

**STATE OF TEXAS
COUNTY OF COLLIN****COMMISSIONERS' COURT MINUTES
May 11, 2009**

On Monday, May 11, 2009, the Commissioners Court of Collin County, Texas, met in regular session in the Commissioners Courtroom, 2300 Bloomdale Road, City of McKinney, Texas with the following members present, and participating, to wit:

Present: Judge Keith Self
Commissioner Prct 1 Matt Shaheen
Commissioner Prct 2 Jerry Hoagland
Commissioner Prct 3 Joe Jaynes
Commissioner Prct 4 Kathy Ward

Commissioner Shaheen led the Invocation.

Commissioner Hoagland led the Pledge of Allegiance.

Commissioner Jaynes led the Pledge to the Texas Flag.

President Self called the Collin County Health Care Foundation meeting to order at 9:41 a.m. and adjourned at 9:42 a.m.

President Self called the Collin County Toll Road Authority meeting to order at 9:43 a.m. and adjourned at 9:44 a.m.

**DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE
OF COMMISSIONERS COURT AUTHORITY:**

- 1 **Notification of budget adjustment(s)/amendment(s), Sheriff.**
 - a \$30,000 to pay for leased vehicles for investigators utilizing the Sheriff's Drug Forfeiture Fund.

FYI NOTIFICATION

- 1 **Addenda:**
 - a No. 1 to Services: Historical Records Restoration and

Preservation (RFP No. 03460-09) to make various changes to the specifications for the Request For Proposal, Purchasing.

- b No. 2 to Equipment: Sign Fabrication (IFB No. 03443-09) to make minor changes to the bid specifications and extend the bid invitation date, Public Works.
 - c No. 2 to Services: Historical Records Restoration and Preservation (RFP No. 03460-09) to extend the Request For Proposal solicitation due date, Purchasing.
- 2 Change Order No. 6 to Services, Commissary (RFP No. 04076-04) with Lone Star Commissary to replace the current .42 cent stamp with a Forever stamp and further authorize the Purchasing Agent to finalize and execute same, Sheriff.
 - a Utilization of the DIR (Department of Information Resources) contract with CDW Government (DIR-SDD-294) to purchase IT equipment for Elections (budgeted), Information Technology.
 - b Utilization of The Cooperative Purchasing Network (TCPN) with CDW Government (TCPN R4713) to purchase IT equipment for Homeland Security (budgeted), Information Technology.
 - c Top 15 Counties employee count comparison by population, Budget.
 - d Embry Riddle Aeronautical University is funding two students to work in the North Central Texas Fusion Center as summer interns (no cost), Homeland Security.
 - e Budget amendment(s)/adjustment(s) totaling \$1,032,454 (over \$5,000 per c/o 2005-589-08-01), Budget.
- 1 **Call to order.** The court will convene in open session for consideration of the following business matters:
- 2 **Public Comments.** Kathy Parker, Hank Wich and Neil and Lynn Sperry addressed the Court in support of funding for LifePath Systems. Mayor Mike Parker, Van Alstyne and Don Paschall addressed the Court in support of creating a Van Alstyne Municipal Utility District.
- 3 **Presentation(s)/Recognition(s):**
 - a Proclamation declaring May 2009 as Motorcycle Safety and Awareness Month in Collin County, Commissioners Court.

b Service Pins to employees with 10, 15, 20 and 25 years of service in the month of May, Human Resources.

c WIC Director recognized by the Texas WIC News magazine (a statewide publication) as the Statistics Guru for improving WIC Clients Lives, Commissioners Court.

Commissioner Kathy Ward recognized Michelle Patrick, WIC Services, for her recognition in the state publication WIC Magazine. Ms. Patrick was acknowledged for her strategic planning and policy development which has enabled Collin County WIC Services to provide services to the county's neediest citizens.

d Health Care Services and Homeland Security for exemplary work during the H1N1 outbreak, Commissioners Court.

Judge Keith Self presented gold coins to staff of Homeland Security, Healthcare and WIC Services for their exemplary work during the recent outbreak of the H1N1 virus known as the swine flu.

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 FYI 5 and G1, Commissioner Shaheen requested items D2 and D3 and Judge Self requested items D4 and H3a, H3b and H3c.

Motion to approve remainder of consent agenda.

Motion Commissioner Prct 2 Jerry Hoagland
Second Commissioner Prct 3 Joe Jaynes

Vote: 5 - 0

a Disbursements for the period ending May 5, 2009, Auditor.
COURT ORDER NO. 2009-324-05-11

b Tax Refunds totaling \$722,620.67, Tax Assessor Collector.
COURT ORDER NO. 2009-325-05-11

c **Advertisement(s):**

- 1 Fleet Units, Disposition (to include Disable & Dismantle) (IFB No. 03442-09) (budgeted), Public Works.

COURT ORDER NO. 2009-326-05-11

- 2 Construction, Bridge: County Road 593 over Price Creek (IFB No. 03501-09) (budgeted), Special Projects.

COURT ORDER NO. 2009-327-05-11

d **Agreement(s):**

- 1 Revised Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) for the planning, development, operation and provision of 9-1-1 services through and including August 31, 2010 and further authorize the County Judge to finalize and execute associated documents, GIS/Rural Addressing.

COURT ORDER NO. 2009-328-05-11

- 2 Personal Services Agreement with Andrew Don Smith, Sr. (Agreement No. 04578-09) for autopsy assistant services at the Collin County Medical Examiner's office through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Medical Examiner.

Commissioner Shaheen questioned the need for these services. Bill Bilyeu, Administrative Services approached in response to the question. Mr. Bilyeu stated the services were needed until the staff of the Collin County Medical Examiner's office had been fully trained to assist in an autopsy. Mr. Bilyeu continued by saying that last fiscal year the Court adopted a position for an additional Medical Examiner, Dr. Sheila Spotswood who is accustomed to working with an assistant, a practice common nationwide. Since her appointment, Dr. Spotswood has been paying for an assistant out of her own pocket. Retaining the assistant through September 30, 2009 would allow Dr. Spotswood to train the Collin County Medical Examiner's staff to assist her in providing autopsies.

Motion to approve agreement.

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 2 Jerry Hoagland

Vote: 5-0

COURT ORDER NO. 200-329-05-11

- 3 Personal Services Agreement with Erin Kirsten Duddleston (Agreement No. 04579-09) for autopsy assistant services at the Collin County Medical Examiner's office through and including September 30, 2009 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Medical Examiner.

Motion to approve agreement

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 2 Jerry Hoagland

Vote 5-0

COURT ORDER NO. 2009-330-05-11

- 4 Cooperative Agreement with the U.S. Army Corps of Engineers, Fort Worth District to provide additional law enforcement services for Lake Lavon from May 23, 2009 through and including September 7, 2009 and further authorize the County Judge to finalize and execute same (NTE \$53,679.77), Sheriff.

Minutes Judge Self pulled this item to clarify that the cost which was listed on the agenda should actually be \$53,791.

COURT ORDER NO. 2009-331-05-11

e Amendment(s):

- 1 No. 1 to Software: Human Resources (RFP No. 01043-06) with Oracle USA for additional licenses to increase the employee count and further authorize the Purchasing Agent to finalize and execute same (budgeted), Information Technology.

COURT ORDER NO. 2009-332-05-11

f Change Order(s):

- 1 No. 3 to Services: Janitorial (IFB No. 01390-08) with James Enterprises to delete housekeeping square footage at the

McDonald Street Courthouse and Annex A and add housekeeping square footage at the Jack Hatchell Collin County Administration Building and further authorize the Purchasing Agent to finalize and execute same (budgeted), Facilities.

COURT ORDER NO. 2009-333-05-11

- 2 No. 5 to Supplies: Food (IFB No. 04066-05) with Ben E. Keith to reflect a price decrease and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2009-334-05-11

g Budget adjustment/amendment(s):

- 1 \$6,541,271 to close-out road bond projects and to adjust project budgets to amounts approved on Interlocal Agreements, Budget.

Commissioner Hoagland questioned the item. Jeff May, Budget and Finance approached to explain that this was a result of a meeting with Budget and Engineering. All of the capital projects over the past 10 years were reviewed including matching the budgets to the projects. There were items found that needed to be corrected. They also found projects that needed to be closed because they were completed.

Motion Commissioner Prct 2 Jerry Hoagland
Second Commissioner Prct 1 Matt Shaheen

Vote: 5-0

COURT ORDER NO. 2009-335-05-11

h Receive and File, Auditor:

- 1 Payroll Audit - County Auditor.

COURT ORDER NO. 2009-336-05-11

2 Final Audit Result(s):

- a District Clerk (2nd & 3rd Quarter FY2008).

COURT ORDER NO. 2009-337-05-11

- b Constable, Precinct 2 (3rd & 4th Quarter FY2008 and 1st Quarter FY2009)

COURT ORDER NO. 2009-338-05-11

- c Justice of the Peace, Precinct 3-1 (3rd & 4th Quarter FY2008).

COURT ORDER NO. 2009-339-05-11

3 Monthly Financial Statement(s):

Judge Self pulled item to comment on the level of detail in the financial audits.

Motion Judge Keith Self
Second Commissioner Prct 1 Matt Shaheen

Vote 5-0

- a October 2008.

COURT ORDER NO. 2009-340-05-11

- b November 2008.

COURT ORDER NO. 2009-341-05-11

- c December 2008

COURT ORDER NO. 2009-342-05-11

i Filing of the Minute(s), County Clerk:

- 1 April 6, 2009.

COURT ORDER NO. 2009-343-05-11

- 2 April 20, 2009 - Workshop.

COURT ORDER NO. 2009-344-05-11

- 3 April 27, 2009.

COURT ORDER NO. 2009-345-05-11

j

Miscellaneous

- 1 Re-designation of PR 5565 to Hawkeye Trail (with address updates), GIS/Rural Addressing.

COURT ORDER NO. 2009-346-05-11

- 2 Re-designation of Private Road 5567 to Brinlee Creek Ranch Road (with address updates), GIS/Rural Addressing.

COURT ORDER NO. 2009-347-05-11

- 3 Re-designation of PR 5571 to Miracle Lane (with address updates), GIS/Rural Addressing.

COURT ORDER NO. 2009-348-05-11

- 4 Re-designation of PR 5572 to Pate Way (with address updates), GIS/Rural Addressing.

COURT ORDER NO. 2009-349-05-11

- 5 Exception to Court Order No. 85-752-10-28 to allow Maria Stephens, Homeland Security Medical Reserve Corp Coordinator to purchase an additional box of business cards (budgeted), Homeland Security.

COURT ORDER NO. 2009-350-05-11

- 6 Pre-notification of the intent to utilize a cooperative contract to purchase five (5) 2010 Ford Hybrid Escapes when they become available and budget amendment in the amount of \$32,000 for same (cost NTE \$140,710), Public Works.

COURT ORDER NO. 2009-351-05-11

GENERAL DISCUSSION

Presentation, discussion and any action regarding:

- 5 2-1-1 Presentation by the Community Council of Greater Dallas, Commissioners Court.

Commissioner Ward introduced Jill Cumnock, Executive Director Frisco Family Services. This organization is a part the Collin County Children's Coalition. Commissioner Ward serves as a committee member of Frisco Family Services.

Ms. Cumnock addressed the Court regarding the 2-1-1 program and to give comments on how it helps those in need. Ms. Cumnock then introduced Leslie Chatman, 2-1-1 Outreach Specialist Community Council of Greater Dallas, who spoke to the Court with more details on this program. Ms. Chatman told the Court her initial presentation contained some errors therefore she would not be showing the power point at that time.

Ms. Chatman continued addressing the Court by explaining the services provided and how they worked. When a person in need calls 2-1-1, the call will be answered by a live agent. The agent will assess the callers' needs then supply them with social services providers based on those needs. After presenting an overview of the agency, Ms. Chatman received questions from the Court.

NO ACTION TAKEN

6

Funding to LifePath Systems for mental health services, LifePath Systems.

Dr. Randy Routon, Chief Executive Officer LifePath Systems addressed the Court with commentary on the services LifePath provides to certain individuals who suffer from mental illness. At the request of Judge Self Dr. Routon gave the Court a brief overview of how LifePath and NorthStar work together. Dr. Routon explained that NorthStar treats individuals with one of three mental illnesses: Manic Depression (Bi-Polar Disorder), Major Depression and Schizophrenia. Although treatment of the illness is covered by managed healthcare, the administration costs are not covered. Because of this there is a shortfall in funding that is not provided by the State.

Dr. Routon stated one of the criterions of the program is the individual applying for assistance must be below 200% of the poverty level to qualify for services. NorthStar intended to put more providers into the system; however a large number of providers were not able to survive the current financial environment. Discussion and questions by Court members followed.

Prior to the presentation, Judge Self asked why this issue was being discussed outside the budget cycle. Dr. Rick Crawford replied that they were in a desperate situation with funding and needed the additional fund in order to continue providing service to those in need.

Dr. Crawford addressed the Court saying LifePath is looking into merging with a McKinney provider Avenues. The merger would provide the organization with a downtown clinic and provide someone that could manage fund raising. Judge Self asked why this issue was brought to the County for assistance and not the City of McKinney. Dr. Crawford he had approached the Mayor who stated this was something that was needed and he should talk to the County. Extensive discussion with Court members followed. Commissioner Ward stated that the County would at minimum adopt the same budget for these services that was adopted last fiscal year. Additional discussion followed.

Hank Wich, Director Avenues Counseling Center, addressed the Court to support the budget request by LifePath. Mr. Wich shared with the Court information about Avenues and the services they provide, which includes substance abuse and mental health counseling.

Neil and Lynn Sperry addressed the Court in support of LifePath Systems. Speaking together they explained how their family was given assistance by Avenues when it was discovered a family member had a chemical dependency.

Kathy Parker addressed the Court in support of funding for LifePath Systems. Ms. Parker gave testimonial on chemical dependency and behavior dysfunctions within her family. She told the Court of how having counseling services available enabled her to recover and lead a normal life.

After commentary from Ms. Parker, Judge Self opened the issue for discussion by the Court. Commissioner Ward asked the Court if they could vote to adopt the current budget for LifePath. The Court agreed and discussion followed.

Motion Commissioner Prct 4 Kathy Ward
Second Commissioner Prct 1 Matt Shaheen

Vote 5-0

COURT ORDER NO. 2009-352-05-11

Travel Policy, Administrative Services.

Bill Bilyeu, Administrative Services addressed the Court regarding the adoption of a new travel policy for county staff. Mr. Bilyeu told the Court the reason for need of a new policy was to enable the Auditor to better track expense claims. Mr. Bilyeu asked the Court to clarify three issues which had raised concerns from staff county wide

1) Section 4.1 regarding reimbursement rates. The language used "....lodging based on double room accommodation rates..." raised concerns about requiring employees traveling together to share a room. This actually refers to the price of the room, not sharing the room with another.

2) Section 5.1 regarding meal expenses. It was suggested that the county allow a per diem amount instead of dictating what can be spent on each meal. Mr. Bilyeu explained that a per diem is actually taxable income and most employees probably did not want the extra amount added to their year end W2. Commissioner Hoagland commented that the policy was merely a guideline to which Mr. Bilyeu agreed.

3) Section 5.5 regarding meals per day. The new policy states "....snacks, candy, gum, etc, and beverages..." will not be reimbursed without clear justification that the snacks replace a meal. Judge Self replied that nothing in the document was actually a policy, the standards are guidelines, also the County needs a policy on overseas travel. Discussion followed.

Carma Cameron, addressed the Court to provide additional information for consideration. Ms. Cameron stated that they need a set policy because each department uses a different way to process travel and the County needs something more cohesive. New expenditure forms will be available to breakdown the expenses so the Auditor can see exactly what costs are spent and where. The new form will also expand the County's transparency in government policy. Extensive discussion regarding how travel budget dollars are spent followed.

Motion to approve travel policy as submitted.

Motion Commissioner Prct 2 Jerry Hoagland
Second Commissioner Prct 1 Matt Shaheen

8

Designation of Commissioners Court liaisons to citizen advisory boards, Commissioners Court.

Discussion regarding the appointment of Court members as liaisons to various boards and committees. Designations as follows:

Collin County Child Protective Services Board
Commissioner Jaynes
Commissioner Ward

Collin County Health Care Advisory Board
Commissioner Ward
Patsy Morris
Candy Blair
Michelle Patrick

Collin County Historical Commission
Commissioner Ward
Commissioner Hoagland
Eric Nishimoto

Collin County LifePath Systems Board
Commissioner Ward
Commissioner Hoagland-Temporary

Collin County Park Foundation Advisory Board
Ruben Delgado
Jeff Durham
Teresa Nelson

Collin County Planning Board
Judge Self
Commissioner Hoagland
Ruben Delgado
Linda James

Collin County Myers Park Advisory Board
Commissioner Jaynes
Linda Dixon

Regional Emergency Preparedness Advisory Comm
Monica Love
Jason Lane

Collin County Citizens Academy
Commissioner Ward

Collin County Citizen Efficiency Committee
Commissioner Shaheen

Collin County Executive Roundtable Committee
Commissioner Ward

North Texas Tollway Authority
Commissioner Ward
Commissioner Shaheen

North Texas Behavioral Health Authority
Bill Bilyeu will coordinate as meetings are scheduled

Local Workforce Development Board
Judge Self

Texas Department of Family and Protective Services Special Task
Unit for Adult Protective Services
Commissioner Ward

COG Criminal Justice Policy Development Committee
Eris Nishimoto
Michelle Patrick
Commissioner Shaheen

9

Re-plat of Honey Creek Farms Addition Lots 3 and 4,
Engineering.

Commissioner Jaynes gave comments regarding the change in square footage of homes in the Addition from 1800 square feet to 2000 square feet. Jim Sheppard addressed the Court with additional information regarding the re-zoning of the Addition and the amended plat.

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 3 Joe Jaynes

Vote 5-0

COURT ORDER NO. 2009-354-05-11

10

Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, addressed the Court regarding the appointment of new employees. Ms. Jacobson informed the Court all appointments follow standard guidelines with the exception of one who has five years of directly related experience.

Motion to approve personnel appointments.

Motion Commissioner Prct 3 Joe Jaynes
Second Commissioner Prct 2 Jerry Hoagland

Vote 5-0

COURT ORDER NO. 2009-355-05-11

11

Personnel Changes, Human Resources.

Cynthia Jacobson, Human Resources, addressed the Court regarding changes to current employees. Ms. Jacobson informed the Court all changes follow standard guidelines.

Motion to approve personnel changes

Motion Commissioner Prct 2 Jerry Hoagland
Second Commissioner Prct 3 Joe Jaynes

Vote 5-0

COURT ORDER NO. 2009-356-05-11

12

Board/Committee Appointments, Commissioners Court.

Commissioner Jaynes nominated Jane Willard to the Efficiency Committee. Commissioner Jaynes continued by suggested the Court consider hiring a consultant to give guidance to the committee.

COURT ORDER NO. 2009-357-05-11

81st Legislative Items, Commissioners Court:

- a Legislation creating Van Alstyne Municipal Utility District (MUD)
No. 2.

Jim Sheppard, Collin County, addressed the Court with details regarding the approval of this item. Commissioner Jaynes and Commissioner Hoagland expressed their concerns over allowing a MUD in Collin County because it could cause a hardship on county resources at a later time when the area is developed.

Commissioner Hoagland stated the court has to have a policy and that he will not support the MUD saying this would have an impact on future generations. Commissioner Jaynes agreed stating his concerns over the resources that could be needed once several hundred homes were built.

Mike Parker, Mayor City of Van Alstyne approached to address the concerns voiced by Commissioners Jaynes and Hoagland. Mr. Parker stated this MUD was entirely in the city's ETJ and their resources would be utilized to serve the homeowners. Mr. Parker continued saying the intent was to provide a different kind of MUD and that the project was approved unanimously by the City Council. Mr. Parker stated they have their own ambulance service and fire department. Extensive discussion ensued.

Don Paschall, Developer approached with comments on the benefits of allowing the MUD. Additional discussion continued.

Motion to **vote against** legislation to create the Van Alstyne Municipal Utility District.

Motion Commissioner Prct 2 Jerry Hoagland
Second Commissioner Prct 1 Matt Shaheen

Vote: 3-2

Nay: Commissioner Prct 4 Kathy Ward
Commissioner Prct 3 Joe Jaynes

DENIED

- b Active 81st Legislative items, HB9/SB855, HB515, HB1105, HB1480, HB1184, HB2334/SB882, HB3484, SB17, SB404, SB1353, HB562, SB700, HB4340, Commissioners Court.

Commissioner Ward gave brief comment on HB515 and said she would bring additional information before the court when received.

Commissioner Shaheen gave comments on HB1105 which failed after the second reading. Commissioner Shaheen applauded Representative Jodie Laubenberg for her valiant efforts to have the bill passed. Judge Self gave comments on language used in the bill.

NO ACTION TAKEN

14

Possible future agenda items by Commissioners Court without discussion.

Commissioner Hoagland requested the 2010 Texas County and District Retirement System (TCDRS) contribution rate be placed on the next agenda. Cynthia Jacobson, Human Resources, approached to inform the court that her department was in the process of consolidating both the TCDRS and the GASB 45 to bring before the court at the same time.

Commissioner Hoagland and Judge Self both said that they wanted the re-districting discussion brought back.

Commissioner Hoagland also requested the consideration of hiring a Court Coordinator to ensure inmates are not incarcerated for indefinite periods.

EXECUTIVE SESSION

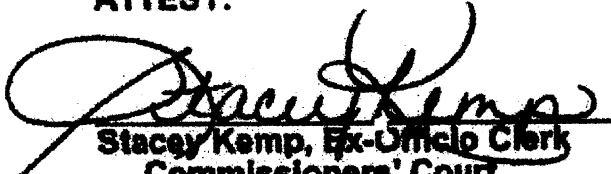
Judge Self recessed the court into Executive Session in accordance with Chapter 551.074 of the Government Code, Personnel; Chapter 551.071, Legal; and 551.072, Real Estate at 12:40 p.m.

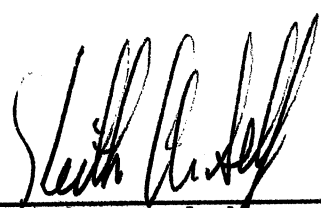
Judge Self reconvened Court at 12:59 p.m.

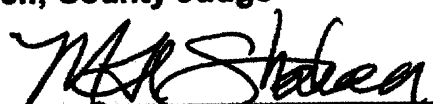
There being no further business of the Court, Judge Self adjourned the meeting at 1:00 p.m.



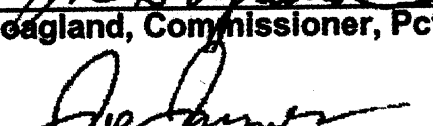
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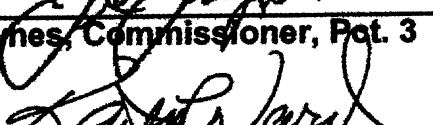

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S


Keith Self, County Judge


Matt Shaheen, Commissioner, Pct. 1


Jerry Hoagland, Commissioner, Pct. 2


Joe Jaynes, Commissioner, Pct. 3


Kathy Ward, Commissioner, Pct. 4