

STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

AUGUST 24, 2009

On Monday, August 24, 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:

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

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

1. Judge Self called to order the meeting of the Collin County Commissioners Court at 8:30 a.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-30597 Personnel Appointments, Human Resources.
2. AI-30598 Personnel Changes, Human Resources.

FYI NOTIFICATION

1 Addenda:

- a. AI-30577 No. 1 to Services: Exterminator, Pest Control and Termite Prevention/Treatment (IFB No. -3490-09) to make various changes to the bid invitation, Purchasing.
- b. AI-30560 No. 1 to Insurance, General Liability & Workers' Compensation (RFP No. 06619-09) to make various changes to the specifications and add attendee list, Purchasing.
- c. AI-30561 No. 1 to Insurance, Excess General Liability and Excess Workers' Compensation (RFP No. 06620-09) to make various changes to the specifications and add attendee list, Purchasing.

d. **AI-30562** No.1 to Construction: Collin County Courthouse Addition (RFP No. 06622-09) to make various changes to the specifications, Purchasing.

e. **AI-30576** No. 2 to Construction: Collin County Courthouse Addition (RFP No. 06622-09) to make various changes to the specifications, Purchasing.

2. **AI-30572** Award Jail Erosion Project to SC Construction in accordance with the Purchasing Policies and Procedures, Construction & Projects.

3. **AI-30524** Utilization of the TXMAS Cooperative contract (TXMAS 4-70080) with Sirius Computer Solutions to purchase hardware and software for the Platescan Project (budgeted), Information Technology.

Commissioner Shaheen had questions about this item. He thought the item was paid for with grant money. Bill Bilyeu, Administrative Services, came forward with an explanation, stating when you see an item on FYI notification it is just to inform the Court which contract is being used. From the presentation that was made to the Court previously, this item is fully funded through a grant. Randall Rice, Auditor's Office, came forward, with further explanation, stating when the letters "GT" appear on the front page, that means the item is being paid for through a grant. Commissioner Shaheen made a motion to approve.

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Jerry Hoagland

Vote: 5 - 0 Passed

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

a. **AI-30557** \$93 to move funds to the appropriate line items for the 2007 Urban Area Security Initiative (UASI) grant funds.

b. **AI-30566** \$5,100 for the FY2009 Juvenile Probation Fund 018 to move funds to the appropriate line items to pay one-half of the cost for providing summer school in the Juvenile Detention Center.

c. **AI-30547** \$9,020 to include Collin County's make-ready cost for the vehicles obtained through the Clean Vehicle Fleet /TCEQ grant.

d. **AI-30567** \$9,723 for the FY2009 Juvenile Probation Fund 018 to move funds to the appropriate line items to cover the expense of an additional teacher at the Juvenile Detention Center for the 2008-2009 school year.

5. **AI-30516** Budget amendment(s)/adjustment(s) totaling \$3,725,780 (over \$5,000 per c/o 2005-589-08-01), Budget.

Monika Arris, Budget, came forward at the request of Commissioner Shaheen, with an explanation of the budget amendment. Following Ms. Arris's explanation, Commissioner Shaheen made a motion to approve.

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

2. Public Comments. Judge Self stated he received the blue card for Mr. Stevens after the Court had voted on this item, which is proposed Election Day voting centers. Mr. Stevens had three minutes to make his comments.

D. Shawn Stevens, Democratic Party of Collin County Chairman, stated he was a member of the Site Selection Committee that had the task of looking at the number and locations of proposed voting centers. He expressed concerns about the process that has gone on with regard to the selection of the voting centers. Mr. Stevens said he took exception to the fact that the Commissioners Court put political pressure on the Site Selection Committee. Additionally, Mr. Stevens felt that the Committee did not receive essential data necessary to make their decisions.

3. Introduction and Swearing In of the Directors for the North Texas Ground Water Conservation District, Commissioners Court.

Judge Self introduced the following Ground Water Conservation District appointees: Philip Sanders, Eddie Daniels and Dan Collins. Following introductions, Mr. Sanders, Mr. Daniels and Mr. Collins were sworn in as Directors of the North Texas Ground Water Conservation District.

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 pulled item 4e1, Judge Self pulled item 4j3, and Commissioner Shaheen pulled FYI items 3 and 5 and items 4g1 and 4j6. Commissioner Jaynes made a motion to approve the remainder of the Consent Agenda.

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

a. **AI-30582** Disbursements for the period ending August 18, 2009, Auditor.

COURT ORDER NO. 2009-627-08-17

b. **AI-30550** Tax Refunds totaling \$318,466.44, Tax Assessor Collector.

COURT ORDER NO. 2009-628-08-17

c. Advertisement(s):

1. **AI-30440** Services: Armored Car (IFB No. 04575-09), Auditor.
COURT ORDER NO. 2009-629-08-17
2. **AI-30513** Supplies: Janitorial Chemicals (IFB No. 07718-09), Facilities.
COURT ORDER NO. 2009-630-08-17
3. **AI-30558** Supplies: Janitorial Equipment (IFB No. 07728-09), Facilities.
COURT ORDER NO. 2009-631-08-17
4. **AI-30532** Equipment: Hydraulic Gooseneck Trailer (IFB No. 07708-09), Public Works.
COURT ORDER NO. 2009-632-08-17
5. **AI-30551** Supplies: Janitorial Paper and Disposable Products (IFB No. 07722-09), Sheriff.
COURT ORDER NO. 2009-633-08-17

d. Award(s):

1. **AI-30512** Supplies, Electrical Parts and Materials (IFB No. 04559-09) to C&W Electric Supply (budgeted), Facilities.
COURT ORDER NO. 2009-634-08-17

e. Agreement(s):

1. **AI-30569** Agreement with the Texas Historical Commission, Administrative Services.

Commissioner Hoagland asked Mr. Bilyeu about the agreement with the Texas Historical Commission. Mr. Bilyeu replied the agreement is for notification to the Texas Historical Commission regarding the sale of the McDonald Street Courthouse to the City of McKinney. Commissioner Hoagland made a motion to approve.

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

COURT ORDER NO. 2009-635-08-17

2. **AI-30579** Interlocal Cooperation contract with the Collin County Community Supervision and Corrections Department (CSCD) for the County to provide residential beds for persons participating in the Sheriff's Convicted Offender Reentry Effort (S.C.O.R.E) at the restitution center per Government Code,

Chapter 791 and further authorize the County Judge to finalize and execute same, CSCD.

COURT ORDER NO. 2009-636-08-17

f. Amendment(s):

1. **AI-30580** No. 1 to the Lease of State of Texas Registration and Title System (RTS) Information Resources and Support Agreement for use of the State of Texas Automation Equipment for one (1) additional location (Fiesta Mart) for dealers and subcontractors providing registration services and further authorize the County Judge to finalize and execute same, Tax Assessor Collector.

COURT ORDER NO. 2009-637-08-17

2. **AI-30514** No. 3 to the Interlocal Agreement with the City of Princeton for Animal Control Services to set the FY2010 rate (to be paid in quarterly installment payments for an annual total of \$22,737) extend the agreement for one (1) year through and including September 20, 2010 and further authorize the Purchasing Agent to finalize and execute same, Development Service.

COURT ORDER NO. 2009-638-08-17

3. **AI-30515** No. 3 to the Interlocal Agreement with the City of Princeton 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 \$15,797 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. 2009-639-08-17

g. Change Order(s):

1. **AI-30578** No. 1 to Services: Tax Statement Preparation & Mailing Services (IFB No. 08632-09) with Outsource Data Center to extend the contract for one (1) year through and including August 31, 2010 and further authorize the Purchasing Agent to finalize and execute same, Tax Assessor Collector.

Commissioner Shaheen wanted back-up for dollars spent for tax preparation and mailing services. Carol Magers, Purchasing, stated the expenditure was \$46,000. Commissioner Shaheen made a motion to approve.

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Kathy Ward

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-640-08-17

h. Receive and File, Auditor:

1. **AI-30565** 3rd Quarter Investment Report for FY2009.

COURT ORDER NO. 2009-641-08-17

2. **AI-30568** Monthly Financial Report for July 2009.

COURT ORDER NO. 2009-642-08-17

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

1. **AI-30525** July 27, 2009.

COURT ORDER NO. 2009-643-08-17

j. Miscellaneous

1. **AI-30585** Sale of Struck Off Property located on Dunn Street, McKinney, Texas to The Bungalow Company and further authorize the County Judge to finalize and execute the associated documents, Administrative Services.

COURT ORDER NO. 2009-644-08-17

2. **AI-30590** Electronic Funds Resolution for American National Bank to designate the County Auditor, Jeff May to transact business on behalf of Collin County, Auditor.

COURT ORDER NO. 2009-645-08-17

3. **AI-30617** Early Voting Locations, Dates & Times and the Proposed Election Day Vote Centers for the November 3, 2009, Special Election, Elections.

Sharon Rowe, Elections Administrator, provided the Court with an updated early voting calendar with locations, dates and hours at the request of Wylie ISD to add a voting location at their School District Educational Service Center. In order to accommodate Wylie's request, another voting location has to be reduced from a full-time voting location to a temporary voting location. Ms. Rowe went on to explain her handout and answer questions from the Court. Commissioner Hoagland made a motion to have early voting the first week at the Spring Creek Campus and the last week at Wylie ISD's location.

Ms. Rowe also requested the Court make a motion to allow the early voting calendar to fall over the local option election ordered for the City of Farmersville. They follow the exact calendar the Court adopts for November. Commissioner Hoagland made a motion to that effect. Commissioner Jaynes stated he would vote against this request because of his concerns for areas west of 75 in McKinney and Allen.

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward
Vote: 4 - 1 Passed
Nay: Commissioner Joe Jaynes

Following the vote, Commissioner Hoagland asked Ms. Rowe about using churches as voting locations. Ms. Rowe explained challenges faced in the past when using churches as voting locations.

COURT ORDER NO. 2009-646-08-17

4. **AI-30556** Purchase the Intoxilyzer 400PA package (includes supplies and training) and budget amendment in the amount of \$3,543 for same, Health Care.

COURT ORDER NO. 2009-647-08-17

5. **AI-30555** Decline Contract No. 582-9-87946-0216 and 582-9-90415-0220 with the Texas Commission on Environmental Quality (TCEQ) for the Texas Emission Reduction Program (TERP) grant funds and further authorize the County Judge to finalize and execute the Notice of Decline documents, Public Works.

COURT ORDER NO. 2009-648-08-17

6. **AI-30530** Disposal/salvage of units replaced with new vehicles and equipment under the Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Retirement Program (LIRAP) grant (per LGC 263.151; Salvage Property) and further allow Red River Truck Repair (an authorized Texas Department of Transportation Salvage Vehicle Dealer) to disable and dispose of the units per the Texas Commission on Environmental Quality (TCEQ) requirements (Publication No. RG-464A), Public Works.

Commissioner Shaheen was unclear about "no funding impact, no dollars". He asked if this was being done for free. Jon Kleinheksel, Public Works, stated yes, vehicles are turned over after new ones are received. The vehicles are decommissioned and disabled at no cost to the County. He explained Red River Truck Company's policy. Judge Self wanted assurance that the vehicles are destroyed. Mr. Kleinheksel assured the Judge the vehicles are destroyed by being are cut in half.

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

COURT ORDER NO. 2009-649-08-17

GENERAL DISCUSSION

5. AI-30527 Public Hearing – Placement of Regulatory Signs on various County Roads, Public Works.

Jon Kleinheksel, Public Works, requested a public hearing for placement of regulatory signs on various county roads. Judge Self opened the public hearing and asked if there were any comments. Hearing none, the public hearing was closed. Commissioner Jaynes made a motion to approve the placement of regulatory signs as requested.

Motion by: Commissioner Joe Jaynes

Second by: Commissioner Matt Shaheen

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-650-08-17

6. AI-30592 North Texas Tollway Authority Annual Update, NTTA.

Paul Wageman, NTTA Chairman, came forward and introduced Gary Base, NTTA Board Member, and Allen Clemson, NTTA Executive Director. NTTA members were in Court for their annual presentation to the Commissioners. Mr. Wageman has served as Collin County's representative on the Board for nine years. Mr. Base came before the Court with a presentation and update on NTTA's progress. Mr. Base brought Mr. Clemson forward for the next part of the presentation which was done via Power Point. Revenue sources were highlighted and explained, as were safety matters and business diversity. An overview of progress of projects was offered. Mr. Clemson and Mr. Base answered questions from the Court, as well as offered additional information. Judge Self asked for clarification on building frontage roads. Mr. Clemson addressed that topic and other concerns from the Court.

NO ACTION TAKEN

7. AI-30608 Consideration and take action on an order of the Commissioners Court of Collin County, Texas authorizing the issuance and sale of Collin County, Texas, limited tax refunding and permanent improvement bonds, series 2009A; approving the official statement, bond purchase agreement and escrow agreement; levying a tax and providing for the security for and payment of said bonds; and enacting other provisions relating to the subject, Budget.

Items 7, 8, 9 and 10 were heard together. A presentation was made by David Medanich, Vice-Chairman, First Southwest Company. Mr. Medanich introduced his colleagues, Nick Bulaich, who presented the Court with a booklet; and Rob Collins, who created the legal documents. Mr. Medanich made a presentation on the four bond series itemized on the front page of the handout. The County's triple A Moody's and Standard & Poor's ratings were stated. Following a question from Commissioner Jaynes, Mr. Collins explained the difference between a

limited bond and an unlimited bond. Mr. Medanich gave a detailed summary of the handout and answered questions from Court members. Commissioner Shaheen had questions on the 2009 Financing Plan. Additional information was requested to be brought to the next Court.

Bill Bilyeu, Administrative Services, came forward to answer questions and to offer further explanation. Mr. Medanich concluded by stating Stifel and Nicolaus, Wells Fargo and Morgan Keegan would be underwriting the bonds and he recommended the Court award the project to them. Mr. Medanich was pleased with the pricing of the bonds. Commissioner Shaheen asked for further clarification. Mr. Medanich gave an explanation of Build America Bonds at the request of Commissioner Jaynes.

Jeff May, Auditor's Office, came forward with figures requested by the Court. Judge Self asked for a motion on the \$21,805,000 Unlimited Tax Road and Refunding Bonds, Series 2009A. Commissioner Hoagland made a motion to approve.

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

Judge Self stated the Court would vote on the bonds one at a time and then asked for a motion on the \$5,590,000 Unlimited Tax Road Bond. Commissioner Hoagland made a motion to approve.

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

Judge Self asked for a motion on the \$30,080,000 Limited Tax Refunding and Permanent Improvement Bonds. Commissioner Hoagland made a motion to approve.

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

Judge Self asked for a motion on the \$9,990,000 Limited Tax Permanent Improvement Bond. Commissioner Hoagland made a motion to approve.

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

COURT ORDER NO. 2009-651-08-17

8. AI-30623 Consideration and take action on an order of the Commissioners Court of Collin County, Texas, authorizing the issuance and sale of Collin County, Texas, limited tax permanent improvement bonds, series 2009B (Build America Bonds - Direct Payment); approving the official statement, bond purchase agreement and escrow agreement; levying a tax and providing for the security for and payment of said bonds; and enacting other provisions relating to the subject, Budget. Following discussion under item no. 7, Commissioner Hoagland made a motion to approve.

COURT ORDER NO. 2009-652-08-17

9. AI-30622 Consideration and take action on an order of the Commissioners Court of Collin County, Texas, authorizing the issuance and sale of Collin County, Texas, unlimited tax road and refunding bonds, Series 2009A; approving the official statement, bond purchase agreement and escrow agreement for the bonds; levying a tax and providing for the security for and payment of said bonds; and enacting other provisions relating to the subject, Budget. Following discussion under item No. 7, Commissioner Hoagland made a motion to approve.

COURT ORDER NO. 2009-653-08-17

10. AI-30610 Consideration and take action on an order of the Commissioners Court of Collin County, Texas, authorizing the issuance and sale of Collin County, Texas unlimited tax road bonds, series 2009B (Build America Bonds - Direct Payment); approving the official statement and bond purchase agreement; levying a tax and providing for the security for and payment of said bonds; and enacting other provisions relating to the subject, Budget. Following discussion under item no. 7, Commissioner Hoagland made a motion to approve.

COURT ORDER NO. 2009-654-08-17

11. AI-30599 Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, stated there was one appointment over the minimum of the pay range for a Park Administration Position for Myers Park because it was felt they needed someone with park experience. HR was in agreement. Commissioner Shaheen had questions about a car allowance for this position. Commissioner Hoagland made a motion approve Personnel Appointments.

Motion: Commissioner Jerry Hoagland

Second: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-655-08-17

12. AI-30629 Board/Committee Appointments, Commissioners Court.

Commissioner Hoagland appointed Bill Moore to the NTTA Board effective October 1, 2009.

Motion: Commissioner Jerry Hoagland

Second: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

COURT ORDER NO. 2009-656-08-17

Judge Self recessed the meeting of the Commissioners Court at 10:04 a.m. and called to order the meeting of the **Collin County Toll Road Authority**.

Judge Self reconvened the meeting of the Commissioners Court at 10:45 a.m.

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

EXECUTIVE SESSION

Commissioners Court was recessed into Executive Session, from 10:46 a.m. until 10:58 a.m. in accordance with Chapter 551 of the Government Code, to discuss the following subjects:

Real Estate (551.072)

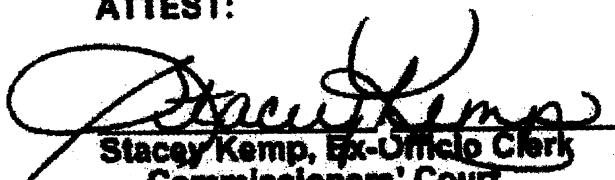
AI-30587 UDCF appraisal, Administrative Services.

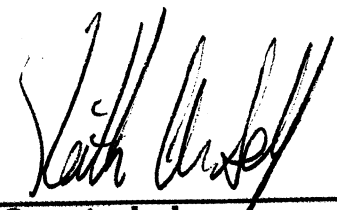
NO ACTION TAKEN

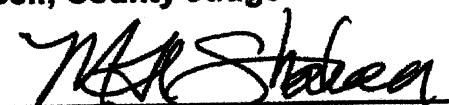
There being no further business of the Court, Judge Self recessed Commissioners Court at 10:58 a.m.



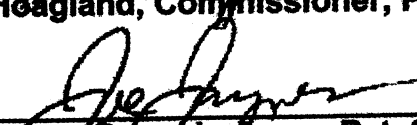
ATTEST:


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