

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

July 22, 2008

On Tuesday, July 22, 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**  
**Kathy Ward**

**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.

President Self called the Collin County Health Care Foundation meeting to order at 1:40 p.m. and adjourned at 1:47p.m.

**Item No. 1** Judge Self convened the Collin County Commissioners Court meeting at 1:47 p.m.

**FYI NOTIFICATION**

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

**Item No. 2** Public Comments. All public comments pertained to General Discussion Item No. 12; therefore, Judge Self held all public comments until General Discussion. (Time: 1:38:42 p.m.)

**Item No. 3** National Association of Counties Achievement Award and recognition of effective and innovative programs which contribute to and enhance county government in the U.S. Judge Self presented Cynthia Jacobson, Human Resources, with a National Association of Counties Achievement Award for Collin County's Law Enforcement Pay for Performance Program and Commissioner Jaynes presented Ms. Jacobson with an award for Collin County's Health and Wellness Program, noting that Collin County was the only county in Texas to receive such awards. (Time: 1:40:13 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. Judge Self requested that item n1 be moved to General Discussion, Commissioner Hoagland requested that item h1 be pulled and Commissioner Cole requested that item j1 be pulled. Commissioner Jaynes moved to approve the remainder of the consent agenda, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:53:49 p.m.)

- a. AI-28646 Filing of the July 22, 2008, Regular Agenda.  
**COURT ORDER NO. 2008-508-07-22**
- b. AI-28548 Disbursements for the period ending July 16, 2008, Auditor.  
**COURT ORDER NO. 2008-509-07-22**
- c. AI-28552 Tax Refunds totaling \$145,925.63, Tax Assessor Collector.  
**COURT ORDER NO. 2008-510-07-22**
- d. Advertisement(s):
  1. AI-28572 Engineering Services: Testing and Balancing Services for Various Projects (RFQ No. 07591-08), Construction & Projects.  
**COURT ORDER NO. 2008-511-07-22**
  2. AI-28551 Services: Tax Statement Preparation and Mailing (IFB No. 05554-08) (budgeted), Tax Assessor Collector.  
**COURT ORDER NO. 2008-512-07-22**
- e. Award(s):
  1. AI-28543 Bridge Rehabilitation: CR 331 over the East Fork Trinity River and CR 825 over Pot Rack Creek to Erosion & Retaining Wall Structures, Inc. (IFB No. 11066-08) (budgeted), Public Works.  
**COURT ORDER NO. 2008-513-07-22**
- f. Agreement(s):
  1. AI-28542 Interlocal agreement with the Blue Ridge 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.  
**COURT ORDER NO. 2008-514-07-22**
  2. AI-28567 Grant exemption from the competitive bidding process per VTCA LGC 262.024(a)(7)(A) items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies; approval of a Proprietary Maintenance Agreement

with ProTech Data, Inc. (RFP No. 91-01-006) for Software: Tax System in an annual amount of \$36,000 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Information Technology.

**COURT ORDER NO. 2008-515-07-22**

3. AI-28540 Interlocal Agreement with the City of Allen for Jail Services, Sheriff.  
**COURT ORDER NO. 2008-516-07-22**

g. Amendment(s):

1. AI-28586 No. 1 to Professional Services, Engineering Bridge Evaluation and Rehabilitation Services with Wilson & Company, Inc. (RFQ 11019-07, Court Order No. 2007-287-04-10) to add construction management services for the repair of the bridges at County Road 331 over the East Fork Trinity River and County Road 825 over Pot Rack Creek and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

**COURT ORDER NO. 2008-517-07-22**

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

1. AI-28573 Remainder of the consent agenda from the July 8, 2008 court, Commissioners Court. Commissioner Hoagland asked what items needed to be approved from the July 8, 2008, court. Judge Self listed the items to be approved. Commissioner Hoagland moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:53:49 p.m.)

**COURT ORDER NO. 2008-518-07-22**

i. Budget adjustment/amendment(s):

1. AI-28560 \$1,150 to transfer funds from various line items to the Education & Conference line item for attendance at the Advanced Family Law course in San Antonio, TX, 296th District Court. Judge Self asked Judge John Roach, Jr., 296th District Court, if he would need a budget increase. Judge Roach approached the bench stating no; he combined money he saved from office supplies and printed materials to use for this conference. Judge Self moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:55:01 p.m.)

**COURT ORDER NO. 2008-519-07-22**

2. AI-28522 \$40,000 to establish a revenue and expenditure budget for witness reimbursement, District Attorney.

**COURT ORDER NO. 2008-520-07-22**

3. AI-28583 \$45,000 to transfer additional funding for Lab and Ambulance Services, Medical Examiner.

**COURT ORDER NO. 2008-521-07-22**

4. AI-28571 \$1,000 to paint a Tactical vehicle utilizing the Narcotics Seizure fund, Sheriff

**COURT ORDER NO. 2008-522-07-22**

j. Notification of budget adjustment(s)/amendment(s), Auditor:

1. AI-28553 \$3,000 to move funds to the appropriate line items to cover miscellaneous expenses for the FY2008 Title IV-E CPS Child Welfare Board grant funds, Auditor. Commissioner Cole asked to see the entire budget, rather than just line items. Linda Riggs, Auditor's Office, stated this item was as a result of CPS Board minutes. Randall Rice, Auditor's Office, stated CPS has not spent any of their \$26,000 budget to date. This would just be a matter of moving \$3,000 from one line item to another line item. Commissioner Cole asked for a report on incoming and outgoing, then moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:57:15 p.m.)

**COURT ORDER NO. 2008-523-07-22**

k. Receive and File, Auditor:

1. AI-28582 Final Audit Results - Animal Shelter (1st and 2nd Quarter FY2008).

**COURT ORDER NO. 2008-524-07-22**

2. Payroll Results:

- a. AI-28581 Construction & Projects.

**COURT ORDER NO. 2008-525-07-22**

- b. AI-28578 Facilities.

**COURT ORDER NO. 2008-526-07-22**

- c. AI-28579 Public Works.

**COURT ORDER NO. 2008-527-07-22**

l. Filing of the Minutes, County Clerk:

1. AI-28569 July 8, 2008. Judge Self stated a vote would be corrected from 5-0 to 4-1 on Item No. 13 in the July 8, 2008, minutes. Judge Self moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:58:34 p.m.)

**COURT ORDER NO. 2008-528-07-22**

m. Grant Acceptance, Homeland Security:

1. AI-28554 FY2009 Cities Readiness Initiative grant funds in the amount of \$147,327, approval of the Agreement with the Texas Department of State Health Services (DSHS) and further authorize the County Judge to finalize and execute same, Homeland Security.

**COURT ORDER NO. 2008-529-07-22**

2. AI-28555 FY2009 Bioterrorism Preparedness grant funds in the amount of \$538,052, approval of the Agreement with the Department of State Health Services and further authorize the County Judge to finalize and execute same.

**COURT ORDER NO. 2008-530-07-22**

n. Miscellaneous

1. AI-28588 Grant exemption to the competitive bidding process per V.T.C.A. Local Government Code 262.024 (a)(2) an item necessary to preserve or protect the public health or safety of the residents of the county; Services & Equipment: Conveyor System Upgrade and Repairs (budgeted), Purchasing. Frank Ybarbo, Purchasing, stated two competitive quotes were solicited for replacement of the inmate conveyor system for the Sheriff's Department: one from Mustang Enterprises for \$155,000 and one from Miller Sales for \$169,796. Mr. Ybarbo requested the Court award the bid to Mustang Enterprises. Commissioner Hoagland moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 3:15:30 p.m.)

**COURT ORDER NO. 2008-531-07-22**

2. AI-28562 Additions/Deletions to the CIJS Project Team and further increase the CIJS result base compensation by \$15,000 (\$3,000 each) upon successful completion of the criminal implementation of Odyssey (budgeted), Information Technology.

**COURT ORDER NO. 2008-532-07-22**

**GENERAL DISCUSSION**

**Item No. 5** AI-28513 Public Hearing – Consideration, discussion and any action regarding the placement of Regulatory Signs on various County Roads, Public Works.

**PULLED**

**Item No. 6** AI-28253 Presentation, discussion and any action regarding the North Texas Tollway Authority (NTTA) Annual Report by NTTA, Administrative Services. Paul N. Wageman, Chairman, Board of Directors, NTTA, came before the Court with a tribute to Commissioner Jack Hatchell and a welcome to

Commissioner Kathy Ward. Gary Base, Board of Directors, NTTA, gave a presentation to the Court from the NTTA Annual Report. Jorge Figueredo, Executive Director, NTTA, presented the NTTA Annual Report via Power Point presentation. Mr. Figueredo stressed the conversion to an all-electronic toll collection system which will be completed by 2010. The Power Point continued, with questions and answers between the Court and Mr. Figueredo. Judge Self asked Mr. Figueredo to shed some light on north loop 820, commercially viable roads versus non-commercially viable roads. Mr. Figueredo addressed the Judge's question, adding the NTTA will participate in as many good projects as possible and will maintain fiduciary responsibility. Commissioner Hoagland thanked Mr. Wageman and Mr. Base for doing a wonderful job for Collin County, but added that the system is flawed. There are no toll roads in East Texas; Commissioner Hoagland feels that Collin County is subsidizing the entire state. Mr. Base addressed Commissioner Hoagland's concerns, stating his point is valid. Discussion followed. Judge Self thanked Mr. Wageman, Mr. Base and Mr. Figueredo for their presentation. (Time: 2:32:10 p.m.)

**NO ACTION TAKEN**

**Item No. 7** AI-28570 Presentation and discussion regarding technology refresh plan, review of Legacy systems and sun-setting plans and a review of the benefits of Microsoft Enterprise Assurance, Information Technology. Caren Skipworth, Information Technology, came before the Court with an update, adding that there was no action needed on these items. Ms. Skipworth stated updating of the Legacy applications began in 2003. To date, sixteen of those applications have been completed. Ms. Skipworth gave a presentation of terminology used in the presentation and continued with her explanation. Commissioner Hoagland asked for a timeline and Ms. Skipworth said one would be provided. Ms. Skipworth discussed technical impacts and user impacts, and continued with her presentation. Ms. Skipworth added when this item comes back before the Court, she will talk more about the return on investment. Commissioner Hoagland stated this will save money in the long run and he would like to see this project moved up. Judge Self added getting people off HTE should be a priority. Commissioner Ward stated there are many things to consider: training of staff, replacement of staff, et cetera. Discussion ensued.

Lanette Saetre, Assistant Director, Information Technology, came forward with a presentation on the Microsoft Enterprise Assurance agreement. Ms. Saetre presented the Court with a listing of cities, counties, and state agencies that participate in the Microsoft Enterprise Assurance agreement. Ms. Saetre gave an update on the current state of the County's software, and then offered an explanation of the applications available through Microsoft. Discussion followed between the Court and Ms. Saetre. Ms. Saetre gave an estimate of the cost involved. (Time: 3:03:30 p.m.)

**NO ACTION TAKEN**

Judge Self recessed the Court at 3:03 p.m. The Court reconvened at 3:14 p.m.

**Item No. 8** AI-28559 Consideration, discussion, and any action regarding the assignment of Engineers for the 2007 Bond Projects, Engineering. Ruben Delgado appeared before the Court at the request of Commissioner Hoagland regarding the distribution of workload to engineering firms. Mr. Delgado requested approval to ask CH2M Hill to provide a fee proposal for the bridge across Lake Lavon feasibility study and ask Jacobs Carter Burgess to provide a fee proposal for the Outer Loop from the Rockwall County line to FM 6. Commissioner Hoagland stated due to Jacobs Carter Burgess's involvement in MUDs he would like to see the assignments reversed. Judge Self asked Frank Ybarbo, Purchasing, if this would violate procurement law. Mr. Ybarbo stated it would not. Commissioner Hoagland moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:04:08 p.m.)

**COURT ORDER NO. 2008-533-07-22**

**Item No. 9** AI-28584 Burn Ban, Fire Marshal. Steve Deffibaugh, Fire Marshal, presented the Court with copies of the Keetch-Bryam Drought Index, stating the County is in a high fire danger area, with grass fires increasing daily. Fire Marshal Deffibaugh gave an explanation of what is entailed by the burn ban. Commissioner Ward moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:10:36 p.m.)

**COURT ORDER NO. 2008-534-07-22**

**Item No. 10** AI-28597 Consideration, discussion and any action regarding legal fees for negotiations with Special Utility Districts and Municipal Utility Districts, Commissioners Court. Commissioner Hoagland stated the County needed to be prepared for future litigation to fight situations as they arise. Commissioner Hoagland then went on to explain MUDs and their impact on Collin County. Commissioner Jaynes agreed with Commissioner Hoagland, stating he would like any court order to include all districts, not just two or three. Judge Self stated he would like the policy to read that Collin County will vigorously defend its cities and the county itself. (Time: 4:20:27 p.m.)

**NO ACTION TAKEN**

**Item No. 11** AI-28589 Consideration, discussion and any action regarding the creation of six (6) Juvenile Detention officer positions and budget amendment in the amount of \$308,594 for same (budgeted), Juvenile Probation. Joe Scott, Juvenile Probation, stated he had told the Juvenile Board previously that these positions would be needed in the future, and the future is now. Due to eighteen new beds in Juvenile Detention, six new positions are needed. Mr. Scott requested the Court to approve the hire of six new positions. Cynthia Jacobson, Human Resources, stated she had an issue with one position. Monika Arris, Budget, stated the positions were adopted in contingency, so the Court needs to approve the budget adjustment to move the funds and actually create the positions. Commissioner Jaynes moved to approve, Commissioner Ward seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:24:10 p.m.)

**COURT ORDER NO. 2008-535-07-22**

**Item No. 12 AI-28598** Consideration, discussion and any action regarding the starting salaries for bilingual employees, Commissioners Court. The Court heard public comments regarding the starting salaries for bilingual employees.

Victor Manuel, McKinney, Texas, spoke in favor of additional compensation for bilingual employees. Mr. Garza felt Collin County had a responsibility toward Hispanic taxpayers.

Gilda Garza, McKinney, Texas, asked the Court to continue to compensate employees for being bilingual since it is a special skill. Ms. Garza stated this was one of the first requests she made when she came to the McKinney City Council in 2001.

Coty Rodriguez Anderson, Plano, Texas, was also in favor of providing additional compensation to bilingual employees. Not doing so would send the message to our children that knowing another language is not important.

Adrian Rodriguez, Plano, Texas, stated he was an educator with personal experience in this issue. Mr. Rodriguez stated in Plano ISD there are 90 different languages spoken.

Judge Self clarified that the Court was deciding on starting salaries for employees who spoke more than one language. The reason the Spanish language is an issue is that it is the most commonly spoken language in Collin County other than English. Commissioner Ward stated that if the County were to have a policy, it should be written and be clear and be decided on a case by case basis. If a department head or elected official decides to hire a bilingual employee, they can bring the matter of additional compensation before the Court. Stacey Kemp, County Clerk, stated that having a bilingual employee saves taxpayers dollars by enabling the County to collect fees and court costs. Further discussion on the matter of bilingual compensation continued. Joe Scott, Juvenile Probation, explained the difficulty of communicating with non-English speaking parents who have children in juvenile detention. The Court agreed that this issue should be given to Cynthia Jacobson, Human Resources, to write a clear and positive policy regarding additional compensation for bilingual skills and how it should be handled in future situations. Judge Self moved to approve, Commissioner Ward seconded, and the motion passed with a 5-0 vote of the Court. (Time: 3:56:37 p.m.)

**COURT ORDER NO. 2008-536-07-22**

**Item No. 13 AI-28544** Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, stated all appointments were within guidelines, with one step 2 due to nine years' directly related experience. Commissioner Hoagland moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:24:30 p.m.)

**COURT ORDER NO. 2008-537-07-22**



**Item No. 14** AI-28545 Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, again appeared before the Court stating all personnel changes were within criteria. Commissioner Jaynes moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 4:25:42 p.m.)

**COURT ORDER NO. 2008-538-07-22**

**Item No. 15** AI-28602 Consideration, discussion and any action regarding 2007 RTR funding, Commissioners Court. Commissioner Jaynes stated the Court had a packet that was similar to the packet presented at a town hall meeting last week in Allen. Projects will be approved in August. (Time: 4:25:49 p.m.)

**NO ACTION TAKEN**

**Item No. 16** Possible future agenda items by Commissioners Court without discussion. Judge Self stated he would like the transparency issue, Ground Water Conservation District issue and North Star placed on the next court agenda. Commissioner Hoagland requested a feasibility study for the radio system be placed on the agenda as well as a discussion of HOV lanes on U.S. 75. Commissioner Jaynes asked that a representative from Celina be present to give an update on the Tollway expansion. (Time: 4:27:51 p.m.)

**EXECUTIVE SESSION**

The Court did not go into Executive Session.

Board/Committee Appointments (551.0745)

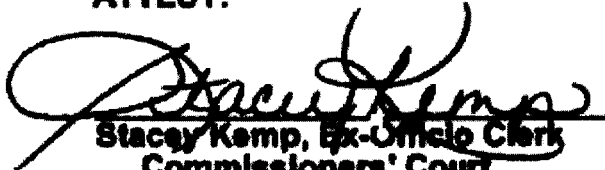
AI-28593 Board/Committee Appointments.

**NO ACTION TAKEN**

There being no further business of the Court, Judge Self adjourned the meeting at 4:27 p.m.



**ATTEST:**

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

  
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**Keith Self, County Judge**

  
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**Phyllis Cole, Commissioner, Pct. 1**

  
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**Jerry Hoagland, Commissioner, Pct. 2**

  
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**Joe Jaynes, Commissioner, Pct. 3**

  
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**Kathy Ward, Commissioner, Pct. 4**