

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

MAY 13, 2008

On Tuesday, May 13, 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 (Not Present)	Commissioner, Precinct 3
Jack Hatchell	Commissioner, Precinct 4

Commissioner Hoagland led the Invocation.

Commissioner Hatchell led the Pledge of Allegiance.

Commissioner Hatchell led the Pledge to the Texas Flag.

Judge Self called the Collin County Health Care Foundation meeting to order at 1:32 p.m. and adjourned at 1:36 p.m.

Item No. 1 Judge Self convened the Collin County Commissioners Court meeting at 1:36 p.m.

FYI NOTIFICATION

1. AI-28297 Update regarding the completion of the inventory and inspection of county maintained Floodwater Retarding Structures, Public Works.

2. Notification of budget adjustment(s)/amendment(s):

a. AI-28286 \$22,750 for the Orion project, District Attorney.

b. AI-28254 \$7500 to purchase digital recording devices for the Narcotics and Criminal Investigations interview rooms utilizing the Narcotics Seizure fund, Sheriff.

3. AI-28295 Budget amendment(s)/adjustment(s) totaling \$39,439 (over \$5,000 per c/o 2005-589-08-01), Budget.

Item No. 2 Public Comments. Judge Self recognized Roy Serpa, 412 Saddleback, Fairview, Texas. Mr. Serpa stated he thought the last Commissioners

Court meeting was very interesting, challenging and provocative, adding that he did not think public service was a team sport. Mr. Serpa stated "team work" is equivalent to "business as usual", and that is not what the taxpayers want. Mr. Serpa stated he was against the formation of an Elected Officials Salary Advisory Committee. Commissioner Hatchell disagreed with Mr. Serpa on the issue of team work, stating he was offended by Mr. Serpa's comments. Commissioner Hatchell stated "everything is built on team work". Commissioner Cole noted that healthy disagreement is good. (Time: 1:41:24 p.m.)

Item No. 3 Presentation of Service Pins to employees with 10, 15, 20 and 25 years of service in the month of November, Human Resources.

Item No. 4 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 Hoagland requested item 4d1 be pulled and Judge Self pulled item 4k3. Commissioner Hoagland moved to approve the remainder of the Consent Agenda, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:42:14 p.m.)

- a. Filing of the May 13, 2008, Regular Agenda.
COURT ORDER NO. 2008-319-05-13
- b. AI-28267 Disbursements for the period ending May 7, 2008, Auditor.
COURT ORDER NO. 2008-320-05-13
- c. AI-28250 Tax Refunds totaling \$451,523.18, Tax Assessor Collector.
COURT ORDER NO. 2008-321-05-13
- d. Advertisement(s):
 1. AI-28292 Services; Inmate Health Care (RFP No. 04479-08) (budgeted), Sheriff. Commissioner Hoagland asked Candy Blair, Health Care Administrator, whether the County had considered providing inmate health care. Ms. Blair replied the County considered that possibility approximately three years ago, but ran into many obstacles. Ms. Blair added that Collin County has a premiere jail known nationwide, and as a result there would be approximately five strong contenders for the contract that provide jail health care which includes mental health, dental, doctors, pharmacy, psychiatrists, physician's assistants and nursing staff. Commissioner Hoagland moved to approve, Commissioner Cole seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:45:43 p.m.)
COURT ORDER NO. 2008-322-05-13
- e. Award(s):

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1. AI-28301 Services; Outpatient Substance Abuse Program (IFB No. 02438-08) to Accel Recovery Inc. (budgeted), CCL4.

COURT ORDER NO. 2008-323-05-13

2. AI-28308 Equipment & Installation: Projects, Mounts, and DVD/VCR Combo for UDCF (RFP No. 11070-08) and budget amendment in the amount of \$18,000 for same, Information Technology.

COURT ORDER NO. 2008-324-05-13

f. Agreement(s):

1. AI-28204 Texas VINE (Victim Information & Notification Everyday) 2009 Annual Maintenance contract with the Office of the Attorney General for the period beginning September 1, 2008 through and including August 31, 2009 with a maximum liability of the Office of the Attorney General NTE \$30,108 and further authorize the County Judge to finalize and execute the agreement, Auditor.

COURT ORDER NO. 2008-325-05-13

2. AI-28206 Renewal of the Service Agreement with Appriss, Inc. to participate in the 2009 Texas VINE (Victim Information & Notification Everyday) program for the period beginning September 1, 2008 through and including August 31, 2009 with a maximum liability of the Office of the Attorney General NTE \$30,108 and further authorize the County Judge to finalize and execute the agreement, Auditor.

COURT ORDER NO. 2008-326-05-13

3. AI-28293 Tax Abatement Agreement with Capital One, National Association and Capital One Auto Finance, Inc., Reinvestment Zone No. 111, City of Plano.

COURT ORDER NO. 2008-327-05-13

4. AI-28284 Interlocal Agreement with the City of Celina to participate in the Collin County Recycling Program and further authorize the County Judge to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2008-328-05-13

5. Interlocal agreement with the Independent School District to utilize the ISD's facilities in the event of a public health emergency and further authorize the County Judge to finalize and execute same, Homeland Security:

- a. AI-28259 Anna Independent School District.

COURT ORDER NO. 2008-329-05-13

b. AI-28257 Celina Independent School District.
COURT ORDER NO. 2008-330-05-13

c. AI-28258 Melissa Independent School District.
COURT ORDER NO. 2008-331-05-13

g. Amendment(s):

1. AI-28249 2006 Grant Adjustment Notice with the State of Texas, Governor's Division of Emergency Management for the 2006 Homeland Security Program grant funds to extend the performance period through and including 2/28/2009 and further authorize the County Judge to finalize and execute same, Auditor.

COURT ORDER NO. 2008-332-05-13

2. AI-28269 No. 1 to the Common Integrated Justice System (CIJS) project with Tyler Technologies to increase the Tyler project management by 460 hours, budget amendment in the amount of \$66,700 and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2008-333-05-13

3. AI-28215 No. 1 to the Techshare Resource sharing addendum with the Texas Conference of Urban Counties for the Common Integrated Justice System (CIJS) to make various changes to the contract and further authorize the County Judge to finalize and execute same (budgeted), Information Technology.

COURT ORDER NO. 2008-334-05-13

h. Change Order(s):

1. AI-28291 No. 2 to Construction, Road: County Road 466 with Cooper Excavation to provide various changes to the contract, budget amendment in the amount of \$98,620 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2008-335-05-13

i. Receive and File, Auditor:

1. AI-28300 Monthly Financial Statement for March 2008.

COURT ORDER NO. 2008-336-05-13

2. Final Audit Results:

a. AI-28274 Tax Assessor Collector (3rd Quarter FY2007).

COURT ORDER NO. 2008-337-05-13

b. AI-28281 Constable, Precinct 1 (1st Quarter FY2008).
COURT ORDER NO. 2008-338-05-13

c. AI-28276 Development Services (1st Quarter FY2008).
COURT ORDER NO. 2008-339-05-13

d. AI-28278 District Attorney (1st Quarter FY2008).
COURT ORDER NO. 2008-340-05-13

e. AI-28271 Juvenile Probation (1st and 2nd Quarter FY2008).
COURT ORDER NO. 2008-341-05-13

f. AI-28277 Justice of the Peace, Precinct 3-1 (1st Quarter FY2008).
COURT ORDER NO. 2008-342-05-13

g. AI-28282 Justice of the Peace, Precinct 3-2 (1st Quarter FY2008).
COURT ORDER NO. 2008-343-05-13

h. AI-28275 Justice of the Peace, Precinct 4 (1st Quarter FY2008).
COURT ORDER NO. 2008-344-05-13

i. AI-28279 Substance Abuse (1st Quarter FY2008).
COURT ORDER NO. 2008-345-05-13

3. Payroll Results:

a. AI-28280 Animal Services.
COURT ORDER NO. 2008-346-05-13

b. AI-28272 Human Resources.
COURT ORDER NO. 2008-347-05-13

c. AI-28273 Veteran Affairs.
COURT ORDER NO. 2008-348-05-13

j. Filing of the Minutes, County Clerk:

1. AI-28307 April 29, 2008.
COURT ORDER NO. 2008-349-05-13

k. Miscellaneous

1. AI-28270 Purchase cell phone for the Plano CSCD office to be used as a check out phone for probation officers, Adult Probation.
COURT ORDER NO. 2008-350-05-13

2. AI-28305 Amend Court Order No. 2007-962-10-23 to reflect the appointment of the County Auditor, Donald W. Cozad and the Interim Budget Director, Monika Arris as Investment Officers, Auditor.

COURT ORDER NO. 2008-351-05-13

3. AI-28309 Agreement in Principle Candidates for FY2008, Auditor. Judge Self stated the Court will look at this item again because another bank has asked to be added to this list. Judge Self moved to approve, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:46:24 p.m.)

COURT ORDER NO. 2008-352-05-13

4. AI-28264 Reclassification of the Office Coordinator position (pay grade 37) in the Human Resources department to a Human Resources Analyst position (pay grade 37), Human Resources.

COURT ORDER NO. 2008-353-05-13

GENERAL DISCUSSION

Item No. 5 AI-28138 Update, discussion and any action regarding the continued use of the surplus bridges on FM 3286, Public Works. Commissioner Hoagland stated he was requesting information on the cost to repair the surplus bridges on behalf of Commissioner Jaynes. Jon Kleinheksel, Public Works, stated the cost would be approximately \$90,000 per bridge. Commissioner Hoagland suggested taking the bridges down. Judge Self stated the issue is whether or not the County wants to spend the money on the bridges. Commissioner Hoagland moved to not accept the bridge from the State Highway Department, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 1:47:36 p.m.)

COURT ORDER NO. 2008-354-05-13

Item No. 6 AI-28263 Update on Texas Workforce Commission and local workforce initiatives, Administrative Services. Judge Self there are vacancies on the Workforce Development Board for Collin County. David K. Setzer, C.P.M., CWE, Director, Texas Workforce Commission, North Central Texas Council of Governments, came before the Court with a Power Point presentation outlining the duties and responsibilities of the Texas Workforce Commission, stating the Commission's primary mission is service to employers. Mr. Setzer stated there are three members of the Workforce Commission appointed by the Governor; one representing the public, one representing labor, and one representing business. Mr. Setzer continued with the Power Point presentation, covering topics such as funded services, employment services, training, services to employers and child care. Terri Ricketts, President, McKinney Chamber of Commerce, asked Mr. Setzer what type of time commitment is required to serve on the Board. Mr. Setzer

stated the Board meets every other month in Grand Prairie. Judge Self thanked Mr. Setzer for his presentation. (Time: 2:16:06 p.m.)

NO ACTION TAKEN

Item No. 7 AI-28296 Consideration, discussion and any action regarding the Tax Rate and Homestead Exemptions, Budget. Monika Arris, Budget Director, came before the Court at the request of Commissioner Hoagland with an update on a quarter cent tax decrease and a half cent tax decrease. Ms. Arris presented the Court with a handout entitled "Tax Rate Homestead Exemption Scenarios", and discussed different options outlined in the handout. Commissioner Hoagland stated homestead exemptions were confusing to the public; he would prefer to focus on tax cuts. Ms. Arris continued with her explanation of the handout, and questions and answers followed. Judge Self agreed with Commissioner Hoagland, stating this issue needed to be simplified. Commissioner Cole stated the Court had to balance what services would be cut against giving individual tax reductions. Judge Self stated the Court would be giving a tax rate decrease to present homeowners, but increasing taxes by new construction. Commissioner Hatchell stated he would be concerned about dropping taxes too low. Judge Self stated he would second Commissioner Hoagland's idea to simplify this with a tax rate decrease. Commissioner Hatchell stated he would like Commissioner Jaynes' input. Judge Self stated a homestead exemption is very hard to remove. Commissioner Hatchell and Commissioner Cole voted no. The motion failed with a 2-2 vote of the Court. (Time: 2:29:46 p.m.)

MOTION FAILED

Item No. 8 AI-28303 Consideration, discussion and any action regarding the Allied Waste 2008 tax exempt bond financing, Budget. Bill Bilyeu, Administrative Services, stated this is a notification process only. Legislature requires when a business entity issues tax exempt debt, they have to notify every political subdivision where that debt is going to be extended. The Court has to be notified and verify that notification was received. There will be no expenditure of County tax dollars and no effect on County debt. Judge Self stated the issuing tax entity will be Mission, Texas, in Hidalgo County. Mr. Bilyeu explained the reason the bond is issued as tax exempt to a private sector company is because the company is providing a public service. Lee A. McCormick, President, Community Development Associates, LLC, stated he was the financial advisor working with Allied Waste and the Mission Economic Development Corporation on their proposed tax exempt bond financing. Mr. McCormick concurred with Mr. Bilyeu, stating that since Allied Waste is providing a public service, the IRS and State of Texas will allow them to qualify their capital purchases as tax exempt after going through this process. Mr. McCormick stated there is a benefit to the County in approving the bonds. Commissioner Hatchell moved to approve, Commissioner Cole seconded, and the motion passed with a 3-1 vote of the Court. Commissioner Hoagland voted no. (Time: 2:37:48 p.m.)

COURT ORDER NO. 2008-355-05-13

Item No. 9 **AI-28265** Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, stated there was one new hire at step one. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:38:18 p.m.)

COURT ORDER NO. 2008-356-05-13

Item No. 10 **AI-28266** Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stated all personnel changes are at step one. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 4-0 vote of the Court. (Time: 2:38:31 p.m.)

COURT ORDER NO. 2008-357-05-13

Item No. 11 Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Funding Initiative, Commissioners Court. Judge Self stated Bill Bilyeu, Administrative Services; Ruben Delgado and Tracy Homfeld, Engineering; and he attended a meeting yesterday on the 121 projects. Mr. Bilyeu came forward and stated the meeting was attended by all cities effected. It was stated the earliest money could be distributed would be December 2008, following RTC and TxDOT approval. Discussion ensued. (Time: 2:50:13 p.m.)

NO ACTION TAKEN

Item No. 12 Possible future agenda items by Commissioners Court without discussion. Commissioner Hoagland requested the May 27th Court be changed to June 3rd. (Time: 2:57:21 p.m.)

EXECUTIVE SESSION

Judge Self immediately recessed into Executive Session pursuant to Chapter 551.0745 and Chapter 551.071 of the Texas Government Code at 2:57 p.m. The Court returned into open session at 4:00 p.m. Commissioner Cole was not present.

Board/Committee Appointments (551.0745)

AI-28314 Board/Committee Appointments.

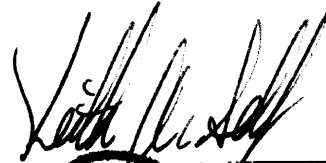
Legal (551.071)

AI-28287 SAP/Siemens Litigation. Commission Hoagland moved to accept the settlement offer from SAP/Siemens, Commissioner Hatchell seconded, and the motion passed with a 3-0 vote of the Court. (Time: 4:01:30 p.m.)

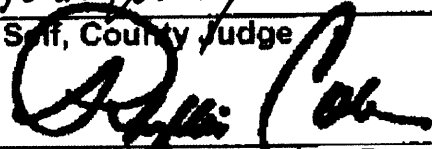
COURT ORDER NO. 2008-358-05-13

AI-28226 Consultation with legal counsel on County Auditor's AG Opinion request of April 3, 2008 concerning IT and Financial auditing.

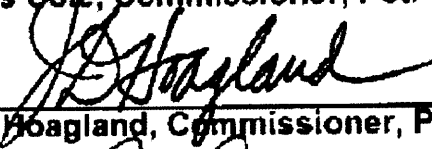
There being no further business of the Court, Judge Self adjourned the meeting at 4:01 p.m.



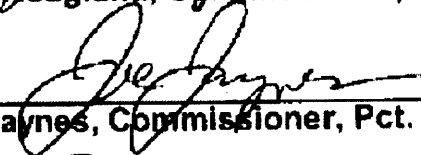
Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



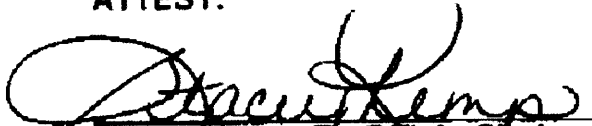
Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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