

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
JANUARY 11, 2010

On Monday, January 11, 2010, 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

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

Judge Self called to order the meeting of the Collin County Commissioners Court at 9:44 a.m.

President Self called to order the meeting of the Collin County Health Care Foundation Board of Trustees at 9:35 a.m. and adjourned the meeting at 9:44 a.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-31316 Personnel Appointments, Human Resources.
2. AI-31317 Personnel Changes, Human Resources.

FYI NOTIFICATION

1. **AI-31178** Utilization of the State of Texas contract (Contract No. TXMAS 4-70080) to purchase hardware/software from Sirius Computer Solutions for the TSM Backup Replacement project (budgeted), Information Technology.

2. **AI-31306** Award for Maintenance, Printer (RFP No.10018-10) (budgeted), Information Technology.

1. Presentation/Recognition:

Judge Self presented Judge Terry Douglas, Justice of the Peace, Precinct 2, with a service pin in recognition of his 30 years of service to Collin County. (Time: 9:32 a.m.)

Jon Kleinheksel, Public Works, presented services pins to the following employees in recognition of their years of service to Collin County: (Time: 9:33 a.m.)

Ricky Melton	25 years
Allen Stevens	15 years
Greg Counts	10 years
Jeannine Langley	10 years

2. Public Comments.

Roy Serpa, Fairview, approached to give comments regarding security at the Courthouse and the discussion that took place at last week's Court to access the District Attorney's funds in providing security in the courtrooms. Mr. Serpa said he wanted to clarify that the funds that were discussed do not belong to the District Attorney as stated during the discussion, they are taxpayer funds; therefore, they belong to the taxpayers. Mr. Serpa also said he had concerns regarding the District Attorney providing security for the Courthouse. (Time: 9:35 a.m.)

3. **Consent agenda to approve:** Judge Self asked if there were any comments on the consent agenda. Commissioner Jaynes requested items h1a, h1d and j2 be pulled for discussion. Commissioner Shaheen requested item h1b be pulled for discussion. Jon Kleinheksel, Public Works, requested item j4 be pulled from the agenda. Motion to approve remainder of consent agenda. (Time: 9:45 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward

Vote: 5-0 Passed

a. **AI-31291** Disbursements for the period ending January 5, 2010, Auditor.
COURT ORDER NO. 2010-040-01-11

b. **AI-31281** Tax Refunds totaling \$274,405.22, Tax Assessor Collector.
COURT ORDER NO. 2010-041-01-11

c. **AI-31303** Termination of Maintenance, Road: Microsurfacing (IFB No. 11219-09) with Viking Construction, Inc., Public Works.
COURT ORDER NO. 2010-042-01-11

d. **Advertisement(s):**

1. **AI-31301** Maintenance, Road: Microsurfacing (IFB No. 12124-10) (budgeted), Public Works.
COURT ORDER NO. 2010-043-01-11

e. **Agreement(s):**

1. **AI-31276** Lease Agreement with the City of Frisco for space at 6101 Frisco Square Blvd., Suite 2000, Frisco, Texas in the amount of \$107,603.40 per annum commencing on January 1, 2010 through and including December 31, 2010 and further authorize the County Judge to finalize and execute same (budgeted), Construction & Projects.
COURT ORDER NO. 2010-044-01-11

2. **AI-30936** Agreement with Certified Payments for credit card transactions for the County Clerk and further authorize the Purchasing Agent to finalize and execute same, County Clerk.
COURT ORDER NO. 2010-045-01-11

3. **AI-31287** Interlocal Agreement with the City of Allen for the design of Molsen Farm through the 1st Series - 2007 Parks/Open Space Project Funding Assistance Program (Bond Program No. 07PG05) and further authorize the County Judge to finalize and execute same, Special Projects.
COURT ORDER NO. 2010-046-01-11

4. **AI-31279** Interlocal Agreement with the Town of Fairview for improvements to The Meadows Park through the 1st Series - 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG19) and further authorize the County Judge to finalize and execute same, Special Projects.
COURT ORDER NO. 2010-047-01-11

5. **AI-31278** Interlocal Agreement with the City of Wylie for improvements to Community Park through the 1st Series - 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG17) and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2010-048-01-11

f. Change Order(s):

1. **AI-31295** No. 1 to Supplies, Janitorial Paper and Disposable Products (IFB No. 07722-09) with Interboro Packaging Corporation to delete trash bags 24 X 33 (Item No. 07722-09-1-10) from the contract due to a case count discrepancy in the bid and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2010-049-01-11

2. **AI-31296** No. 2 to Supplies, Janitorial Paper and Disposable Products (IFB No. 07722-09) with Interboro Packaging Corporation to add trash bags 24 X 33, 1000 per case (Item No. 07722-09-1-17) to the contract and further authorize the Purchasing Agent to finalize and execute same (budgeted), Facilities.

COURT ORDER NO. 2010-050-01-11

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

1. **AI-31277** FY2010 Emergency Management Performance Grant (EMPG) application with the Texas Division of Emergency Management, Texas Department of Public Safety, Homeland Security.

COURT ORDER NO. 2010-051-01-11

h. Receive and File, Auditor:

1. Final Audit Result(s):

a. **AI-31305** Medical Examiner (1st & 2nd Quarter FY2009).

Commissioner Jaynes stated he pulled this item and item h1d because he did not see appropriate backup. Jeff May, County Auditor, responded saying the backup had been inadvertently omitted and requested that both items be pulled off the agenda. The Court agreed and the items were pulled off the agenda. (Time: 9: 45 a.m.)

PULLED

b. **AI-31309** Development Services (2nd & 3rd Quarter FY2009).

Commissioner Shaheen asked for more information regarding the numbering of receipts. Jeff May, County Auditor, responded saying this was an issue with HTE, which allows multiple departments to use the same receipt numbers.

Mr. May said the issue will be resolved with a new financial system. Motion to approve for purpose of audit with the understanding Mr. May will add the item back to a future agenda to follow up with the Court on the status of the receipt issue. (Time: 9:47 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland

Vote: 5 - 0 Passed

COURT ORDER NO. 2010-052-01-11

c. **AI-31310** Justice of the Peace, Precinct 3-2 (2nd & 3rd Quarter FY2009).

COURT ORDER NO. 2010-053-01-11

d. **AI-31304** Substance Abuse (2nd & 3rd Quarter FY2009).

PULLED

e. **AI-31308** Animal Shelter (2nd, 3rd & 4th Quarter FY2009).

COURT ORDER NO. 2010-054-01-11

f. **AI-31307** Sheriff (3rd & 4th Quarter FY2009).

COURT ORDER NO. 2010-055-01-11

2. Payroll Distribution Audit:

a. **AI-30889** Constable, Precinct 4.

COURT ORDER NO. 2010-056-01-11

b. **AI-30892** Justice of the Peace, Precinct 4.

COURT ORDER NO. 2010-057-01-11

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

1. **AI-31284** December 14, 2009.

COURT ORDER NO. 2010-058-01-11

j. Miscellaneous

1. **AI-31302** Central Plant Cooling Tower Fill Replacement project, Construction & Projects.

COURT ORDER NO. 2010-059-01-11

2. AI-31311 Early Voting Locations, Dates & Times for the March 2, 2010, Democratic and Republican Primary Elections, Elections.

Commissioner Jaynes gave comments regarding public requests for early voting locations west of Interstate 75 in Allen and McKinney. Commissioner Jaynes asked if the County could address the lack of an early voting location for Allen. He also stated the location selected for McKinney was too far west and asked if the County could find a location more centrally located such as the John and Judy Gay Library. Sharon Rowe, Elections, approached in response saying her department had called the City Secretary and was awaiting their decision on using the library. Ms. Rowe said there are currently six locations in Precinct 3, if the library were used there would be seven locations. Pursuant to Election statutes, if the County chose the library they would have to close another location. Discussion regarding options followed. Motion to approve early voting locations as submitted. (Time: 9:51 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward

Vote: 5 - 0 Passed

COURT ORDER NO. 2010-060-01-11

3. AI-31280 Retain ten pieces of surplus grounds equipment for Road and Bridge to use in the CSCD Program, Public Works.

COURT ORDER NO. 2010-061-01-11

4. AI-31300 Retention of a 2000 1-Ton Truck with Dump Bed (Unit No. 32898) to be transferred from Road & Bridge to Myers Park and Event Center, Public Works.

PULLED

5. AI-31294 Acceptance of a rebate check in the amount of \$3,995.89 for participation in The Local Government Purchasing Cooperative and BuyBoard program and budget amendment of \$3,995 for same, Purchasing.

COURT ORDER NO. 2010-062-01-11

GENERAL DISCUSSION

4. AI-31207 Capital projects at the Collin County Adventure Camp, Administrative Services.

Kevin Spaeth, Collin County Adventure Camp, presented the Court with a video which was shown on channel 8 News after the annual Thanksgiving Day Turkey Trot. The video featured the Adventure Camp and how the camp educates Collin County's youth about plants, trees, insects and the area's wildlife.

After the video clip, Mr. Spaeth gave a power point presentation which gave a breakdown of the funds requested and how the funds would be spent. The list was prioritized with the highest needs at the top of the list. Information included an overview of services the camp provides as well as a brief history. The items requested were ranked as follows:

1. Wastewater Plant backup generator and system integration providing an additional 20,000 gallons of storage. The generator could also be used to power electrical devices when needed. Estimated cost: \$200,000.
2. Fire System and installation of wireless transmitters and transmission equipment to all red panels to enable off site monitoring. Recommended by the Fire Marshal. Estimated cost: \$20,000.
3. Updates to the Trail System to repair damage to certain areas of the trail caused by use and erosion. Estimated cost: \$382,674.
4. New Beds and mattresses for student and teacher cabins. Estimated cost: \$154,071.

Commissioner Shaheen questioned the age and condition of the beds currently in use. Mr. Spaeth replied the beds were purchased new in 2006 so they were fairly new beds; however, they are the same beds that are used in the jail which are very narrow and thin. Mr. Spaeth said the biggest complaint on their evaluations is the beds and mattresses.

5. Camp Wireless Network. This would be an additional system for guests and would be separate from the camp's business network. This system would enable students to send studies and projects back to their schools and allow guests to give presentations. Estimated cost: \$50,000.

Commissioner Shaheen said he was struggling with this request because when someone goes to camp they should be leaving work behind. Mr. Spaeth replied saying this would also accommodate the needs of the school districts that utilized the camp. Judge Self asked if the school districts had been approached to partner with the County to pay a part of the cost. Mr. Spaeth said no, they had not approached the school districts.

6. Energy Management System. This system would enable the remote management of the camp's energy system and help in reducing energy usage. Estimated cost: \$85,000.

7. Acoustical Panels in Education Building. Estimated cost: \$50,000.
8. Window Shades for buildings. Estimated cost: Dining Hall \$24,357. Educational Building \$28,685.
9. Additional Amphitheater. Estimated cost: \$81,000.
10. Enclose Outdoor Space at Educational Building. Estimated cost: \$175,000
11. Forest Elevated Boardwalk and Zip lines. This would draw more people to the camp and generate additional revenue. Estimated cost: \$190,000.
12. Enclose North Pavilion and Add Rest Rooms. Estimated cost: \$380,000.

Commissioner Shaheen questioned why the camp would want to enclose an outdoor space. Mr. Spaeth responded saying the enclosure would allow the camp to host banquets and other events that have been requested by guests.

Mr. Spaeth summarized and asked the Court for any questions. Judge Self stated that before any questions were asked by the members of the Court, the floor would be open for public comment. (Time: 10:24 a.m.)

Joe Ann Stahel, Collin County Advisory Board, addressed the Court with comments regarding the use of the bond funds at the Adventure Camp. Ms. Stahel said a consensus was not reached among the groups that the Court had asked to be consulted. Ms. Stahl stated there were other issues that need to be addressed before the bond funds are spent on the list of projects proposed. Such items included structural issues that need to be repaired. Ms. Stahel stated she believed the County and the YMCA Board needed to review the contract they had to find out which party was responsible for which maintenance, and since the County owned the camp, the Court should take responsibility for ensuring the structures do not fall into deterioration. Lastly, Ms. Stahel said she wanted to see the County establish a maintenance agreement with staff from Facilities or Engineering and the YMCA's current maintenance personnel. In closing Ms. Stahel told the Court she supported the first three items on the proposal as they were very important to the camp.

Judge Self asked for details on the structural issues. Ms. Stahel said there had been leaks in the roofs of both the Educational Building and the Dining Hall since they were built and the water was causing damage to the buildings' interior.

Judge Self asked the members of the Court if there were any questions. Ms. Stahel gave final comments on the camp saying the County should try to obtain the 1.9 acres directly in front of the entrance to the camp. Ms. Stahel said she had conducted her own research and believes the land could be purchased for a reasonable price.

(Time: 10:31 a.m.)

Ann McWilliams, Collin County Advisory Board, addressed the Court giving additional information on the Adventure Camp in its beginning. Ms. McWilliams stated the contract with the YMCA read that once the project was completed the County would no longer have any jurisdiction over how the camp was maintained. She continued by saying it was her belief that communication is needed between the YMCA and the County; the YMCA has a good deal of information to share. Ms. McWilliams said she supported the comments given by Ms. Stahl and urged the Court to establish a maintenance plan and a communication system with the YMCA. (Time: 10:35 a.m.)

Judge Self asked Bill Bilyeu if bond funds could be used for maintenance. Bill Bilyeu, Administrative Director, approached in response saying funds cannot be used for maintenance, only for improvements. Mr. Bilyeu said for example, funds could be used to replace an entire roof, but not to repair a part of the roof. The YMCA is responsible for all maintenance. Commissioner Hoagland stated the YMCA Board members should be attending meetings of the Advisory Board not the other way around. The Board is in charge of the project and they know what is best. Mr. Bilyeu gave comments saying what seems to be a perfectly good idea during the planning stage may not necessarily work in operations. For example, putting concrete flooring in the buildings made perfect sense when the plan was being designed; however, in reality the floors were being worn down by sheer usage. Extensive discussion with Court members regarding the maintenance of the camp followed.

Commissioner Jaynes commented that he thought there were too many boards. Mr. Spaeth has the knowledge of the day to day operations so another board was unnecessary. Mr. Spaeth re-addressed to answer concerns by the Court saying there was a joint meeting of the YMCA Board and the Advisory Board. A list of needs was shown to the YMCA Board and recommendations from the Advisory Board were applied because they had great insight in putting together the list. Mr. Spaeth notified Don Harris, who has since passed away, of the leaks issue. In the passing of Mr. Harris the list of items that needed to be addressed was lost. Mitchell Enterprises came out and made some repairs, but the repairs they made did not fix the issues. Several have tried to locate the actual issue with the leak and get it fixed. Mr. Spaeth continued by saying the camp is a great place and they (camp staff) are not going to let the camp deteriorate. They want it to be around for a very long time.

Mr. Spaeth informed the Court of who was on the YMCA Board, which includes: Bryan Thomas, Plano ISD, Mike Fraise, Mesa Architects, Stacy Driscoll, Bill Moore from the original Advisory Board, Clay Dahlhiem and several Administrators from the School Districts.

Judge Self asked if the Trail System was an improvement or maintenance. Bill Bilyeu, Administrative Director, addressed the question stating the Trail System would be considered an improvement. Judge Self asked Ms. Stahl to approach the Court. Judge Self asked Ms. Stahel and Ms. McWilliams what changes they would make to Mr. Spaeth's proposal. Ms. Stahel said the first thing she would do is eliminate closing in the pavilion, but she would build the rest rooms. The Court should approve the first three on the list and nothing else. Ms. Stahel also asked if anyone had addressed the flooding issues with the County's insurance. Mr. Bilyeu said the County has insurance on the property with a \$50,000 deductible. The insurance would cover catastrophic events such as a tornado or fire.

Commissioner Jaynes commented that he believed working with two boards was too difficult and did not see a need to reinstate the old Advisory Board. The Court needed to make a decision on the submitted proposal. Judge Self agreed and asked Mr. Bilyeu how much is left of the bond funds. Mr. Bilyeu replied there was \$1.78 million earning about \$29,000 annually. Mr. Bilyeu also said since these are County funds, Purchasing and Construction and Projects had to be involved with the improvements.

Commissioner Hoagland said the public should have input because it's their money. Commissioner Shaheen suggested Mr. Spaeth take the Court's recommendations for the proposal back to the YMCA Board who could tweak the list then bring back it to Court. Judge Self said the Court needed to make a policy decision on how much they really want to develop. The camp is for education not business venues and some of the improvements proposed seemed to be moving toward creating a retreat. Commissioner Hoagland stated when this was first being built the idea was to create a multiuse venue to bring revenue to the camp. Discussion on what was appropriate and what was a "wish list" for the camp followed.

Commissioner Ward addressed the Court asking if they were in agreement to approve the top three items. All agreed the first three on the list were the most vital and should be approved.

Bryan Thomas, Plano ISD, addressed the Court. Mr. Thomas said he is on the Advisory Board with Mr. Spaeth and informed the Court the Board did meet and approved the proposal that was presented. Mr. Thomas also said having the wireless network would allow the students to transfer projects such as with photo journalism back to the School District more efficiently.

Motion to move forward with the top three requests which are: the Wastewater Plant, Fire System and updates to the Trail System, and have the rest of the items reviewed by the Advisory Board who will bring recommendations to the Court.

Motion amended to include adding Rest Rooms and the Forest Elevated Boardwalk and Zip line and have the rest of the items reviewed by the Advisory Board who will bring recommendations back to the Court.

Commissioner Shaheen added comments regarding two of the requests. He said he was struggling with purchasing new beds and wireless connections. When one thinks of camping they think somewhat of "roughing it". Commissioner Shaheen said there are other solutions to the wireless need that cost less than \$50,000 and he would be happy to assist in finding the solution. (Time: 11:04 a.m.)

Motion by: Commissioner Kathy Ward
Second by: Commissioner Jerry Hoagland

Vote: 5 - 0 Passed

COURT ORDER NO. 2010-063-01-11

5. AI-31219 Update Trey Graham, County Judge.

Commissioner Jaynes stated that he attends the same Church that Pastor Trey Graham ministers; therefore, he was going to step down for this issue. Trey Graham, County Pastor, addressed the Court with an update on setting goals to carry out the County's new vision and mission statements as requested by Judge Self. Pastor Graham presented the Court with a proposal to develop these goals over a period of six sessions. Commissioner Hoagland said he was happy to have the proposal and was ready to move forward. (Time: 11:12 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward

Vote: 3 - 0 Passed

Other: Commissioner Joe Jaynes (Abstain)
Commissioner Matt Shaheen (Abstain)

COURT ORDER NO. 2010-064-01-11

6. AI-31314 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. (Time: 11:13 a.m.)

Motion by: Commissioner Kathy Ward
Second by: Commissioner Jerry Hoagland

Vote: 3 - 0 Passed

Other: Commissioner Joe Jaynes (Abstain)
Commissioner Matt Shaheen (Abstain)

COURT ORDER NO. 2010-065-01-11

7. AI-31315 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 procedures. Motion to approve personnel changes. (Time: 11:13 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward

Vote: 4 - 0 Passed

Other: Commissioner Joe Jaynes (Abstain)

COURT ORDER NO. 2010-066-01-11

8. AI-31318 Board/Committee Appointments, Commissioners Court.

Commissioner Shaheen reappointed Buddy Dean to the Planning Board.
(Time: 11:14 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland

Vote: 5 - 0 Passed

COURT ORDER NO. 2010-067-01-11

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

Judge Self asked Bill Bilyeu to check the status of the Texas Instruments Tax Abatement Amendment and if it requires further discussion by the Court.

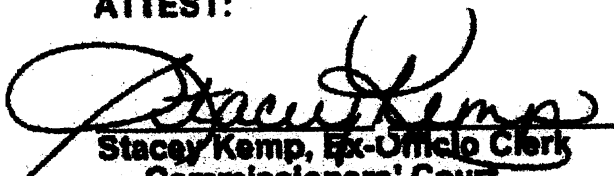
Commissioner Jaynes requested to see the Standard Operating Procedure for Courthouse Security in the event of a shooter in the courtroom. (Time: 11:15 a.m.)

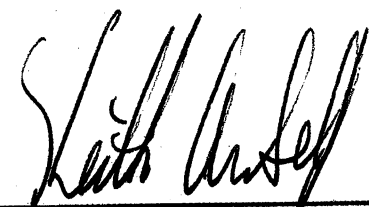
EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 11:15 a.m.



ATTEST:


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



Kelth Self, County Judge



Matt Shaheen, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Kathy Ward, Commissioner, Pct. 4