item No. 4, AI-27905.

COURT ORDER NO. 2008-220-03-26

2. AI-28099 March 11, 2008.

COURT ORDER NO. 2008-221-03-26

n. Miscellaneous

1. AI-28047 FY2008 tax exemptions for historical structures and/or landmarks, Collin County Historical Commission/Plano Heritage Commission.

COURT ORDER NO. 2008-222-03-26

2. AI-28070 Proclamation designating April 15th, 2007 as Volunteer Day in Collin County, Commissioners Court.

COURT ORDER NO. 2008-223-03-26

3. AI-28071 Resolution supporting the naming of a creek on the original farm that Mr. Barksdale established as Barksdale Creek, Commissioners Court.

COURT ORDER NO. 2008-224-03-26

4. AI-28073 Early voting locations, dates and times for the April 8, 2008, Democratic and Republican Primary Run-off Elections, Elections.

COURT ORDER NO. 2008-225-03-26

5. AI-28106 Changing the name of the developer for the Final Plat for King's Gate Country Estates from M&W Real Estates Investment Group, LTD to King's Gate Country Estates, LLC, Engineering.

COURT ORDER NO. 2008-226-03-26

6. AI-28078 Baylor Sammons Mobile Unit to use the parking lot area located at 825 N. McDonald Street on April 3, 2008 from 9:00 a.m. to 5:00 p.m. to conduct mammogram screenings, Facilities.

COURT ORDER NO. 2008-227-03-26

7. AI-28112 Utilization of the University Drive Courts Facility and the Justice Center/Bloomdale Courthouse for the annual 8th Grade Mock Trial Competition on Friday, April 25, 2008 from 7:00 a.m. to 5:00 p.m. and Saturday, April 26, 2008 from 8:00 a.m. to 4:00 p.m., the Collin County Bar Association will pay fees required for Security and Janitorial Services personnel for this event, Facilities.

COURT ORDER NO. 2008-228-03-26

8. AI-28025 Retention of a surplus 1993 Mitsubishi Utility Truck (Unit No. 22549) for use at the Service Center by Equipment Services, Public Works.

COURT ORDER NO. 2008-229-03-26

9. AI-28064 Deposit the net proceeds totaling \$136,067.92 from the Collin County On-Line Auction (per V.T.C.A. Local Government code 263.156) held on February 15, 2008, Purchasing.

COURT ORDER NO. 2008-230-03-26

10. AI-28059 Transfer the City of Celina's E-911 answering point from Collin County to the City of Celina, Sheriff.

COURT ORDER NO. 2008-231-03-26

11. AI-28093 Rental of Myers Park & Event Center facilities at a reduced fee of \$600 for the Boy Scouts of America (Arrowhead District, Circle 10 Council) to hold the annual Webelos and Twilight Day Camp June 14 – 28, 2008, Special Projects.

COURT ORDER NO. 2008-232-03-26

12. AI-28076 Timeline for the Parks and Open Space Project Funding Assistance Program, 2003 Bond – Fifth Series, Special Projects.

COURT ORDER NO. 2008-233-03-26

GENERAL DISCUSSION

Item No. 4 AI-28054 P3 Presentation by Don Lee, Facilities. Donald Lee, Executive Director, Texas Conference of Urban Counties (CUC), thanked Commissioner Cole and the leadership of Collin County for their efforts in the implementation of the CIJS project. Mr. Lee presented the Court with a packet on the Public Power Pool (P3) program, which is a registered aggregator with the State of Texas for electric deregulation. Mr. Lee explained the P3 program, emphasizing the need to group like facilities in order to receive the best rates for

electricity. Commissioner Hoagland stated Collin County would make a huge mistake by opting out of the P3 program. Bill Bilyeu, Administrative Services, stated Collin County has the ability to stay in P3. Mr. Lee stated a proposal would be ready in early April and the County will have a 30-day window to decide. Judge Self stated the County would leave their options open for now. (Time: 2:07:11 p.m.)

NO ACTION

Item No. 5 **AI-28080** Consideration, discussion and any action to establish a process for setting Elected Officials salaries for FY2009, Commissioners Court. Commissioner Cole stated she would like to see a committee formed similar to the Salary Grievance Committee made up of a random drawing of names of grand jurors which would set and determine elected officials' salaries. Commissioner Hoagland asked if the Salary Grievance Committee could perform this task. Judge Self added he was present at a Salary Grievance Committee meeting in 2006 during which officials stated their grievances but there was no back and forth discussion as to salaries. More recently he attended a Salary Grievance Committee meeting where there was a challenge to policies set by a citizen's committee, at which time a member of Commissioners Court stated he was not going to question the citizen's committee. Judge Self stated authority can be delegated, but not responsibility. Commissioner Hoagland said he was the Commissioner who made that statement, and he stands by that statement today. Commissioner Hoagland said he will not second guess committees that he helped form. Judge Self stated responsibility is abdicated if you are not willing to make changes. Commissioner Jaynes stated if a committee is formed, the Commissioners can choose to adopt or not adopt their recommendations. Commissioner Cole suggested a draft be prepared by staff and a vote taken after that. (Time: 2:21:29 p.m.)

NO ACTION

Item No. 6 **AI-28123** Consideration, discussion and any action regarding the RFQ process for Professional Services, Commissioners Court. Frank Ybarbo, Purchasing, came before the Court with a Power Point outlining the RFQ process for contracting the professional services of architects and engineers for County projects. Commissioner Cole stated the County has adhered to policy and will continue to do so. Discussion followed. Ruben Delgado, Engineering, stated RFQ's are helpful to see which engineers and consultants qualify. Questions and answers continued between the Court, Mr. Delgado and Mr. Ybarbo. (Time: 2:39:29 p.m.)

NO ACTION

Item No. 7 **AI-28072** Consideration, discussion and any action regarding an amendment to the FY2008 Fee Schedule to increase the Nondisclosure Filing Fee, County Clerk. Judge Self stated this item is being pulled off the agenda and would be brought back before a future court. (Time: 2:39:44 p.m.)

PULLED

Item No. 8 AI-28068 Consideration, discussion and any action regarding ratification of the County Judge's prior approval of a grant application for the TERP (Texas Emissions Reduction Plan) grant funds in the amount of \$335,000 for the upgrade and/or retrofit of 22 vehicles and equipment to stay in compliance of EPA quality standards, Public Works. Judge Self asked Jon Kleinheksel, Public Works, to address the Court. Mr. Kleinheksel requested a ratification of the prior grant application to enable Public Works to acquire new vehicles and equipment rather than retrofit current vehicles and equipment. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:46:09 p.m.)

COURT ORDER NO. 2008-234-03-26

Item No. 9 AI-28086 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, stated all personnel appointments were at step one. Commissioner Cole moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:46:44 p.m.)

COURT ORDER NO. 2008-235-03-26

Item No. 10 AI-28087 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stated all changes are within established guidelines. Commissioner Hatchell moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:46:57 p.m.)

COURT ORDER NO. 2008-236-03-26

Item No. 11 Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Funding Initiative, Commissioners Court. Commissioner Jaynes stated he and Judge Self would be attending a meeting on April 9, 2008, with city representatives. (Time: 2:47:30 p.m.)

NO ACTION

Item No. 12 Possible future agenda items by Commissioners Court without discussion. Commissioner Hoagland stated he would be asking for a new employee to be hired in the district clerk's office on the next agenda. (Time: 2:48:05 p.m.)

EXECUTIVE SESSION

Judge Self immediately recessed into Executive Session pursuant to Chapter 551.071 of the Texas Government Code at 2:48:31 p.m. The Court returned into open session at 2:59:48 p.m.

Board/Committee Appointments (551.0745)

AI-28125 Board/Committee Appointments.

NO ACTION

Legal (551.071)

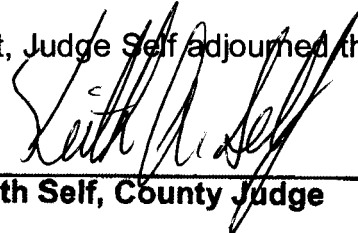
AI-28039 Discussion and any action regarding Collin County v. PGAL, Siemens, Brandt and Purdy McGuire Inc., Administrative Services.

NO ACTION

AI-28124 Scope of Service Proposal related to Special Districts. Rider Scott and Julie Fort, Strasburger & Price, Attorneys at Law, came before the Court with an Analysis of District Authority. Mr. Scott discussed Special Districts, which are districts which serve a few special purposes and do not provide a broad array of services. The presentation continued with discussion back and forth. Judge Self asked Bill Bilyeu, Administrative Services, how many special districts are planned for Collin County. Mr. Bilyeu replied there are four or five semi-active special districts. Discussion followed. Judge Self concluded by saying paperwork needed to be prepared, signed, and ratified at a future Court. (Time: 3:32:24 p.m.)

NO ACTION

There being no further business of the Court, Judge Self adjourned the meeting at 3:32:26 p.m.



Keith Self, County Judge

NOT PRESENT

Phyllis Cole, Commissioner, Pct. 1



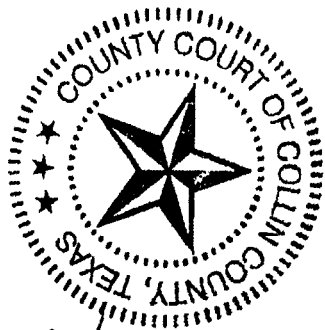
Jerry Hoagland, Commissioner, Pct. 2




Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S