

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

JUNE 3, 2008

On Tuesday, June 3, 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
Jack Hatchell

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

Commissioner Hatchell 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 1:35 p.m.

Item No. 1 Judge Self convened the Collin County Commissioners Court meeting at 1:35 p.m. Judge Self requested FYI Item No. 2 be pulled for discussion; Monika Arris, Budget, requested FYI Item No. 6 be pulled off the agenda; and Commissioner Hoagland requested FYI Item Nos. 1, 3 and 6 be pulled for discussion. (Time: 1:36:54 p.m.)

FYI NOTIFICATION

1. AI-28385 Utilization of the Department of Information Resources (DIR) (per Court Order No. 2004-188-03-23) to purchase Cisco hardware, software and maintenance for the Collin County Administration Building (budgeted), Information Technology. Commissioner Hoagland asked Caren Skipworth, Information Technology, for input. Ms. Skipworth brought Frank Ybarbo, Purchasing, forward. Mr. Ybarbo stated a Court Order had previously been issued, but before a Purchase Order over \$25,000 can be issued, it must be brought to the Court's attention. (Time: 1:41:37 p.m.)

2. AI-28369 Update regarding PeopleSoft - Automated Overtime, Human Resources. Judge Self asked Cynthia Jacobson, Human Resources, to come forward with a description of this item. Ms. Jacobson stated this was the most recent reporting on automating overtime as a result of a huge effort between the

Commissioners Court Minutes

June 3, 2008

Page 2 of 12

Sheriff's office and Human Resources. Judge Self thanked the Sheriff's office for their hard work. (Time: 1:43:35 p.m.)

3. AI-28348 Update regarding take home vehicles that were unmarked and displayed non-exempt license plates, Public Works. Jon Kleinheksel, Public Works, stated he was asked at a previous Court to get justification from Elected Officials regarding take home vehicles, and those responses were placed in the Court packet. Commissioner Hoagland stated he wanted to eliminate take home vehicles. Commissioner Jaynes stated before any new vehicles were purchased he would like the County to explore alternative fuel options. (Time: 1:44:56 p.m.)

4. AI-28312 County road inventory supplied to the Texas Department of Transportation (TxDOT), Public Works.

5. AI-28353 Budget amendment in the amount of \$1,686,979 for CSCD, Auditor.

6. AI-28394 Budget amendment(s)/adjustment(s) totaling \$29,268,763 (over \$5,000 per c/o 2005-589-08-01), Budget.

PULLED

Item No. 2 Public Comments. Judge Self asked if there were any public comment cards. There were none. (Time: 1:37:12 p.m.)

Item No. 3 AI-28319 Presentation of the Walk Across Texas winning team for 2008, Texas AgriLife Extension Service. Carrie Brazeal, Texas AgriLife Extension Service, presented Health Care Services "A Team" members with certificates for walking 1,842 miles. Ms. Brazeal thanked the Court for allowing employees to participate in this activity. (Time: 1:40:26 p.m.)

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 items 4d and g2 be pulled for discussion; Monika Arris, Budget, requested g1 be pulled off the agenda; Judge Self requested items h3 and m8 be pulled for discussion. Commissioner Hatchell moved to approve the remainder of the Consent Agenda, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:46:59 p.m.)

a. Filing of the June 3, 2008, Regular Agenda.

COURT ORDER NO. 2008-361-06-03

b. AI-28352 Filing of the May 20, 2008, Special Session Agenda.

COURT ORDER NO. 2008-362-06-03

Commissioners Court Minutes

June 3, 2008

Page 3 of 12

- c. AI-28326 Disbursements for the period ending May 28, 2008, Auditor.
COURT ORDER NO. 2008-363-06-03
- d. AI-28321 Tax Refunds totaling \$269,551.49, Tax Assessor Collector. Commissioner Hoagland questioned the reason for the tax refund, wondering if the correct amount of taxes we being collected. Don Cozad, Auditor, stated the refunds were due to duplicate payments and value reduction. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:51:08 p.m.)
COURT ORDER NO. 2008-364-06-03
- e. Advertisement(s):
1. AI-27829 Bridge Rehabilitation: CR 331 over the East Fork Trinity River and CR 825 over Pot Rack Creek (IFB No. 11066-08) (budgeted), Public Works.
COURT ORDER NO. 2008-365-06-03
- f. Agreement(s):
1. AI-28345 Grant exemption from the competitive bidding process per VTCA LGC 262.024(a)(7); approval of an Agreement with Schindler Elevator Corporation for one (1) year for maintenance of the elevators and escalators located at the 2100 Bloomdale location at a cost of \$9,125 per month and further authorize the Purchasing Agent to finalize and execute the agreement (budgeted), Facilities.
COURT ORDER NO. 2008-366-06-03
2. AI-28361 Interlocal agreement with the City of Plano for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute same, Homeland Security.
COURT ORDER NO. 2008-367-06-03
3. AI-28365 Participation agreement with Jefferson Audio Video Systems Inc. for Audio and Switching Video Devices for two (2) courtrooms, budget amendment in the amount of \$24,250 and further authorize the Purchasing Agent to finalize and execute same, Information Technology.
COURT ORDER NO. 2008-368-06-03
4. AI-28347 Adoption of a Resolution and approval of an Interlocal Agreement with Region VIII Education Service Center to participate in The Interlocal Purchasing System (TIPS) Program (per V.T.C.A. Local Government Code 271) and

further authorize the County Judge to finalize and execute same, Purchasing.

COURT ORDER NO. 2008-369-06-03

5. AI-28337 Cooperative Purchasing Program Agreement with the City of Amarillo (per Section 271.101 of the Texas Local Government Code; enabling local governments to participate in cooperative purchasing programs with other local governments) to purchase goods or services and further authorize the County Judge to finalize and execute same, Purchasing.

COURT ORDER NO. 2008-370-06-03

6. 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-28313 Community Independent School District.

COURT ORDER NO. 2008-371-06-03

- b. AI-28315 Farmersville Independent School District.

COURT ORDER NO. 2008-372-06-03

- c. AI-28316 Lovejoy Independent School District.

COURT ORDER NO. 2008-373-06-03

- d. AI-28327 McKinney Independent School District.

COURT ORDER NO. 2008-374-06-03

- e. AI-28387 Princeton Independent School District.

COURT ORDER NO. 2008-375-06-03

- g. Amendment(s):

1. AI-28255 No. 1 to the Local Transportation Project Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) to reflect a change in the County's total estimated project cost from \$6,000,000 to \$2,684,711 to reconstruct the interchange at US 75 and Parker Road (Bond Project No. 30-046) and further authorize the County Judge to finalize and execute same, Engineering.

PULLED

2. AI-28368 No. 4 to Professional Services, Architectural: Collin County Administration Building with PGAL (RFI No. 03072-06) to add A/V system modifications and technology department review and coordination of reimbursables and further authorize the Purchasing Agent to finalize and execute same (budgeted),

Construction & Projects. Commissioner Hoagland asked Bill Burke, Building Projects Manager, the reason for this modification. Mr. Burke stated it was part of the design for the Administration Building. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:52:41 p.m.)

COURT ORDER NO. 2008-376-06-03

h. Change Order(s):

1. AI-28359 No. 1 for Construction, Renovation: DRT Armory (IFB No. 01375-08) with GT Construction, Inc. to include costs for bonds and budget amendment in the amount of \$1,500 for same, Construction & Projects.

COURT ORDER NO. 2008-377-06-03

2. AI-28374 No. 3 to Construction, Building: Collin County Administration Building (IFB No. 05097-07) with Ratcliff Constructors, L.P. to provide various changes to the contract for a decrease of \$9,747.52 and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2008-378-06-03

3. AI-28260 No. 10 for Bloomdale Road Bridge Project with the Texas Department of Transportation (TxDOT) to correct PS&E (Consultant Design) – Embankment in the amount of \$11,478 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Engineering. Judge Self asked if the County can recoup the \$11,478. Ruben Delgado, Engineering, stated no; this is a final change order. Judge Self moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:53:27 p.m.)

COURT ORDER NO. 2008-379-06-03

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

1. AI-28328 Ratification of the County Judge's prior approval of an amendment to the contract with the Department of State Health Services (DSHS) for Contract No. 2008-022943, Program Attachment No. 001A, Amendment No. 001B: CPS-Bioterrorism Preparedness and further authorize a budget amendment in the amount of \$18,958 to reallocate funding to the appropriate line items, Auditor.

COURT ORDER NO. 2008-380-06-03

j. Budget adjustment/amendment(s):

1. AI-28324 \$5,817 to fund the equipment for three (3) new positions in CSCD: Caseworker, Clerk, and Community Supervision Officer, Budget.

COURT ORDER NO. 2008-381-06-03

k. Receive and File, Auditor:

1. Monthly Financial Statement(s):

- a. AI-28151 February 2008.

COURT ORDER NO. 2008-382-06-03

- b. AI-28390 April 2008.

COURT ORDER NO. 2008-383-06-03

2. Final Audit Results:

- a. AI-28380 Constable, Precinct 3 (1st and 2nd Quarter FY2008).

COURT ORDER NO. 2008-384-06-03

- b. AI-28379 Medical Examiner (2nd Quarter FY2008).

COURT ORDER NO. 2008-385-06-03

l. Filing of the Minutes, County Clerk:

1. AI-28371 May 13, 2008.

COURT ORDER NO. 2008-386-06-03

2. AI-28386 May 20, 2008, Special Session.

COURT ORDER NO. 2008-387-06-03

m. Miscellaneous

1. AI-28376 Amendment to Court Order No. 2008-352-05-13 to include Cathay Bank to the FY2008 Principle Candidates, Auditor.

COURT ORDER NO. 2008-388-06-03

2. AI-28377 Appointment of Donald W. Cozad, RTA, County Auditor as the official responsible for calculating, reporting, and publishing the FY2009 Effective Tax Rate, Rollback Tax Rate and the Notice of Hearing Limit in accordance with Property Tax Code, Section 26.04, Auditor.

COURT ORDER NO. 2008-389-06-03

Commissioners Court Minutes

June 3, 2008

Page 7 of 12

3. AI-28323 Increase the amount of the cash drawer in the Law Library to \$300, Budget.
COURT ORDER NO. 2008-390-06-03

4. AI-28333 Designate Commissioner Phyllis Cole as Collin County's primary voting delegate and Commissioner Joe Jaynes as the alternate at the 2008 National Association of Counties (NACo) conference, Commissioners Court.
COURT ORDER NO. 2008-391-06-03

5. AI-28388 Declare a Palm Treo 750 (Inventory No. 52406) as lost or stolen property and remove from County inventory, Information Technology.
COURT ORDER NO. 2008-392-06-03

6. AI-28299 Abandonment of a portion of County Road 51, within the E.T.J. of the City of Celina and within the boundary of Collin County Municipal Utility District No. 1, Public Works.
COURT ORDER NO. 2008-393-06-03

7. AI-28285 Purchase a ride control system for a 2007 Case wheel loader and budget amendment in the amount of \$6,600 for same, Public Works.
COURT ORDER NO. 2008-394-06-03

8. AI-28283 Retention of a surplus 2003 Crown Victoria (Unit No. 38712) to be used by the Sheriff's Citizens on Patrol (COPS) Program (not budgeted), Public Works. Judge Self asked Sheriff Terry Box if this can be accomplished without adding another car into the County's fleet. Sheriff Box stated this is a program that he has been trying to get started for over a year manned by volunteers after completion of the Sheriff's Office Civilian Academy. As a result, the volunteers are an extra set of eyes for law enforcement. Sheriff Box stated he did not have a car that he could assign to this purpose. Judge Self suggested an unmarked car would be best for this program. Jon Kleinheksel, Public Works, stated Sheriff Box is asking for a car to use full time. Sheriff Box stated they had enough volunteers for a full-time vehicle. Commissioner Jaynes stated this is a great program. Commissioner Cole questioned whether the request was for a motor pool vehicle or a surplus vehicle. Commissioner Hoagland suggested there may be a take-home vehicle that is about to be eliminated that could be used for the COPS Program. Commissioner Cole moved to use a motor pool car, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. Commissioner

Jaynes requested a cost analysis between a Crown Victoria and a Toyota Highlander Hybrid. (Time: 2:01:55 p.m.)

COURT ORDER NO. 2008-395-06-03

9. AI-28349 Reimbursement of fencing materials in the amount of \$5,652 to Peggy Virginia Wade for Property along CR 558 (budgeted), Public Works.

COURT ORDER NO. 2008-396-06-03

10. AI-28341 Declare a laptop (Inventory No. 41472) as stolen property and remove from County inventory, Purchasing.

COURT ORDER NO. 2008-397-06-03

11. AI-28340 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. 2008-398-06-03

12. AI-28318 Exception to Court Order No. 85-752-10-28 to allow Deputy Shonda Norton to purchase an additional box of business cards (budgeted), Sheriff.

COURT ORDER NO. 2008-399-06-03

13. AI-28325 Proclamation in observance of the 25th Annual National Night Out, October 7, 2008, Sheriff.

COURT ORDER NO. 2008-400-06-03

GENERAL DISCUSSION

Item No. 5 AI-28304 Public Hearing - Consideration, discussion and any action regarding the placement of Regulatory Signs on various County Roads, Public Works. Jon Kleinheksel, Public Works, stated a public hearing was requested for placement of regulatory signs on various county roads. Judge Self asked if there was public testimony. There was none. Commissioner Hatchell moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:03:43 p.m.)

COURT ORDER NO. 2008-401-06-03

Item No. 6 AI-28362 Consideration, discussion and any action regarding the Homestead Exemption and 2009 Tax Rate, Budget. Monika Arris, Budget, came before the Court stating she was directed at the last Court to bring the average taxpayer down to no increase. Ms. Arris presented a Power Point slide outlining average home prices and tax rates. Commissioner Jaynes stated if home values increased, taxes would increase. Judge Self felt the County needed to keep a business friendly environment. Commissioner Jaynes stated this would only save

taxpayers money for one year. Commissioner Hatchell agreed with Commissioner Jaynes. Ms. Arris stated a decision had to be reached by July 1, 2008. Discussion followed. Commissioner Hoagland stated he would not vote for a homestead exemption. Ms. Arris stated she could bring more options to the next Court, she then returned to the Power Point, explaining operating budget per capita. Commissioner Hoagland stated per capita spending, after adjustments for inflation, is less than \$5 more in 2008 than what it was in 2000. Commissioner Jaynes stated Collin County is lucky to be in a position to consider lowering taxes and having a homestead exemption. (Time: 2:19:35 p.m.)

NO ACTION TAKEN

Item No. 7 **AI-28290** Consideration, discussion and any action regarding participation in the Public Power Pool Energy Procurement Contract, effective January 1, 2009 (budgeted), Facilities. Dan James, Facilities, requested a Court Order allowing Collin County to return to the P3 Power Pool due to a volatile market and increased rates. Mr. James stated it would not be viable for the County to consider another source or to hire an outside consultant. Commissioner Hoagland applauded Mr. James' efforts. Commissioner Jaynes asked what the County electric bill averaged per year. Mr. James replied the electric bill has increased from \$2.8 million to \$3.2 million over the last two years. The total budget for Facilities is \$6.5 million per year. Commissioner Hoagland moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:22:27 p.m.)

COURT ORDER NO. 2008-402-06-03

Item No. 8 **AI-28395** Designation of voting representative for North Central Texas Council of Governments, Commissioners Court. Commissioner Hoagland suggested nominating Commissioner Hatchell to be the voting representative for North Central Texas Council of Governments General Assembly. Judge Self moved to nominate Commissioner Hatchell, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:23:46 p.m.)

COURT ORDER NO. 2008-403-06-03

Item No. 9 **AI-28431** Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, stated there was an exception with Amanda Allen, Legal Secretary II. It was discussed with John Roach, District Attorney, to have the position moved to a Legal Secretary I; Mr. Roach indicated that would not be possible. Commissioner Jaynes asked if Human Resources was in agreement. Ms. Jacobson stated Ms. Allen is degreed, but has no administrative experience, adding Mr. Roach indicated Ms. Allen would be doing the work of a Legal Secretary II. Judge Self asked if Mr. Roach had any comment. Mr. Roach said Ms. Jacobson covered everything. Commissioner Hoagland moved to approve, Commissioner Hatchell seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:27:09 p.m.)

COURT ORDER NO. 2008-404-06-03

- a. AI-28350 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Commissioner Hoagland wanted to know why the County was paying an additional step for a bilingual employee. Cynthia Jacobson, Human Resources, stated it has been the policy of the County to pay a 3% increase for bilingual due to difficulty in hiring and recruiting. Commissioner Hoagland stated English is the spoken language in America and we should not be providing interpreters. Ms. Jacobson stated Nancy Tenorio is the bilingual employee. Commissioner Jaynes asked for the difference between a Step I and a Step II. Ms. Jacobson replied the differential is approximately \$400 per year.

Ms. Jacobson stated Cherish Martinez is being hired at a Step II for directly related experience; and Amy Tucker is being hired as a web developer with specialized skill sets. Ms. Tucker's position will be temporary and will be at a higher rate due to this being a high level position.

Commissioner Hatchell asked if the County is required to hire a bilingual employee. Ms. Jacobson replied no, but it is becoming more necessary in some of the County offices.

Commissioner Cole moved to approve, Commissioner Jaynes seconded, and the motion passed with a 4-1 of the Court. Commissioner Hoagland voted no. (Time: 2:33:11 p.m.)

COURT ORDER NO. 2008-405-06-03

Item No. 10 AI-28351 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stated the Auditor's office has lost key personnel; and in the redesign of his office, Mr. Cozad did a reclassification after working with Human Resources in terms of his organizational chart. Commissioner Hatchell moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:33:18 p.m.)

COURT ORDER NO. 2008-406-06-03

Item No. 11 Consideration, discussion and any action regarding 2007 RTC Comprehensive Development Funding Initiative, Commissioners Court. Commissioner Jaynes updated the Court on a meeting he and Judge Self recently attended in Austin. Two concerns were projects and processes. Commissioner Jaynes stated they would meet again with Mr. Morris of NTTA. Judge Self stated the Texas Transportation Commission agrees that Collin County has to get their money from Austin before January. (Time: 2:2:35:02 p.m.)

No Action Taken

Item No. 12 Possible future agenda items by Commissioners Court without discussion. Judge Self stated he would like a tax refund briefing. Commissioner Jaynes stated there would be an item on a future Court on County Road 424. Commissioner Hoagland asked Cynthia Jacobson, Human Resources, for a review of the County employees' benefit package. Commissioner Hoagland added that Jerry Lewis, County Court at Law Judge, is requesting more money. Commissioner Hoagland also asked Bill Bilyeu, Administrative Services, for an update on Court collection efforts and asked Jon Kleinheksel, Public Works, for a spreadsheet on take-home vehicles. (Time: 2:37:55 p.m.)

EXECUTIVE SESSION

Judge Self immediately recessed into Executive Session pursuant to Chapter 551.074, Personnel; Chapter 551.0745, Board/Committee Appointments; Chapter 551/071, Legal; and Chapter 551.072, Real Estate of the Texas Government Code at 2:37 p.m. The Court returned into open session at 3:25 p.m.

Personnel (551.074)

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

AI-28392 Exemption to medical procedure requirements, Human Resources.

Board/Committee Appointments (551.0745)

AI-28346 Board/Committee Appointments. Commissioner Hatchell moved to appoint Susan Miles to the North Texas Behavioral Health Authority, Commissioner Jaynes seconded, and the motion passed with a 3-0 vote of the Court. Commissioner Hoagland and Commissioner Cole were not present. (Time: 3:30:19 p.m.)

COURT ORDER NO. 2008-407-06-03

AI-28389 NTTA Board appointments. Commissioner Hatchell moved to appoint Paul Wageman to a two-year term and Gary Base to a one-year term, Commissioner Jaynes seconded, and the motion passed with a 3-0 vote of the Court. Commissioner Hoagland and Commissioner Cole were not present. (Time: 3:30:40 p.m.)

COURT ORDER NO. 2008-408-06-03

Legal (551.071)

AI-28354 Siemens/PGAL Litigation. Commissioner Jaynes moved to accept mediation, Commissioner Hatchell seconded, and the motion passed with a 3-0 vote of the Court. Commissioner Hoagland and Commissioner Cole were not present. (Time: 3:30:56 p.m.)

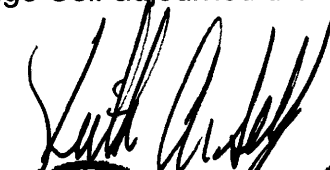
COURT ORDER NO. 2008-409-06-03

Real Estate (551.072)

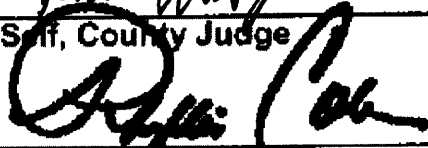
AI-28342 Condemnation of parcel 5 (9.994 acre tract) and parcel 9 (10.002 acre tract) to construct a portion of FM 1378, Special Projects. Commissioner Hatchell moved to approve, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. Commissioner Hoagland was not present. (Time: 3:31:27 p.m.)

COURT ORDER NO. 2008-410-06-03

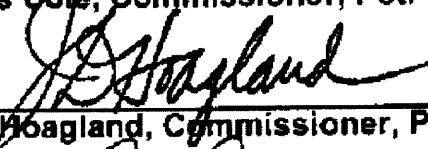
There being no further business of the Court, Judge Self adjourned the meeting at 3:31 p.m.



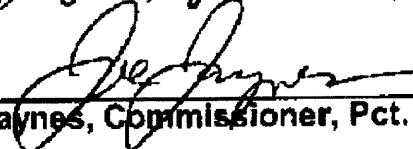
Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



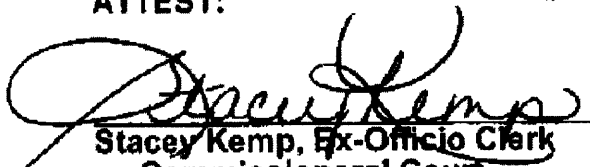
Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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