

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT MINUTES
AUGUST 10, 2009

On Monday, August 10, 2009, the Commissioners Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas with the following members present, and participating, to wit:

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

Judge Self led the Invocation.
Commissioner Shaheen led the Pledge of Allegiance.
Commissioner Hoagland led the Pledge to the Texas Flag.

Judge Keith Self called the Collin County Commissioners Court to order at 9:30 a.m.

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

1. AI-30536 Personnel Appointments, Human Resources.

FYI NOTIFICATION

1. AI-30510 Amendment No. 2 to Professional Services, Engineering: Bridges On County Road 408 Over Bomars Branch (AGR No. 08624-08) with Binkley and Barfield Consulting Engineers, Inc. to add additional design work and delete geotech services, Engineering.

2. AI-30447 Utilization of the Texas DIR (Contract No. DIR-SDD-1014) to purchase software in the amount of \$25,972.50 (budgeted), Information Technology.

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

1. AI-30485 \$1,273 to setup the revenue and expenditure budgets for the purchase of supplies and equipment for the evidence vehicle.
2. AI-30487 \$4,392 to setup the budget to upgrade the portable radios.

3. AI-30486 \$58,028 to set up the revenue and expenditure budgets for the purchase of computer equipment and software for the Plate Scan project.

4. AI-30481 \$161,951 to establish the budget for the FY2010 City Readiness Grant funds.

5. AI-30480 \$647,407 to establish the budget for the FY2010 Bioterrorism Grant funds.

Public Comments.

Judge Self opened the floor for public comments. Judge Self stated that each speaker would have three minutes to address the Court.

Jennifer Hart, Seis Lagos Utility District Board, approached to give her reaction to correspondence from the County Attorney which indicated Collin County was considering halting some or all emergency services to Special Districts. Ms. Hart stated she thought the district was being punished for not having an inter-local agreement for fire protection and said the district had tried for months without success to enter into an agreement with the City of Lucas. Ms. Hart said should the court consider making a change in legislation, they should honor previous agreements with special districts made by former court members and only make policy changes to newly formed special districts. Ms. Hart thanked the court for the opportunity to speak.

Judge Self informed audience members that because this issue was not on the agenda the Court could not take any action or give any comments.

Roland Ramon, Wylie, approached to give comments regarding fire protection for Seis Lagos. Mr. Ramon began by thanking Judge Self for his service to his country during his tenure with the United States Army. Mr. Ramon then continued by saying the community was willing to pay for this protection and had been until their contract was canceled. Mr. Ramon asked the court to be an arbitrator for the community so they could obtain fire protection services.

Dee Lersch, Wylie, approached the court with comments regarding her Utility District and saying it was established 40 years ago to ensure residents of the very small district had adequate water and sewer services. Ms. Lersch said for many years the community raised money to help fund local fire departments so they could provide services to not only the district but also surrounding communities. Ms. Lersch stated it was her understanding that Collin County was considering removing the city's unincorporated status and asked the court to please reconsider.

Judge Self told the audience that some of the speakers had comments on issues that were on the agenda and therefore the court could comment.

David Smith, Plano, addressed the court regarding item 16 of the agenda which included election day polling locations. Mr. Smith said if the court was to consider reducing the amount of polling locations, the consideration should include the possible impact on minority voters.

Fred Moses, Chairman, Collin County Republican Party, gave comments on item 16 of the agenda stating he thought the idea of voting centers was a great one and that minorities were not adversely impacted. Mr. Moses continued with additional comments and finished by saying he hopes the court supports the item and approves the voting centers. Commissioner Ward clarified the item term was "polling places" and not "voting centers", the difference being with polling places voters could go almost anywhere to cast a vote which is much more convenient.

Neal Katz, Plano, gave comments in favor of the voting centers. Mr. Katz stated this process had proved effective in other venues, and he recommended using this concept.

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

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 asked to pull items H1 and K2, Judge Self asked to pull items G1, K1 and K4, and Commissioner Shaheen asked to pull items 4f1, 4f2, 4g5, 4g6, 4g7, 4g8, 4g9, 4g10, 4g11, 4g12, 4g13 and 4g14. Motion to approve remainder of consent agenda.

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

a. **AI-30544** Disbursements for the period ending August 4, 2009, Auditor.
COURT ORDER NO. 2009-572-08-10

b. **AI-30476** Tax Refunds totaling \$122,075.05, Tax Assessor Collector.
COURT ORDER NO. 2009-573-08-10

c. Advertisement(s):

1. **AI-30450** Road Materials: Aggregate Material for Surface Treatment and Stone Riprap (IFB No. 05601-09) (budgeted), Public Works.
COURT ORDER NO. 2009-574-08-10

2. AI-30449 Road Materials: Cement Treated Base (IFB No. 05602-09) (budgeted), Public Works.

COURT ORDER NO. 2009-575-08-10

3. AI-30504 Services, Mowing (IFB No. 07723-09) (budgeted), Public Works.

COURT ORDER NO. 2009-576-08-10

4. AI-30499 Detergents and Dispensers for Laundry and Kitchen (IFB No. 07720-09), Sheriff.

COURT ORDER NO. 2009-577-08-10

d. Award(s):

1. AI-30475 Dairy Products: Milk (IFB NO. 05610-09) to Milk Products, LP (budgeted), Sheriff.

COURT ORDER NO. 2009-578-08-10

e. Agreement(s):

1. AI-30484 Interlocal Agreement with the Town of Prosper (AGR No. 06663-09) for Emergency Medical Services effective October 1, 2009 through and including September 30, 2010 and further authorize the County Judge to finalize and execute same (budgeted), Fire Marshal.

COURT ORDER NO. 2009-579-08-10

f. Amendment(s):

1. AI-30497 No. 1 to Professional Services, Appraisal Services (RFQ No. 05553-08) with Integra Realty Resources DFW, LLP. to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Special Projects.

Commissioner Shaheen asked for more information on this and item 4f2 and asked why the county was paying for services from two different vendors for the same type of service. Frank Ybarbo, Purchasing, addressed the court in response saying the services were for the Outer Loop project and the work was too much for one firm to handle. Jeff Durham, Special Projects, addressed the court in response stating that when two or three projects are going at the same time, each with 30 to

40 parcels to appraise, the performance level is decreased when only one firm is involved. It is much better to use two firms equal in capabilities to ensure the work load is balanced. Motion to approve items 4f1 and 4f2.

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-580-08-10

2. **AI-30498** No. 1 to Professional Services, Appraisal Services (RFQ No. 05553-08) with Pyles Whatley Corporation to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2009-581-08-10

3. **AI-30478** No. 2 for Animal Control Services with the City of Lucas to set the rate for an annual amount of \$19,000, extend the contract for one (1) year effective October 1, 2009 through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2009-582-08-10

4. **AI-30479** No. 2 to the Interlocal Agreement with the City of Lucas for the Facility Construction and use of Animal Shelter Services to set the rate for FY2010 in equal quarterly installment payments for an annual amount of \$14,570 effective October 1, 2009 through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2009-583-08-10

5. **AI-30460** No. 3 to the Interlocal Agreement with the Town of Lavon for Animal Control and Animal Shelter Services to set the FY2010 rate (to be paid in quarterly installment payments for an annual total of \$6,100), extend the agreement for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2009-584-08-10

No. 3 to the Interlocal Agreement to set the FY2010 rate for the Facility Construction and use of Animal Sheltering Services effective October 1, 2009 through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same, Development Services:

6. **AI-30465** City of Farmersville for an annual amount of \$8,894.

COURT ORDER NO. 2009-585-08-10

7. **AI-30421** City of McKinney for an annual amount of \$323,502.

COURT ORDER NO. 2009-586-08-10

Change Order(s):

1. **AI-30474** No. 1 to Supplies: Veterinary Lab and Medical (IFB No. 10005-09) with American Supply Co. to delete item no. 10005-09-1-22; Sherring DA2PPvI: Canine DHLPP from the contract and further authorize the Purchasing Agent to finalize and execute same, Development Services.

Judge Self asked for clarification on why the item was being deleted from the contract saying this was a 12 month contract and the county was only in the sixth month.

Frank Ybarbo, Purchasing, addressed the Judge's concerns saying the vendor tried to raise the price of the vaccine and his department refused because it could be purchased from another vendor for much less. Motion to approve item.

Motion by: Judge Keith Self

Second by: Commissioner Kathy Ward

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-587-08-10

2. **AI-30424** No. 1 to Equipment: Grounds Maintenance (IFB No. 10091-09) with Ag Power to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (not budgeted), Public Works.

COURT ORDER NO. 2009-588-08-10

3. **AI-30495** No. 1 to Equipment, Lease: Road Construction and Right-of-Way Maintenance Equipment (IFB No. 08599-08) with ESS Corporation to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (not budgeted), Public Works.

COURT ORDER NO. 2009-589-08-10

4. **AI-30496** No. 1 to Equipment, Lease: Road Construction and Right-of-Way Maintenance Equipment (IFB No. 08599-08) with Holt Cat to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2009-590-08-10

5. **AI-30491** No. 1 to Road Materials, Flexible Base (IFB 11227-09) with Congress Materials, LLC to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

Commissioner Shaheen questioned items 4g5, 4g6 and 4g7. He asked if this could be renegotiated to a lower price because his understanding was construction prices are going down. Jon Kleinheksel, Public Works, approached to respond saying on the first item, Flexible Base, they went through a long and drawn out process last year for a savings of two hundred fifty to five hundred thousand dollars. Mr. Kleinheksel stated that this is about the cheapest cost for rocks the county can get. On the second item, Striping Roads, this contract was negotiated last year as well and is only fifty to sixty thousand dollars which is not extravagant, and the county has already seen a good return on the dollar. The third item in question regarding the contract for oil and lubricants is also very minor and the materials are used for fleet maintenance such as oil changes.

Mr. Kleinheksel recommended the court move forward with all three saying that the county could go back to negotiations, however, the cost savings would be so minor it would not be worth the staff hours to do so.

Commissioner Jaynes said he wanted to see amounts on all of these items in the future to which the rest of the court agreed. Motion to approve items 4g5, 4g6 and 4g7.

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-591-08-10

6. **AI-30493** No. 1 to Striping, Roads and Parking Lots (IFB No. 10150-09) with Striping Systems, Inc. to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2009-592-08-10

7. **AI-30490** No. 1 to Supplies, Lubricants, Oils and Misc. Items (IFB No. 05547-08) with Dial Lubricants, Inc. to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2009-593-08-10

8. **AI-30492** No. 2 to Travel Management Services, Fleet Fuel Card (RFP No. 07117-07) with Wright Express Financial Services Corp. to extend the contract for one (1) year

through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2009-594-08-10

9. **AI-30464** No. 2 to Printing, General Office Forms (IFB No. 03080-07) with Cooper's Copies and Printing to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (not budgeted), Purchasing.

Commissioner Shaheen asked Frank Ybarbo, Purchasing, why there were four different vendors when all of the items were for printing services. Mr. Ybarbo replied saying the county goes out for an overall bid on all of the jobs and awards contracts to the lowest bidder. If they consolidated into one contract, the county would be paying more for the services. Mr. Ybarbo continued, saying by using this method the county is saving on the cost of the print jobs and he was confident the county was getting the best possible pricing.

Mr. Ybarbo explained that when the bids go out, all of the vendors see the costs and bid on the types of services they can provide. Commissioner Hoagland commented that the services were specific to each vendor, which Mr. Ybarbo confirmed. Motion to approve 4g9, 4g10, 4g12, 4g13 and 4g14.

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-595-08-10

10. **AI-30461** No. 2 to Printing, General Office Forms (IFB No. 03080-07) with Print Tyme to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (not budgeted), Purchasing.

COURT ORDER NO. 2009-596-08-10

11. **AI-30489** No. 3 to Road Materials, Emulsified Asphalt (IFB No. 05550-08) with Ergon Asphalt and Emulsions, Inc. to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

Commissioner Shaheen asked for more information regarding the costs of road materials. Jon Kleinheksel, Public Works, responded by saying when the economy took a downturn last year, two of the vendors for the emulsified asphalt closed their businesses which left the county with one vendor. Though the situation may change in the future, it would be at least 12 months before there were other vendors in the area. Discussion with the court followed. Commissioner Shaheen

asked Mr. Kleinheksel if the prices were going down. Mr. Kleinheksel responded saying no, asphalt costs had gone up dramatically as fuel costs have risen. Motion to approve 4g11.

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-597-08-10

12. **AI-30394** No. 3 to Services, Fencing, Labor & Materials Inclusive (IFB No. 10017-08) with Robinson Fence Co. for a price reduction to various contract items and further authorize the Purchasing Agent to finalize and execute same (budgeted), Public Works.

COURT ORDER NO. 2009-598-08-10

13. **AI-30482** No. 3 to Printing, General Office Forms (IFB No. 03080-07) with American Bank Note Company to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2009-599-08-10

14. **AI-30488** No. 4 to Printing, General Office Forms (IFB No. 03080-07) with Scott Merriman, Inc. to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Purchasing.

COURT ORDER NO. 2009-600-08-10

h. Budget adjustment/amendment(s):

1. **AI-30505** \$196,015 for Commissioning Services for the Collin County Courthouse Addition, Construction & Projects.

Commissioner Hoagland asked for more information on the term Commissioning Services. Bill Burke, Construction and Projects, approached to answer the question saying in short commissioning is another layer of oversight and would help him in managing projects. As an example, the Commissioning Agent would look at the HVAC, electrical and plumbing as well as perform testing in the field and oversee testing that is already being performed. Brief discussion with the court followed. Judge Self asked how Halff was chosen. Mr. Burke replied the county hired them approximately eight months ago as the engineering firm. Additional questions from court members regarding why this was being brought up now. Judge Self noted that 69% of the cost was for office time and operating training. Judge Self asked if this had gone out for bid. Mr. Burke stated it did not, he went to the

existing engineer and then negotiated the prices. This was done because an RFP had already been done for engineering services. Commissioner Hoagland moved to approve the services stating the county has endured numerous issues in the past with county buildings and that he was confident Mr. Burke would not be asking for the assistance if it were not necessary. Additional comments from the court. Commissioner Jaynes stated that for the court to take this long discussing a consent item there were concerns. Item failed for lack of a second.

NO ACTION TAKEN

i. Receive and File, Auditor:

1. **AI-30456** Payroll distribution audit for Juvenile Probation.

COURT ORDER NO. 2009-601-08-10

j. Filing of the Minute(s), County Clerk:

1. **AI-30463** July 13, 2009.

COURT ORDER NO. 2009-602-08-10

2. **AI-30500** July 20, 2009 Special Session.

COURT ORDER NO. 2009-603-08-10

k. Miscellaneous

1. **AI-30477** Payment in the amount of \$3,000 to the Dallas Area Rapid Transit (DART) for signage for the renaming of the West Plano Transit Center located at 15th Street and Coit Road to the Jack Hatchell Transit Center, Administrative Services.

Judge Self asked Bill Bilyeu to give a brief explanation. Bill Bilyeu, Administrative Director, addressed the court to explain saying this was to pay for half the cost of signage to rename the West Plano Transit Center in memory of Commissioner Jack Hatchell. Commissioner Hatchell passed away last year around the 4th of July holiday. Commissioner Phyllis Cole and the other court members wanted to honor the late Commissioner and discussed several avenues. The City of Plano suggested this because Commissioner Hatchell had been a City Councilman for so many years and they wanted to join in honoring him as well. Judge Self stated he pulled this item to clarify that there was not an agreement for the county to pay these expenses. The Judge said he moved to approve the item, just to be clear there was not an agreement. Motion to approve.

Motion by: Judge Keith Self

Second by: Commissioner Matt Shaheen

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-604-08-10

2. **AI-30521** Correction to Plan 8b for re-districting of the Justice of the Peace and Constable (JPC) Precincts, Elections.

Commissioner Hoagland said he pulled this for the benefit of Judge Terry Douglas, and that it was his understanding that three voting districts had been left out of the revised re-districting plan. Commissioner Hoagland asked Judge Terry Douglas, Justice of the Peace, Precinct 2, to address the court regarding this item. Judge Douglas stated that on the day the Commissioners approved the re-districting, plan 8b was on the screen and he was happy with the re-districting map, therefore, he did not say anything at that time. Precincts 153, 159 and 175 were left off the map. Judge Self asked Bret Fenster, GIS, to approach the court to show where these precincts are located on the map. Mr. Fenster approached to answer questions from the court regarding the districts. Commissioner Hoagland stated the re-districting should be held until this could be sorted out. Judge Self agreed and asked Mr. Fenster if he was aware these districts should be on the map. Mr. Fenster told the court originally he was asked to create a map for plan 8, then just before court was to begin plans 8a and 8b were added and the precincts were inadvertently left off the map, which was a mapping error. Mr. Fenster said it was his understanding that plan 8 was agreed upon, and then he was asked to make a slight modification which added Lucas into JP 3. Item held for further review.

HELD

3. **AI-30508** Submission of an application for DART/DGNO (Dallas, Garland & Northwestern Railroad) Crossing and associated fees in the amount of \$8,600 for the Outer Loop project (budgeted), Engineering.

COURT ORDER NO. 2009-605-08-10

4. **AI-30503** Acceptance of a 1998 Red Fin 19 foot Patrol Boat with a Johnson 150 HP Motor and Roadmaster Trailer as a donation from the Texas Parks and Wildlife Department, Sheriff.

Judge Self asked Sheriff Terry Box who has responsibility for patrol of the lake now. Sheriff Box addressed the court to answer the questions. Sheriff Box said the only patrol that he is aware of is Texas Parks and Wildlife. If there is an emergency they contact either the Sheriff's Office or a local emergency responder. The boat is in good condition and funds are available to pay for fuel. Sheriff Box said he is not asking to go on the lake, just to be able to get there should there be an emergency. Motion to approve.

Motion by: Judge Keith Self
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-606-08-10

GENERAL DISCUSSION

Presentation, discussion and any action regarding:

5. AI-30418 Public Hearing – Placement of Regulatory Signs on various County Roads, Public Works.

Jon Kleinheksel, Public Works, approached the court to give comments on the item saying all the roads are new construction with the exception of one residential request.

Judge Self opened the public hearing and asked if there were anyone who wished to testify on the placement of regulatory signs. There being none the hearing was closed. Motion to approve.

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-607-08-10

6. AI-30312 Public Hearing – Issuance of a "Mass Gathering" permit by the County Judge for the "Battle for Myers Landing", Civil War Re-enactment event to be held at Myers Park and Event Center from Friday, November 6, 2009 through Sunday, November 8, 2009 in accordance with the Health and Safety Code 751, County Judge.

Judge Self stated that this is a normal mass gathering and the Sheriff's Office, a large participant in the event, has recommended the court approve. Judge Self ask for any discussion. Judge Self then opened the public hearing and asked if anyone wished to testify regarding the "Battle for Myers Landing". There being none, the hearing was closed. Motion to approve.

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-608-08-10

7. AI-30509 Public Hearing – Collin County's inclusion into the North Texas Groundwater Conservation District, Engineering.

Tracy Homfield, Engineering, addressed the court with information saying on May 27, 2009 the Governor signed Senate Bill 2497, which created the North Texas Groundwater Conservation District and was comprised of Cook, Collin and Denton counties. Ms. Homfield further stated that the Commissioners' Court from each of

these counties must hold a Public Hearing on or before December 1, 2009, to take public comment on the issue and then vote to enter into the district. Judge Self opened the hearing and asked if anyone wished to testify regarding this item. There being none the hearing was closed. Motion to approve inclusion into the North Texas Groundwater Conservation District.

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-609-08-10

8. AI-30507 Appointment of Temporary Directors to the North Texas Ground Water Conservation District, Engineering.

Tracy Homfield, Engineering, addressed the court with requirements on designating temporary directors for the newly created North Texas Groundwater District. Ms. Homfield said the requirements are as follows: One director from a slate of not more than three nominees from the largest municipal groundwater producer, which is Anna. One from a slate of not more than three nominees submitted by the other groundwater producers in the county and one selected at large. Nominations as follows:

Nominee from Anna: Philip Sanders, City Manager, City of Anna.

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

Nominee from other groundwater producers: Only one name submitted, Eddie Daniel.

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

Nominee for at large: Dan Collins.

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-610-08-10

9. **AI-30541** Update regarding the inaugural event of the Collin County Citizens Academy Class 1, Commissioner – Precinct 4.

Donna Valentino gave a presentation on the Collin County Citizens Academy. The presentation was introduced by Commissioner Ward. Ms. Valentino gave background on the academy and how it was organized. Members came from several other academies and gave information regarding the class and schedules. This is a chance for each department to show the citizens of Collin County what they do and how they do it, so the citizens are more informed about county government. The only cost to the county would be minimal for basic supplies to track volunteers and classes. The classes will kick off on September 10, 2009 from 6:45 p.m. to 8:45 p.m. and will go for 10 weeks. Each Department Head/Elected Official or Designee will give a presentation to the citizens on their areas of responsibility, mandates (where applicable), duties, organization, and budget followed by a brief question and answer period. A brief discussion among Court members followed.

NO ACTION TAKEN

Judge Self recessed the Court for a short break at 10:54 a.m. and reconvened the meeting at 11:06 a.m.

10. **AI-30417** Acceptance of a 2001 Crown Victoria Police Interceptor and Equipment as a donation from Cop Stuff in Van Alstyne, TX, Public Works.

Jon Kleinheksel, Public Works, addressed the court regarding a request from Constable Chuck Presley to accept a police interceptor and equipment, which was donated by Cop Stuff in Van Alstyne. Constable Presley also addressed the court commenting on the need in his precinct to work traffic enforcement which was one of his goals when he was elected. Constable Presley said since this vehicle is equipped with overhead lights, a camera, radar and a cage the vehicle can also be used to address the issue of illegal dumping. The vehicle would have multiple uses. Commissioner Shaheen asked why the Constable couldn't use one of the 10 vehicles he already has. Constable Presley stated that those are assigned to Deputies working civil and warrants. Constable Presley said as an example, he had a bailiff using a borrowed vehicle over the summer who issued more than 140 citations for traffic violations. Judge Self asked Mr. Kleinheksel about the county's policy on replacement vehicles and commented that this will add a vehicle to the county fleet thus increasing the budget. Mr. Kleinheksel said the policy on this type of vehicle was to replace it after 100 to 125 thousand miles. Judge Self said the larger issue is adding a vehicle to the fleet that will have to be replaced after 100 thousand miles. Extensive discussion regarding whether to add this vehicle to the fleet or buy a new one. Motion to accept the donation of the vehicle with clarification that this is a test vehicle and not a permanent addition to the county fleet, therefore, it will not to be replaced after 100 thousand miles.

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-611-08-10

11. **AI-30520** Ordering a Local Option Election for the City of Farmersville to be held November 3, 2009, Uniform Election Date for the legal sale of beer and wine for off-premise consumption only, Elections.

Vicki Self, Elections, addressed the court to certify the number of signatures required to order a local option election for the legal sale of beer and wine for off-premise consumption in Farmersville. The required number is 189 signatures, and 233 were accepted as valid.

Motion to approve local option election. Commissioner Jaynes clarified that the statute reads the Commissioners' shall approve the election when required number of signature are received.

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-612-08-10

12. **AI-30458** Procurement card rebate Focus Group presentation, Human Resources.

Diana Overhauser, Human Resources, gave a presentation on the results of the Collin County focus group which was to determine the best use of the rebates the county received from credit card usage. The average rebate per year is approximately \$5,000. As a group it was determined to use the money for an employee picnic and scheduled it to be held at Myers Park on October 17, 2009. They were planning various games and activities and will provide food such as hot dogs and hamburgers. Ms. Overhauser said they also wanted to encourage employee wellness by including a health fair. Motion to approve picnic.

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-613-08-10

13. **AI-30225** Professional Services: Development of a Regional Trail Plan for Collin County (RFQ No. 11236-09), budget amendment in the amount of \$280,132 and further authorize the Purchasing Agent to finalize and execute an Engineering Services Agreement, Special Projects.

Commissioner Shaheen asked for this item to be placed on the agenda. Frank Ybarbo, Purchasing, approached to give information regarding the item. Mr.

Ybarbo stated that the City of Tyler was the only entity found to have done anything like this, but on a much smaller scale. Mr. Ybarbo said it was difficult to compare hourly rates depending on the scale and scope of work the county would be doing. Information was obtained from the Texas Council of Engineering Companies who maintains benchmarks on the salaries of engineering companies; however, it was difficult to correlate the hourly rates to salaries without negotiations. Commissioner Shaheen gave comments on the information he had obtained and proposed the county go back to Haff for further negotiations. Judge Self asked if there is only one doing this and it is Tyler, is the county doing something new that no one else is doing. Jeff Durham, Special Projects, addressed the questions saying this is relatively new. The Parks Foundation Advisory Board came up with the concept and would like to spend some of the open space funds for a six cities trail plan. The Board wanted to take that plan and expand it on a regional level. Judge Self stated that this is almost three hundred thousand dollars and the county needed to reduce the costs.

Discussion among court members. The court proposed the county go back to Haff for re-negotiations. Don't change the scope; just see if we can get a better rate. Additional discussion with the court. RFQs were sent out to multiple companies, state statute requires we follow a certain process. Mr. Ybarbo readdressed to give information regarding requirements for this process. Extensive discussion followed. Motion to re-negotiate the cost.

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-614-08-10

14. AI-30543 TIRZ and Abatement Policy, Budget.

Bill Bilyeu, Administrative Director, addressed the court regarding the item, saying this should be put on a workshop for long discussion. Commissioner Ward suggested the county send an email to the Cities to alert them of the workshop item to enable them to give public comments and be a part of the process.

HELD

15. AI-30531 FY10 Budget Workshop, County Judge.

Judge Self addressed the court and audience saying because the county will be on a flat budget and court members had been visiting with each department throughout the year on their processes, he recommended the court establish a one or two day workshop rather than a week long one. The Budget Department will

present the court with any exceptions and will make recommendations. Monika Arris, Budget, addressed the court to say the fiscal year 2010 recommended budget had been submitted to departments. Ms. Arris will present the budget to the court on August 17 and 18. Commissioner Ward gave comments that they should highlight the savings which can keep the county from having an increase in the budget by using those savings in another area. Commissioner Hoagland expressed concerns that items could be left out of discussion if the court condensed the workshop and rushed through the process. Commissioner Jaynes agreed and stated that the week should be flexible to allow further discussion if necessary. Discussion followed. Motion to condense workshop to one or two days with the understanding that the week will allow for additional discussion if deemed necessary.

Motion by: Judge Keith Self

Second by: Commissioner Matt Shaheen

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-615-08-10

16. AI-30538 Centralized election day polling locations, Commissioners Court

At the request of Judge Self, Bill Bilyeu, Administrative Director, presented this item at the end of public comments. Mr. Bilyeu stated that Colorado and Lubbock used this concept and that it increased voter turnout. Mr. Bilyeu suggested expanding voting places to other venues such as the Plano Center and JC Penney to allow more people to vote. Judge Self asked about the cost, to which Mr. Bilyeu replied approximately \$190,000 which would create 63 centers. This estimate includes the purchase of laptops and other technology needed in running the centers. Mr. Bilyeu gave both the pros and cons of using voting centers and told the Court that if they wanted to test it before a big election, today was the only day to make a decision because of upcoming elections.

Judge Self asked for clarification on when these locations can be used and when they cannot. Mr. Bilyeu replied saying they can only be used for county wide elections. The next scheduled election this could be used for, if accepted by the Secretary of State, would be the 2010 Governor's Election. Discussion with court members on the number of polling places requested versus required. Mr. Bilyeu explained to the Court this is just like early voting with more places to vote. Discussion on cost of running the centers and advertising. Mr. Bilyeu stated Sharon Rowe, Elections Administrator, has \$54,000 that can be used. The money is not budgeted but funds are available.

Caren Skipworth, Information Technology, addressed the Court with a cost prospectus and included additional requirements for 63 polling places. Judge Self, asked if the number was decreased from 63 how much could be saved. Ms. Skipworth stated that enough equipment for 35 locations is currently available in

Elections. Ms. Skipworth gave information on poll books and said they can be used for all elections. Questions from the court regarding turnaround time. Ms. Skipworth stated the county must get away from dial up, we need to go to Verizon cards. The response time was much too slow using dial up connections. Ms. Skipworth continued saying the wireless cards currently in use are activated only when needed, so the county is not paying monthly charges when not in use.

Commissioner Shaheen asked why are we asking for 63 places, there is no reimbursement from the state since this is a pilot program.

Fred Moses, Chairman Collin County Republican Party, addressed the questions regarding implementing these centers, saying originally they were asking for 59 polling places. 63 would make it more convenient for voters, but they could get by with 51 centers. Mr. Bilyeu said the county could use the current system which is printing polling books. Commissioner Hoagland stated the books take too much time and slows down the process because you have to look up the voter rather than enter a number in the system and getting immediate results. Extensive discussion ensued. Commissioner Hoagland commented this will be a high turnout in the future.

Neal Katz, Plano, addressed the court to explain why the request for 63 centers, and gave locations where the centers are needed. Mr. Katz said they try to stay away from the schools because of security issues. The last recommendation was 63, Ms. Rowe cut that number down to 51. The consultant recommended 57 as an ideal number for centers to cover any gaps in locations. Commissioner Ward asked Mr. Katz and Mr. Moses if they could make do with 57. Both stated yes. Commissioner Ward suggested the Court give the direction not to exceed 57 locations. Judge Self agreed and asked for a motion. Additional comments and questions with the Court followed. Judge Self stated this is a technology change, not a concept change. This is for the future. Motion to give committee direction not to exceed 57 locations for polling places.

Commissioner Jaynes expressed concerns and said he still had many questions on this issue and would not vote in favor. Additional discussion regarding this new concept which is to have these places in retail establishments to encourage voting from consumers.

Motion by: Commissioner Kathy Ward
Second by: Commissioner Matt Shaheen
Vote: 3 - 2 Passed

Nay: Commissioner Jerry Hoagland
Commissioner Joe Jaynes

COURT ORDER NO. 2009-616-08-10

17. **AI-30522** Proof of Concept Agreement with Viatch Consulting, Inc. for mPulse Pilot at no cost to the County and further authorize the County Judge to finalize and execute same, Information Technology.

Caren Skipworth IT, met with vendor Viatch for email and text messaging notifications. This would enable the county to take subscribed voters that they already have, and allow the company to send voters emails or texts with the closest polling location to where they live. The service will alert current subscribers to the changes in voting places, and would be used as a trial to see if this type of service will work in Collin County. Ms. Skipworth clarified that there is no charge to the county at this time.

Commissioner Shaheen stated the county must check references on vendor to ensure privacy of the subscribers. Ms. Skipworth stated that privacy protection is part of the contractual agreement.

Commissioner Jaynes stated he wants to see the contract to make sure voter's privacy is not violated. Brief discussion with the court and Ms. Skipworth followed. Motion to approve.

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-617-08-10

18. **AI-30427** Commissioners redistricting, Commissioners Court.

Judge Self addressed the court with comments on 12 maps from which the court could choose new districts, saying the county currently has a precinct with three fifths of the vote and that it is imperative to change the districts to make this a more even process for our citizens. Commissioner Hoagland asked Bill Bilyeu, Administrative Director, to approach the court with information regarding their districting choices and commented that Commissioner Jaynes had too much territory and the other Commissioners had too little. Commissioner Hoagland then stated that he asked Mr. Bilyeu to compile an analysis to enable the court to make changes on the district's boundaries. Mr. Bilyeu addressed the court saying that IT

had an analysis on voting areas. Bret Fenster, GIS, addressed the court with the analysis to explain how the figures were compiled. Commissioner Hoagland asked how many voters needed to be added to precincts one, two and four in order to equally distribute the voting. Mr. Bilyeu returned to answer questions from Commissioner Hoagland saying on the analysis some of the plans will give some more than others. Commissioner Ward asked Mr. Bilyeu to give the court information regarding the redistricting and the Department of Justice (DOJ).

Mr. Bilyeu said this had to be approved by the DOJ so as not to adversely affect minority voters. Discussion among court members regarding plans 10 and 11 as the best choices. After the discussion Judge Self asked the court for a motion in matter. Motion to select plan 11.

Motion by: Commissioner Kathy Ward
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-618-08-10

19. AI-30506 Compensation and benefit presentation, Human Resources.

Cynthia Jacobson, Human Resources presented the court with the annual benefits and compensation analysis. Ms. Jacobson gave a power point presentation which included the employee base, vestment and exempt status saying there are only 218 exempt employees in the county. Benefits included medical plans which consist of advantage and advantage plus. The presentation included employee co-pays and coverage. The employee clinic saw more than 2,000 visits in 2008. Wellness benefits included a smoking cessation program which 9 employees participated in but none have since quit smoking. Ms. Jacobson briefly discussed compensatory time and informed the court Human Resources had completed an analysis on compensatory time and would present the analysis during the budget process. Additional benefits included: holidays, compensatory time taken, catastrophic time off (CTO) to which Commissioner Hoagland responded he wanted to see more detailed information on the CTO plan and how it is used. Ms Jacobson said she could give the court a presentation on the CTO plan and how it is managed.

Paid Time Off (PTO) followed, and Ms. Jacobson gave a brief overview of how the county went to the PTO program and why. TCDRS coverage was discussed as well as employee paid supplemental life insurance. Short Term Disability (STD) was discussed which requires a 14 day waiting period. Next, Long Term Disability (LTD) was covered; Ms. Jacobson said an employee can move to this when the STD will not cover long term. Long term care, which is also a benefit, is based on years of service an when an employee leaves he/she can continue coverage at the group rate.

Retirement consists of 7% employee contributions. The county will match after eight years of service at two and a half to one. Tuition reimbursement is available for bachelors, masters or doctorate programs. Wellness payments were highlighted as was longevity pay which new employees do not receive. Ms. Jacobson stated the amount of the longevity payments are not coming down, however, the number of employees who can receive it is going down. District Attorney longevity is fully funded by the State and the county only pays what the state will reimburse. Merit pay is no longer being paid. As of 2009 every employee is on Pay For Performance (PFP). Shift Differential is paid to certain employees who work second and third shifts.

Additional pay included court reporter time which is state required, Officer in Charge which is paid for the fact that someone must be present when a Lieutenant is not on duty. Safety Pay was discussed. Overtime is very limited and mostly paid to Facilities, Sheriff's Office, Elections, Medical Examiner, Animal Shelter/Control and CIJS project pay.

Retiree benefits include two plans which consist of a plan for those who retired before January 2007, and one for those who retired after January 2007. The latter requires the employee to be age 65 to qualify. Commissioner Hoagland asked for total budget cost for the items presented. Discussion and comments with the court followed.

NO ACTION TAKEN

20. AI-30535 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 procedures. Motion to approve personnel appointments.

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-619-08-10

21. AI-30552 Board/Committee Appointments, Commissioners Court.

Judge Self appointed Dr. Laurie Shuguard to the Child Protective Services Board.

Commissioner Shaheen appointed Ernest Myer to the Life Path Board.

Commissioner Hoagland appointed David Goss to the Planning Board. Mr. Goss will replace Christy Shell who is moving out of the county.

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-620-08-10

22. Possible future agenda items by Commissioners Court without discussion.

Executive Session

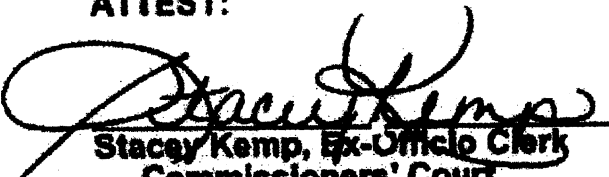
Judge Self recessed Commissioners Court into Executive Session in accordance with Government Code Chapter 551 at 2:19 p.m. and reconvened at 2:45 p.m.

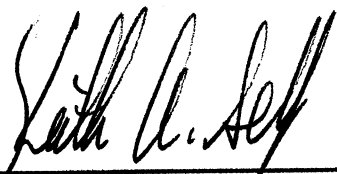
AI-30434 NTTA Board.

There being no further business of the Court, the meeting was adjourned 2:45p.m.



ATTEST:

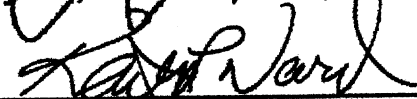

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, TEXAS


Keith Self, County Judge


Matt Shaheen, Commissioner, Pct. 1


Jerry Hoagland, Commissioner, Pct. 2


Joe Jaynes, Commissioner, Pct. 3


Kathy Ward, Commissioner, Pct. 4