

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

August 26, 2008

On Tuesday, August 26, 2008, at 9:00 a.m. the Commissioners Court of Collin County, Texas, met in regular session in the Commissioners Courtroom, 210 S. McDonald Street, McKinney, Texas, 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

Commissioner Jaynes led the Invocation.

Commissioner Ward led the Pledge of Allegiance.

Judge Self led the Pledge to the Texas Flag.

President Self called the Collin County Health Care Foundation meeting to order at 9:06 a.m. and adjourned at 9:09 a.m.

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

FYI NOTIFICATION

1. AI-28711 Addendum No. 1 to Services: Tax Statement Preparation and Mailing Service (IFB No. 05557-08) to extend the bid invitation, Purchasing.
2. AI-28651 Update on Indigent Defense expenditures (3rd Quarter FY2008), Budget.
3. AI-28739 Budget amendment(s)/adjustment(s) totaling \$863,906 (over \$5,000 per c/o 2005-589-08-01), Budget.
4. Notification of budget adjustment(s)/amendment(s), Auditor:
 - a. AI-28723 \$538,052 to establish the FY2009 Bioterrorism budget.
 - b. AI-28719 \$147,327 to establish the budget for the FY2009 City Readiness Initiative grant funds.

c. AI-28679 \$225,981 to establish the revenue budget in the amount of \$172,083 and the expenditure budget in the amount of \$53,898 for the CSCD Sex Offender Program.

Item No. 2 Public Comments. There were none.

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. Judge Self requested items f5, g1, and i6 be pulled for discussion; Commissioner Cole pulled item f1; Commissioner Jaynes pulled item e1; Bill Bilyeu, Administrative Services, pulled item d1; and Ruben Delgado, Engineering, stated g3 would be a combination of presentation and general discussion item 8. Commissioner Jaynes 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: 10:23:13 a.m.)

- a. Filing of the August 26, 2008, Regular Agenda.
COURT ORDER NO. 2008-595-08-26
- b. AI-28714 Disbursements for the period ending August 20, 2008, Auditor.
COURT ORDER NO. 2008-596-08-26
- c. AI-28710 Tax Refunds totaling \$283,297.19, Tax Assessor Collector.
COURT ORDER NO. 2008-597-08-26
- d. Advertisement(s):
1. AI-28762 Sale of Real Property, University Drive Courts Facility (RFP No. 08619-08), further adopt the proposed sales procedure, advertise same (per LGC VTCA 263.007) and determine a minimum bid amount, Administrative Services. Bill Bilyeu, Administrative Services, stated an appraisal was expected on this property within the next couple of weeks. Mr. Bilyeu requested the ability to amend this solicitation and redistribute it out once the appraisal is complete. Commissioner Hoagland moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:24:21 a.m.)
COURT ORDER NO. 2008-598-08-26
 2. AI-28776 Insurance: Medical, Dental, FSA and Cobra (RFP No. 08621-08) (budgeted), Human Resources.
COURT ORDER NO. 2008-599-08-26

3. AI-28777 Insurance: Basic Life and Accidental Death & Dismemberment (AD&D) (RFP No. 08612-08) (budgeted), Human Resources.

COURT ORDER NO. 2008-600-08-26

4. AI-28778 Insurance: Disability, Short & Long Term (RFP No. 08615-08) (budgeted), Human Resources.

COURT ORDER NO. 2008-601-08-26

5. AI-28779 Insurance: Stop Loss Coverage (RFP No. 08616-08) (budgeted), Human Resources.

COURT ORDER NO. 2008-602-08-26

6. AI-28780 Insurance: Prescription Drug Plan (RFP No. 08622-08) (budgeted), Human Resources.

COURT ORDER NO. 2008-603-08-26

e. Award(s):

1. AI-28720 Services: Inmate Health Care (RFP No. 04479-08) and further authorize the Purchasing Agent to finalize and execute the agreement (budgeted), Sheriff. Commissioner Jaynes informed the Court that he would be working with Mr. Bilyeu to look at Correctional Risk Services, a company that provides inmate medical insurance. They would look at savings on claims management and take a percentage of what is saved, with no upfront money. Commissioner Hoagland moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:25:11 a.m.)

COURT ORDER NO. 2008-604-08-26

f. Agreement(s):

1. AI-28678 Required forms for the Texas Department of Family and Protective Services Title IV-B Concrete Services (grant funds to be awarded upon receipt of completed forms) and further authorize the County Judge to finalize and execute same, Auditor. Commissioner Cole inquired about a previous request for CPS funding. Randall Rice, Auditor's Office, stated an email was sent. Commissioner Cole requested that that email be re-sent. Commissioner Cole moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:25:47 a.m.)

COURT ORDER NO. 2008-605-08-26

2. AI-28600 Renewal of the Title IV-E Child Welfare Services Contract with the Department of Family and Protective Services for the reimbursement of foster care maintenance for FY2009 CPS cases through and including September 30, 2009 and further authorize the County Judge to finalize and execute the agreement, Auditor.

COURT ORDER NO. 2008-606-08-26

3. AI-28566 Interlocal Cooperation Agreement for Title IV-E County Legal Services contract with the Texas Department of Family and Protective Services for the reimbursement of Legal Services for FY2009 CPS cases through and including September 30, 2009 and further authorize the County Judge to finalize and execute the agreement, Auditor.

COURT ORDER NO. 2008-607-08-26

4. AI-28690 Amended and restated Interlocal Cooperation Agreement with the City of Allen to extend the agreement through September 30, 2009 for space located at the Allen Municipal Court facilities for the Justice of the Peace – Precinct 3 to conduct court proceedings and further authorize the County Judge to finalize and execute the same (budgeted), Construction & Projects.

COURT ORDER NO. 2008-608-08-26

5. AI-28432 Amended and re-stated Interlocal Agreement with the City of Parker for the construction of improvements to McCreary Road (2003 Bond Project No. 03-041 and 2007 Bond Project No. 07-055) from Parker Road to McWhirter Road, budget amendment in the amount of \$2,500,000 and further authorize the County Judge to finalize and execute same (Project cost NTE \$3,251,450), Engineering. Judge Self asked Monika Arris, Budget, how much the County currently had in arbitrage. Don Cozad, Auditor, came before the Court to address that question. Approximately \$1,800,000 was currently in positive arbitrage liabilities. Interest earnings: most funds were in pools which are currently earning approximately 2.2%. As a result, negative arbitrage is accumulating on these funds. Discussion followed. Judge Self moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:29:02 a.m.)

COURT ORDER NO. 2008-609-08-26

6. AI-28454 Interlocal Agreement with the City of Allen for the design and construction of Watters Road (2007 Bond Project No. 07-005) from Bossy Boots Drive to Ridgeview Drive,

budget amendment in the amount of \$1,300,000 and further authorize the County Judge to finalize and execute same (County participation NTE \$1,300,000), Engineering.

COURT ORDER NO. 2008-610-08-26

7. AI-28457 Interlocal Agreement with the City of Allen for the design and construction of the Chaparral Bridge (2007 Bond Project No. 07-001) from Persimmon Court to Brook Ridge Avenue, budget amendment in the amount of \$1,080,000 and further authorize the County Judge to finalize and execute same (County participation NTE \$1,080,000), Engineering.

COURT ORDER NO. 2008-611-08-26

8. AI-28521 Interlocal Agreement with the City of McKinney for the construction of improvements to Airport Drive (2007 Bond Project No. 07-040) from Industrial to US 380, budget amendment in the amount of \$700,000 and further authorize the County Judge to finalize and execute same (County participation NTE \$700,000); reallocate \$300,000 of the Airport Drive funding to Custer Road (2007 Bond Project No. 07-035) from Stonebridge Drive to US 380, Engineering.

COURT ORDER NO. 2008-612-08-26

9. AI-28606 Interlocal Agreement with the City of Allen for the design of Ridgeview Drive (2007 Bond Project No. 07-008) from Stacy Road to US 75, budget amendment in the amount of \$1,030,000 and further authorize the County Judge to finalize and execute same (County participation NTE \$1,030,000), Engineering.

COURT ORDER NO. 2008-613-08-26

10. AI-28647 Interlocal Agreement with the City of Allen for the design and construction of Ridgeview Drive (2007 Bond Project No. 07-002) from Custer Road to Twin Creeks Drive, budget amendment in the amount of \$4,500,000 and further authorize the County Judge to finalize and execute same (County participation NTE \$7,900,000), Engineering.

COURT ORDER NO. 2008-614-08-26

11. AI-28738 Interlocal Agreement with the Town of Fairview for construction of improvements to Stacy Road (2007 Bond Project No. 07-016) from FM1378 to Ashcroft Drive, budget amendment in the amount of \$200,000 and further authorize the County Judge to finalize and execute same (County participation NTE \$1,500,000 - 2008 funding \$200,000), Engineering.

COURT ORDER NO. 2008-615-08-26

12. AI-28774 Interlocal Agreement with the City of Lucas for the design and construction of Country Club (FM 1378) intersection improvements (Bond Project No. 07-034), budget amendment in the amount of \$382,348 and further authorize the County Judge to finalize and execute same (County participation NTE \$382,348), Engineering.

COURT ORDER NO. 2008-616-08-26

13. AI-28443 Interlocal Agreement with the City of Frisco for the widening and construction of SH 289 (2003 Bond Project No. 03-019) from FM 720 to US 380; reconstruction and widening of SH 289 (Project No. 03-020) from FM 720 to US 380, budget amendment in the amount of \$4,310,000 and further authorize the County Judge to finalize and execute same (County participation NTE \$6,555,000), Engineering.

COURT ORDER NO. 2008-617-08-26

14. AI-28733 Interlocal Agreement with the Collin County Community College District to utilize the District's available facilities and staff to assist in the event of a public health emergency and further authorize the County Judge to finalize and execute same, Homeland Security.

COURT ORDER NO. 2008-618-08-26

15. AI-28653 Grant exemption from the competitive bidding process (Court Order 2000-273-04-24) per VTCA LGC 262.024 for a professional service; approve an Agreement for Professional Services with Justice Benefits, Inc. (formerly Vertex) to explore opportunities for new Federal Financial Participation (FFP), review prospects for expansion of FFP, secure additional FFP as may be appropriate for the County (JBI will receive 15% of all revenue paid to the County) and further authorize the Purchasing Agent to finalize and execute same (budgeted), Budget.

COURT ORDER NO. 2008-619-08-26

16. AI-28760 Memorandum of Understanding with the North Texas Behavioral Health Authority to participate in the Northstar A-Typical Funding program, HIPAA Business Associate Agreement with ValueOptions, Inc. for the purpose of administering the Northstar A-Typical Funding program and further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2008-620-08-26

17. AI-28574 Memorandum of Understanding with the City of Plano for acceptance of the 2008 Byrne Justice Assistance (JAG) Program grant funds in the amount of \$25,595 (County portion is 35% or \$8,959) and further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2008-621-08-26

18. AI-28689 Engineering Services Agreements with Binkley and Barfield, Inc. for the design of bridges at County Road 127 at How Branch (Bond Project No. 07-106), County Road 134 at Honey Creek (Bond Project No. 07-112) and County Road 408 at Bomars Branch for 2 structures (Bond Project No. 07-102), budget amendment in the amount of \$317,300 and further authorize Purchasing Agent to finalize and execute the agreements, Special Projects.

COURT ORDER NO. 2008-622-08-26

19. AI-28692 Engineering Services Agreements with Charles Gojer and Associates, Inc. for the design of bridges at County Road 593 at Price Creek (Bond Project No. 07-110) and County Road 638 at Sabine Creek (Bond Project No. 07-104), budget amendment in the amount of \$92,490 and further authorize the Purchasing Agent to finalize and execute the agreements, Special Projects.

COURT ORDER NO. 2008-623-08-26

20. AI-28752 Intergovernmental Cooperative Reimbursement Contract (Contract No. 582-9-90416-08) with the Texas Commission on Environmental Quality (TCEQ) for the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2008-624-08-26

21. Inter-jurisdictional Mutual Aid Agreement(s) for civil emergencies and further authorize the County Judge to finalize and execute same, Homeland Security:

- a. AI-28694 City of Murphy.

COURT ORDER NO. 2008-625-08-26

- b. AI-28693 Josephine Volunteer Fire Department.

COURT ORDER NO. 2008-626-08-26

- g. Amendment(s):

1. AI-28526 No. 1 to Engineering Services for SH 289 from US 380 to Business 289 in Celina with Lockwood, Andrews and Newnam, Inc. (2008-128-02-12) to revise the ongoing schematic work and show a six (6) lane divided highway in the environmental assessment and public meeting and hearing process, budget amendment in the amount of \$124,600 and further authorize the Purchasing Agent to finalize and execute same, Engineering. Ruben Delgado, Engineering, came before the Court with an update on the project at SH 289. Project was originally approved as four lanes; project needs to be revised to six lanes. Schematic will need to be revised. Commissioner Hoagland moved to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:33:39 a.m.)

COURT ORDER NO. 2008-627-08-26

2. AI-28703 No. 1 to Emergency Alert Notification System (Contract No. 02060-07) with Emergency Communications Network, Inc. to add an additional passcode, additional insurance coverage, extend the contract for one (1) year and further authorize the Purchasing Agent to finalize and execute same (budgeted), Information Technology.

COURT ORDER NO. 2008-628-08-26

3. AI-28654 No. 2 to Engineering Services for Improvements to US 380 from West of the Collin County Line to East of SH 289 (Bond Project No. 95-54) with Turner, Collie and Braden, Inc. to develop phased construction areas for the project (per Supplemental Agreement No. 2), budget amendment in the amount of \$196,326 and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2008-629-08-26

4. AI-28729 No. 2 to Services: Emergency Medical (RFP No. 0309-006) with American Medical Response to extend the contract for an additional five (5) year period, based on annual fiscal funding through and including October 31, 2013 and further authorize the Purchasing Agent to finalize and execute same(budgeted), Fire Marshal.

COURT ORDER NO. 2008-630-08-26

5. AI-28624 No. 4 to Agreement: Lease, Software with RFP Depot, LLC for the use of secure online competitive solicitation system to renew and extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute the

same (budgeted), Purchasing.

COURT ORDER NO. 2008-631-08-26

h. Change Order(s):

1. AI-28724 No. 1 to Services, Maintenance: HVAC Maintenance (IFB No. 10006-08) with Gulf Energy Systems to extend the contract for a period of one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Facilities.

COURT ORDER NO. 2008-632-08-26

2. AI-28753 No. 1 to Services: Window Cleaning (IFB No. 11056-08) with A&W Window Cleaning to extend the contract for a period of one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Facilities.

COURT ORDER NO. 2008-633-08-26

3. AI-28754 No. 1 to Services: Herbicides/Chemical Application for County Locations (IFB No. 10002-08) with Truegreen Chemlawn to extend the contract for a period of one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Facilities.

COURT ORDER NO. 2008-634-08-26

4. AI-28705 No. 1 to Services, Fencing Labor & Materials Inclusive (IFB No. 10017-08) with Robinson Fence Co. to reflect an 18 percent price increase to various contract line items (effective August 26, 2008), extend the contract for a period of one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2008-635-08-26

5. AI-28755 No. 1 to Services: Coffee (IFB No. 02067-07) with Compass Group USA, by and through Canteen Vending Services Division to extend the contract for a period of one (1) year through September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2008-636-08-26

6. AI-28686 No. 1 to Services: Uniform/Miscellaneous Rental and Laundry (IFB No. 03079-07) with G&K Services to extend the contract for a period of one (1) year through and including July 10, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2008-637-08-26

7. AI-28685 No. 1 to Services: Prisoner Transport (IFB No. 02433-08) with Prisoner Transport Services (PTS) of America, LLC to extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.

COURT ORDER NO. 2008-638-08-26

8. AI-28718 No. 1 to Uniforms: Law Enforcement & Related Items, Work Uniforms and Misc (IFB No. 07126-07) with Lone Star Uniforms, Inc. to extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.

COURT ORDER NO. 2008-639-08-26

9. AI-28725 No. 1 to Food: Bread Products (IFB No. 07118-07) with Flowers Baking Co of Denton, LLC to reflect a price increase, extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.

COURT ORDER NO. 2008-640-08-26

10. AI-28639 No. 2 to Services On-Site Grinding/Mulching and Removal of Debris with Thelin Recycling Co., LP to extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2008-641-08-26

11. AI-28721 Order No. 2 to Gloves, Medical (IFB No. 05084-06) with Moore Medical, LLC to extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2008-642-08-26

12. AI-28722 No. 2 to Gloves, Medical (IFB No. 05084-06) with Pyramid School Products to delete various items from the

contract and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2008-643-08-26

13. AI-28716 No. 4 for Supplies: Food (IFB No. 04066-05) with Performance Food Group to extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.

COURT ORDER NO. 2008-644-08-26

14. AI-28717 No. 4 for Supplies: Food with Ben E. Keith (IFB No. 04066-05) to extend the contract for one (1) year through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Sheriff.

COURT ORDER NO. 2008-645-08-26

i. Budget adjustment/amendment(s):

1. AI-28684 \$4,000 to move additional funds to the Detention Supplies line item to cover expenditures through the end of FY2008, Sheriff.

COURT ORDER NO. 2008-646-08-26

2. AI-28745 \$10,920 to purchase Jail Kitchen Equipment utilizing the BuyBoard contract, to include installation and warranties per VTCA LGC 271.102, Construction & Projects.

COURT ORDER NO. 2008-647-08-26

3. AI-28683 \$27,276 to move additional funds to the Janitorial Supplies line item to cover expenditures through the end of FY2008, Sheriff.

COURT ORDER NO. 2008-648-08-26

4. AI-28680 \$33,000 to move additional funds to the Food Supplies (Minimum Security) line item to cover expenditures through the end FY2008, Sheriff.

COURT ORDER NO. 2008-649-08-26

5. AI-28682 \$70,000 to move additional funds to the Food Supplies (Main Jail) line item to cover expenditures through the end FY2008, Sheriff.

COURT ORDER NO. 2008-650-08-26

6. AI-28764 \$44,217,337 for the allocation of 2007 Bond Funds sold in 2008, Budget. Item i6 was discussed with item

f5. Monika Arris, Budget, stated back-up needed to be changed on this item. Ms. Arris stated to better track bond projects, two fund numbers were used to separate out accounts. Judge Self moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:30:15 a.m.)

COURT ORDER NO. 2008-651-08-26

j. Receive and File, Auditor:

1. AI-28768 Constable, Precinct 2 (2nd Quarter FY2008).
COURT ORDER NO. 2008-652-08-26

2. AI-28765 CSCD (2nd Quarter FY2008).
COURT ORDER NO. 2008-653-08-26

3. AI-28767 Substance Abuse (Asset Verification).
COURT ORDER NO. 2008-654-08-26

k. Filing of the Minutes, County Clerk:

1. AI-28773 August 12, 2008.
COURT ORDER NO. 2008-655-08-26

l. Miscellaneous

1. AI-28599 Re-appointment of Steve Deffibaugh as the Collin County Fire Marshal for a two year term, Administrative Services.
COURT ORDER NO. 2008-656-08-26

2. AI-28736 Set a public hearing date for September 23, 2008 for the re-plat of Lots 8 and 14-17 of Tower Estates Subdivision, Engineering.
COURT ORDER NO. 2008-657-08-26

3. AI-28740 Final Plat for the Trails of 1827 Phase II, Engineering.
COURT ORDER NO. 2008-658-08-26

4. AI-28799 Lifting the Burn Ban, Fire Marshal.
COURT ORDER NO. 2008-659-08-26

5. AI-28756 Holiday schedule for 2009, Human Resources.
COURT ORDER NO. 2008-660-08-26

6. AI-28627 Amendment to the FY2008 Fee Schedule to increase the prices charged to developers, municipalities and citizens requesting signs and posts, Public Works.

COURT ORDER NO. 2008-661-08-26

7. AI-28671 Reimbursement for fencing materials in the amount of \$8,268.40 to Mr. William Campbell for property along CR 659 (budgeted), Public Works.

COURT ORDER NO. 2008-662-08-26

8. AI-28672 Donation of a surplus 1995 Ford 1 ton flatbed (Vehicle Unit No. 27866) to the Josephine Volunteer Fire Department per LGC VTCA 263.152, Public Works.

COURT ORDER NO. 2008-663-08-26

9. AI-28691 Deposit the net proceeds totaling \$53,559.80 from the Collin County On-Line Auction held of July 22, 2008, Purchasing.

COURT ORDER NO. 2008-664-08-26

10. AI-28696 Declare property as surplus, authorize additions and/or deletions to the list as deemed necessary, authorize the Purchasing Agent to sell same via on-line auction and advertise for same, Purchasing.

COURT ORDER NO. 2008-665-08-26

11. AI-28697 Acceptance of a good faith check in the amount of \$1,787.82 from Sam Pack's Five Star Ford for the refund of gross profit on crown vics ordered in February 2007 to compensate for incorrect and delayed deliveries, Purchasing.

COURT ORDER NO. 2008-666-08-26

12. AI-28698 Acceptance of refund in the amount of \$298.15 from Justice Benefits, Inc. for disallowed reimbursements per section 5.04 of the Justice Benefits, Inc. agreement, Purchasing.

COURT ORDER NO. 2008-667-08-26

GENERAL DISCUSSION

Item No. 4 AI-28513 Public Hearing – Consideration, discussion and any action regarding the placement of Regulatory Signs on various County Roads, Public Works. Jon Kleinhessel, Public Works, stated this was a request for a public hearing for placement of regulatory signs on various county roads, with no controversy involved. Judge Self closed the public hearing and asked for discussion from the Court. Commissioner Jaynes moved to approve,

Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court.
(Time: 10:34:52 a.m.)

COURT ORDER NO. 2008-668-08-26

Item No. 5 **AI-28741** **Public Hearing** - Consideration, discussion and any action regarding the proposed Fiscal Year 2009 Tax Rate and Budget. (Commissioners Court will meet on September 9, 2008, during Open Session to adopt the Fiscal Year 2008 Tax Rate and Budget), Budget. Judge Self asked if there was anyone present for the public hearing who wanted to make public comment. Hearing none, Judge Self closed the Public Hearing on Budget.

Commissioner Cole made a motion to hire a part-time medical examiner to assist Dr. Rohr as requested by the Medical Examiner in Budget Workshop, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 9:11:40 a.m.)

Monika Arris, Budget, came forward with a Power Point presentation on the FY2009 Proposed Budget.

Judge Self read the following public notice on tax increase: "Last year the Collin County Property tax was \$0.245. That rate raised \$166,884,575, a portion of which was used to fund operations such as: public safety, to include jail operations and patrol activities within unincorporated and incorporated areas of the county as requested by local law enforcement, as well as Homeland Security funding to provide county and regional homeland security planning efforts; judicial, to include all county-wide criminal, civil, and misdemeanor court systems, in addition to all support functions for these operations; legal, to include all aspects of review and prosecution of cases considered within the county; general, to include policy formulation and implementation, technical support for all county and regional operations, and election support for local and county-wide elections; public works, to include all county road maintenance activities and the continuation of the county's ten-year asphalt program, in addition to environmental clean-up and bulky household trash disposal; permanent improvements, to include the cash funding of the new administrative facility and to repair and improve various county facilities, such as upgrading the electrical and fire alarm systems at the justice center facility and upgrades to the central plant. This year Collin County is proposing a property tax rate of \$0.2425, that rate would raise \$174,324, 065, which is \$7,439,490 more than the taxes imposed last year. By contrast, for a \$100,000 home with the newly adopted 5% homestead exemption, this additional tax revenue would decrease taxes by \$14.63. Two public hearings have been scheduled to consider the increase: the first public hearing will held on August 26th at 9:00 a.m. in the Commissioners Courtroom, located in the Collin County Government Center, 210 S. McDonald Street, Suite 626, McKinney, Texas. The second will be held September 2, 2008, at 7:00 p.m. at the Collin County Courthouse in the Central Jury Room on Bloomdale Road. You have a right to attend the hearings and make comments. You are encouraged to attend and make comments if you wish."

Ms. Arris continued with her Power Point, stating according to the U.S. Census Bureau, Collin County's population has increased by 4.9% to 730,690. Tax rate growth: as of July 25, 2008, 4.6%, including homestead exemption. Not including homestead exemption, increase would have been 7.5%. Average home in Collin County is valued at \$222,612. Tax rate at \$0.2425, representing no tax increase for the 16th year in a row, has the average homeowner paying \$539.83, a savings of \$25.66 over last year. The total authorized positions are 1,784, with three positions being eliminated by the first of the year. General fund, \$150,000,000, an increase of \$4,200,000. Operating budget: \$172,800,000, an increase of 4.2% over last year. Total Combined Budget: \$268,200,000. Ms. Arris then listed reasons for increases in budget.

Judge Self asked Bill Bilyeu, Administrative Services, for a briefing on the wellness initiative. Mr. Bilyeu replied he received a proposal to do a wellness study. Estimated cost is \$1,200,000, but a bid would have to go out to clinics that offered the same services. Commissioner Hoagland wanted feedback through HPPA as to the success of the program. Mr. Bilyeu stated that would have to be voluntarily provided by the employee. Commissioner Cole supported the program, stating the results would save lives. Commissioner Jaynes wanted to hear more about the program. Dr. M. Akram Khan came forward and briefed the Court on risk factors, the need for education, and the benefits of screening for heart disease. Discussion followed between the Court and Dr. Khan. Cynthia Jacobson, Human Resources, had a concern about a duplication of tests already being done at health fairs and the County Health Care Clinic. The County currently pays up to 100% for the cost of physicals up to \$750. Discussion continued regarding physicals versus scans and the costs involved. Frank Ybarbo, Purchasing, stated he would work with HR to determine if this would have to go out for proposal. Commissioner Hoagland made a motion to have 500 employees participate in the program with Dr. Khan, to have the costs paid out of the medical insurance account, and to not ask for a HPPA release from employees; Commissioner Cole seconded; and the motion passed with a 5-0 vote of the Court, with Commissioner Jaynes asking that this item be brought back before the Court in twelve months for an update. (Time: 10:09:57 a.m.)

MINUTES

Judge Self recessed the Commissioners Court at 10:10 a.m. and reconvened at 10:21 a.m.

Item No. 6 **AI-28769** **Public Hearing** - Consideration and any action for the issuance of a "Mass Gathering" permit for the Roundup on the Range event on October 18, 2008 in accordance to the health and Safety Code 751, County Judge. Judge Self asked if there was any public comment or discussion. There was none. Judge Self closed the public hearing and asked for discussion from the Court. Commissioner Jaynes moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:35:29 a.m.)

COURT ORDER NO. 2008-669-08-26

Item No. 7 **AI-28748** Consideration, discussion and any action ordering a local option election for the City of Melissa to be held November 4, 2008, Uniform Election Date for the legal sale of all alcoholic beverages for off-premise consumption only, Elections. Sharon Rowe, Elections, came forward to certify that there are sufficient signatures on the petition for the Court to order the election. Commissioner Jaynes moved to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:37:52 a.m.)

COURT ORDER NO. 2008-670-08-26

Item No. 8 **AI-28652** Consideration, discussion and any action regarding the approval of an Interlocal Agreement with Denton County for Design Schematic and Environmental Assessment for US 380 from Denton/Collin County Line to just west of FM 423 in Denton County, budget amendment in the amount of \$587,000 and further authorize the County Judge to finalize and execute same, Engineering. Ruben Delgado, Engineering, stated item no. 8 was before the Court in conjunction with item g3 as a request for the Court to consider approving the engineering service agreement with Turner Collin and Braden for additional work. Denton County will be coming onboard. Mr. Delgado introduced Mike Hegarty, PE, Project Manager, and Rajesh Janarthanan, PE, Project Manager. Mr. Hegarty stated he wanted everybody to be informed and on the same page, and then presented a Power Point updating the Court on the project's status. Discussion followed between the Court, Mr. Delgado, Mr. Hegarty and Mr. Janarthanan. Commissioner Jaynes stated he would like to see the project completed as soon as possible. Commissioner Hoagland agreed. Judge Self asked if there was a motion on g3, which is \$196,326 from Collin County and a motion on item no. 8, which is \$487,000, as amended, from Denton County, Commissioner Hoagland moved to approve both items, Commissioner Ward seconded, and the motion passed with a 4-0 vote of the Court. Commissioner Cole was not present for the vote. (Time: 10:53:44 a.m.)

COURT ORDER NO. 2008-671-08-26

Item No. 9 **AI-28659** Consideration, discussion and any action regarding an Interlocal Agreement with the City of Melissa for participation in the ROW (Right-of-Way) acquisition costs for the FM 545 bridge replacement and road improvements from SH 121 to FM 2933 (not budgeted), Engineering. Ruben Delgado, Engineering, again came before the Court and stated this is a TxDOT project. The City of Melissa has asked if Collin County will participate 50-50 with them in this project per the terms of their bond program. Commissioner Jaynes encouraged the Court to support this project. Commissioner Hoagland moved to approve with the funds coming out of the City of Melissa's bond money, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 10:56:13 a.m.)

COURT ORDER NO. 2008-672-08-26

Item No. 10 **AI-28633** Consideration, discussion and any action regarding Groundwater Conservation Districts, Commissioners Court. Bill Bilyeu, Administrative Services, stated this is related to the Groundwater Management

Authority that is being created and the question of whether Collin County will join with other counties or be a single county. Tracy Homfeld, Engineering, came forward and stated Collin County is being considered to partner with Denton, Fannin and Grayson Counties; however, Collin County prefers to partner with Fannin and Grayson Counties. Commissioner Jaynes did not want to be part of a multi-county district. Commissioner Hoagland moved to approve for a three-county area, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. Judge Self stated Collin County would need to visit with the two counties and move forward after agreements are reached. (Time: 10:11:03:09 a.m.)

COURT ORDER NO. 2008-673-08-26

Item No. 11 AI-28731 Consideration, discussion and any action regarding a budget amendment in the amount of \$1,000 for the Director of Homeland Security to attend the TAC conference in Austin, August 26, 2008, Homeland Security.

PULLED

Item No. 12 AI-28734 Consideration, discussion and any action regarding adoption of a resolution supporting the discontinuation of the diversion of transportation user revenues to non-transportation uses and the appropriation of all revenue generated from highway user fees and taxes to fund transportation projects, Commissioners Court. Commissioner Hoagland stated he was in favor of adoption of this resolution. Commissioner Jaynes moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:04:26 a.m.)

COURT ORDER NO. 2008-674-08-26

Item No. 13 AI-28787 Consideration, discussion and any action regarding a District Court Administrator for the FY2009 Budget, 380th District Court. Bill Bilyeu stated Judge Oldner was in a jury trial and requested that this item be held until the public hearing on September 2, 2008. (Time: 11:04:47 a.m.)

HELD

Item No. 14 AI-28742 Consideration, discussion and any action regarding Assistant County Engineer, Commissioners Court. Judge Self stated item no. 14 would be moved to executive session. Commissioner Ward asked Judge Self to explain what constitutes executive session. Judge Self stated there are very narrow laws which must be met before the Court can recess into executive session: 551.074 of the local government code, consultation with an attorney; 551.072, deliberation regarding real property; 551.0725, deliberation regarding contracts negotiated; 551.0752, must be a vote in open court, must be an opinion by Court's attorney, and vote must be tape recorded; 551.074, personnel matters; 551.0745, personnel matters effecting county advisory bodies. Finally, votes must be taken in public session. (Time: 11:06:52 a.m.)

COURT ORDER NO. 2008-675-08-26

Item No. 15 AI-28712 Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human

Resources, stated there are several appointments that needed to be brought to the Court's attention:

Shirlane Grant, Administrative Services, Teen Court Coordinator, salary level at midpoint, due to experience.

Judy Wade, County Court at Law Clerks, rehire, meets requirements of rehire.

Jennifer Akin, Medical Examiner, will be reclassified to a lower level after Chief Field Medical Examiner's position is eliminated.

Sandra Eastwood, Sheriff's Office, Criminal Justice Information Specialist, rehire, within normal standards.

Peggy Wittie, Homeland Security, Epidemiologist, step 14 out of 17, due to strong level of experience.

Commissioner Jaynes moved to approve, Commissioner Hoagland seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:10:15 a.m.)

COURT ORDER NO. 2008-676-08-26

Item No. 16 **AI-28713** Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stated all changes met standard criteria. A walk-in change was added for the Sheriff's Office. Commissioner Jaynes moved to approve, Commissioner Ward seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:11:08 a.m.)

COURT ORDER NO. 2008-677-08-26

Item No. 17 Consideration, discussion and any action regarding 2007 RTR funding, Commissioners Court. Commissioner Jaynes updated the Court, saying money is still in Austin and an agreement is trying to be worked out with TxDOT. Commissioner Hoagland commended Commissioner Jaynes on doing an outstanding job. Commissioner Jaynes stated he had an excellent mentor in Commissioner Hatchell. (Time: 11:12:17 a.m.)

NO ACTION TAKEN

Item No. 18 Possible future agenda items by Commissioners Court without discussion. Commissioner Hoagland requested there be a future agenda item having to do with how the Court, as a body, will operate in the future. Commissioner Ward wanted to have the opportunity to bring citizens in for a Collin County Citizens Academy, educating citizens as to what the Court does. (Time: 11:13:14 a.m.)

EXECUTIVE SESSION

Judge Self recessed Commissioners Court into Executive Session at 11:13 a.m., in accordance with Chapter 551 of the Government Code, to discuss the following subjects, and reconvened at 11:54 a.m.:

Personnel (551.074)

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

AI-28743 Assistant County Engineer, Commissioners Court. Commissioner Hoagland moved to appoint Tracy Homfeld to the position of Assistant County Engineer, with Mr. Bilyeu and Mr. Delgado returning at a later Court with the appropriate salary level, Commissioner Ward seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:55:39 a.m.)

COURT ORDER NO. 2008-675-08-26

AI-28757 2008 Merit Pay. Commissioner Hoagland moved to approve merit pay in accordance with recommendations by Human Resources, with only one person per department receiving merit pay, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 11:55:33 a.m.)

COURT ORDER NO. 2008-678-08-26

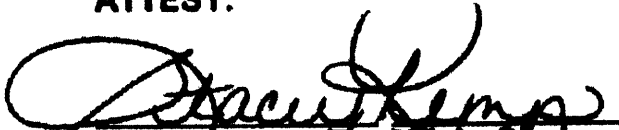
Board/Committee Appointments (551.0745)

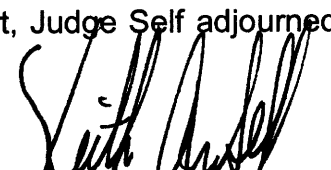
AI-28789 Board/Committee Appointments.

There being no further business of the Court, Judge Self adjourned the meeting at 11:56 a.m.

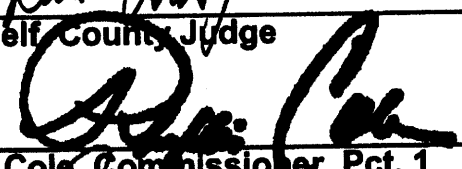


ATTEST:



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



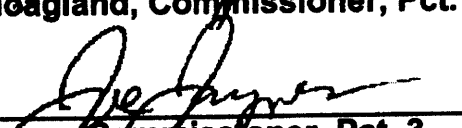
Keith Self, County Judge




Phyllis Cole, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Kathy Ward, Commissioner, Pct. 4