

STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

JANUARY 25, 2010

On Monday, January 25, 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

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

ITEM NO. 1 Judge Self called to order the meeting of the **Collin County Commissioners Court** at 6:00 p.m.

Judge Self recessed the meeting of the **Collin County Commissioners Court** and convened the meeting of the **Collin County Health Care Foundation** at 6:03 p.m.

President Self adjourned the meeting of the **Collin County Health Foundation** and convened the meeting of the **Collin County Toll Road Authority** at 6:24 p.m.

President Self adjourned the meeting of the **Collin County Toll Road Authority** and reconvened the meeting of the **Collin County Commissioners Court** at 6:30 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. **AI-31370** Personnel Appointments, Human Resources.
2. **AI-31372** Personnel Changes, Human Resources.

FYI NOTIFICATION

1. Professional Services, Architect for Small County Projects (RFQ No. 10010-09) awarded to Spurgin & Associates Architects (Court Order No. 2009-045-01-27), Construction & Projects:

a. AI-31343 Justice Center Site Hike and Bike Trail design.

Commissioner Jaynes requested that Jeff Durham, Special Projects Manager, keep a natural appearance to the sidewalks on the trail even if concrete is used. (Time: 6:32 p.m.)

b. AI-31339 Myers Park & Event Center Amphitheater and Restroom Facility design.

Judge Self asked if these contracts were under a blanket special projects award that was completed in 2009 or were they bid individually. Mr. Durham replied the contracts are under an existing contract the County has with Spurgin & Associates for projects under a certain dollar amount. (Time: 6:33 p.m.)

2. Tax Increment Finance District (TIF), Annual Report(s):

a. AI-31328 Reinvestment Zone No. 1, City of Allen.

b. AI-31329 Reinvestment Zone No. 2, City of Allen.

c. AI-31325 Reinvestment Zone No. 1, City of Plano.

d. AI-31326 Reinvestment Zone No. 2, City of Plano.

ITEM NO. 2 Public Comments.

Mayor Darren R. Driskell, Anna, Texas, came forward to talk about Collin County Adventure Camp as a result of receiving several phone calls following the last Commissioners Court meeting. Collin County Adventure Camp was discussed during the last Court meeting; however, some items were left off the last agenda that the Board of Directors of the Adventure Camp wanted addressed. 22,000 people come through the City of Anna to go to Adventure Camp every year. They would like improvements to the sleeping facilities. They need new beds and bedding. Also, there is a 400-acre school located at the Adventure Camp which has no wireless or internet access. High school students coming to the camp have no access for their computers. The Board of Directors requests that the Commissioners Court revisit those issues. (Time: 6:03 p.m.)

ITEM NO. 3 Consent agenda to approve:

Judge Self asked if any member of the Court or any member of the audience had an item they wanted pulled from the consent agenda for individual consideration. Commissioner Shaheen pulled item 3h1, Commissioner Hoagland pulled item 3k1, Commissioner Jaynes pulled FYI item 1a and item 3k5, and Judge Self pulled FYI item1b. Commissioner Shaheen made a motion to approve the remainder of the consent agenda. (Time: 6:32 p.m.)

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

- a. **AI-31338** Disbursements for the period ending January 19, 2010, Auditor.
COURT ORDER NO. 2010-068-01-25

- b. **AI-31342** Tax Refunds totaling \$263,738.57, Tax Assessor Collector.
COURT ORDER NO. 2010-069-01-25

c. Advertisement(s):

1. **AI-31215** Software & Implementation Services for ERP Financial Software (RFP No. 01134-10), Information Technology.
COURT ORDER NO. 2010-070-01-25

2. **AI-31347** Maintenance: Scanners (RFP No. 12113-10) (budgeted), Information Technology.
COURT ORDER NO. 2010-071-01-25

d. Award(s):

1. **AI-31360** Insurance, Medical: Stop Loss (RFP No. 11097-10) (budgeted), Human Resources.
COURT ORDER NO. 2010-072-01-25

e. Agreement(s):

1. **AI-31355** Lease Agreement with the Honorable Ralph Hall, a member of the U.S. House of Representatives for property located at 1800 N. Graves Street, McKinney, Texas and further authorize the County Judge to finalize and execute same, Construction & Projects.
COURT ORDER NO. 2010-073-01-25

2. **AI-31354** Interlocal Agreement with the City of Carrollton for the Construction of Midway Road from Hebron Parkway to north of the President George Bush

Turnpike - 2007 Bond Project No. 07-013 (County's portion NTE \$606,644) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-074-01-25

3. **AI-31344** Interlocal Agreement with the City of Sachse for widening and improvements of Dewitt Road from Ingram Road to Ranch Road - 2007 Bond Project No. 07-088 (County's portion NTE \$360,000) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-075-01-25

4. **AI-31346** Revised Contractual Agreement for Right-of-Way Procurement with the Texas Department of Transportation (TXDOT) for the purchase of right-of-way along FM 2551 from FM 544 to FM 2514 (Bond Project No. 03-081) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-076-01-25

5. **AI-31350** License Agreement with North Central Texas Council of Governments (NCTCOG) for Digital Aerial Photography, budget amendment in the amount of \$63,000 and further authorize the County Judge to finalize and execute same, Information Technology.

COURT ORDER NO. 2010-077-01-25

6. **AI-31327** Interlocal Agreement with the City of Wylie to provide GIS services and further authorize the County Judge to finalize and execute same, Information Technology.

COURT ORDER NO. 2010-078-01-25

7. **AI-31348** Novation Agreement for Services: Herbicide Treatment of Roadside Right-of-Way and Encroachments (IFB No. 08143-07) to change the name from SprayMAX, Inc. to Edko, LLC and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2010-079-01-25

8. **AI-31341** Interlocal Agreement with the City of Lucas for improvements to New Lucas Community Park through the 1st Series - 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG09) and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2010-080-01-25

f. Amendment(s):

1. **AI-31161** No. 1 to Insurance: Medical, Dental, FSA and Cobra (RFP No. 08621-08) with United Healthcare to add \$1.00 per employee per month for administration fee for United Healthcare to provide claims information to stop loss

carrier and further authorize Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2010-081-01-25

g. Change Order(s):

1. **AI-31313** No. 1 to Supplies: Janitorial Paper and Disposable Products (Contract No. 07722-09) with Empire Paper Company to add additional items to the contract and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2010-082-01-25

h. Budget adjustment(s)/amendment(s):

1. **AI-31352** \$32,356,838 to adjust various accounts relating to the FY2009 Bond Issue, Auditor.

Commissioner Shaheen asked County Auditor Jeff May about the movement of funds. Mr. May said it is related to the bond issue refunding back in September 2009. As the Auditor's office was closing their books, they noticed some refunded money was put in an incorrect fund and it is now being moved into the correct fund. Further explanation followed with Mr. May answering questions regarding debt service from Commissioner Shaheen. Following discussion, Commissioner Shaheen made a motion to approve. (Time: 6:35 p.m.)

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

COURT ORDER NO. 2010-083-01-25

2. **AI-31351** \$581,135 required due to year-end accruals as part of the normal year-end processes, Auditor.

COURT ORDER NO. 2010-084-01-25

3. **AI-31322** \$62,327 for Equipment: Law Enforcement, Electroshock Weapons (IFB No. 06666-09) with Taser International, Homeland Security.

COURT ORDER NO. 2010-085-01-25

i. Receive and File, Auditor:

1. **AI-31240** 4th Quarter Investment Report for FY2009.

COURT ORDER NO. 2010-086-01-25

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

1. **AI-31336** January 4, 2010.

COURT ORDER NO. 2010-087-01-25

2. **AI-31357** January 11, 2010.

COURT ORDER NO. 2010-088-01-25

k. Miscellaneous

1. **AI-31334** Sale of Struck Off Property located at 1011 Avenue G, Plano, Texas to Grant Glasco and further authorize the County Judge to finalize and execute the associated documents, Administrative Services.

Commissioner Hoagland stated he would have to step down on this item. He also stated he filed the correct paperwork with the County Clerk. Commissioner Jaynes made a motion to approve. (Time: 6:36 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Kathy Ward
Vote: 4 - 0 Passed
Commissioner Hoagland abstained

COURT ORDER NO. 2010-089-01-25

2. **AI-31345** Purchase Application Development Software as part of RMS Phase III and budget amendment in the amount of \$8,800 for same, Information Technology.

COURT ORDER NO. 2010-090-01-25

3. **AI-31286** Purchase Application Development Code Release Management Software and budget amendment in the amount of \$10,500 for same, Information Technology.

COURT ORDER NO. 2010-091-01-25

4. **AI-31359** Reject all bids for Median Opening Improvements for Bloomdale Road (IFB NO. 08729-09), Purchasing.

COURT ORDER NO. 2010-092-01-25

5. **AI-31356** Pay for specified medical claims for an employee erroneously added to insurance coverage, Human Resources.

Attorney Peter Schulte came forward representing Deputy James Kirk of the Collin County Sheriff's Office. In August 2009 Deputy Kirk was added to County payroll as a full-time temporary employee. During his hiring process Deputy Kirk was told by the Sheriff's Office that he would be receiving County benefits. At new employee orientation he was also told he would be receiving County

benefits. Following the 90-day waiting period, he cancelled his private insurance. On January 11, 2010, Deputy Kirk was transferred from temporary full time to regular full time. At that time Deputy Kirk received a call from an H.R. manager stating a mistake had been made and he never should have received benefits. He was told that he would have to repay all claims paid by United Health Care since December 1, 2009. Additionally, Deputy Kirk accrued 80 hours of comp time for which he should have been paid. Mr. Schulte is requesting that the County pay Deputy Kirk's health claims from December 1, 2009, to the present. Mr. Schulte would like to leave it a regular full-time position and allow Deputy Kirk to retain the benefits he had. Commissioner Jaynes wanted to address the issue on the agenda which is repaying medical expenses. Bill Bilyeu, County Administrator, said an agreement had been reached; the staff recommendation is to go ahead and pay Deputy Kirk's medical expenses. Commissioner Jaynes made a motion to approve but asked that if need arises, this item be brought back to a future court. Judge Self wanted a legal opinion, particularly pertaining to TCDRS. (Time: 6:40 p.m.)

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

COURT ORDER NO. 2010-093-01-25

6. AI-31319 Condemnation proceedings to acquire the right-of-way for the construction of a bridge on County Road 617 at a Branch of Hickory Creek, Special Projects.

COURT ORDER NO. 2010-094-01-25

GENERAL DISCUSSION

ITEM NO. 4 AI-31324 Proposed Permanent Improvement projects at Myers Park & Event Center (not budgeted), Construction & Projects.

Bill Burke, Projects Manager, came forward with a Power Point presentation as a continuation of a discussion started in an August 2009 budget workshop. His presentation was limited to five buildings.

The first building is the gazebo which has erosion problems. Mr. Burke was asking for \$5,000 to build a retaining wall.

The next building is the granary. Mr. Burke showed the Court a picture from 1991, stating the granary is much improved from 1991. The recommendation is to put this before the Youth Park Advisory Board to determine whether the building should have siding and what to do with the roof. The question is what to do with this building. Do we want to restore it? Mr. Bilyeu said the building belongs to the County. Commissioner Ward stated the granary is the oldest

standing structure in Collin County. She thought the County had an opportunity to get some PR by having someone do a documentary on this structure.

The next building is the confinement building. This building will have some wood reassembled and painted. Commissioner Jaynes noted on the inside of that building there are markings on the walls dating back to the 1930's from prisoners marking the days they had to serve.

The next building discussed is the Haggard House. It needs walls repaired and repairs in the crawl space. Mr. Burke showed pictures of the back of the building and explained what repairs were needed. He suggested a budget of approximately \$20,000 would be needed to complete this work. Questions followed from Court members. Mr. Burke stated Facilities might be able to do some of the work.

The last building discussed is the Baxter House. The recommendation is rather than maintaining and paying utilities, Mr. Burke would like to demolish it and haul it off. A budget of \$5,000 would need to be set up for this demolition. Commissioner Jaynes wanted that recommendation brought before the Youth Park Advisory Board. Mr. Burke added staff members he'd spoken with are in agreement.

Judge Self reiterated the requests as stated by Mr. Burke. The funds would be transferred from Permanent Improvements in Contingency. Monika Arris, Budget, said these are funds that are budgeted each year and put in contingency for projects that come up throughout the year. Commissioner Hoagland made a motion to approve. (6:58 p.m.)

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

COURT ORDER NO. 2010-095-01-25

ITEM NO. 5 AI-31361 Tax Abatement for Blue Cross Blue Shield to increase the percentage of tax abatement applicable to the Tangible Personal Property to ninety percent (90%) for tax year 2010, County Judge.

Bill Bilyeu, County Administrator, said this is an FYI item from a contract that the Court signed in 2006. Mr. Bilyeu explained the abatement, adding this is the Court's notification of what Blue Cross Blue Shield is going to do. Further explanation followed with Mr. Bilyeu answering questions from the Court. No action is required. Ms. Arris came forward and stated she spoke with the Central Appraisal District on this. They monitor and track these abatements. (Time: 7:01 p.m.)

NO ACTION TAKEN

ITEM NO. 6 AI-31373 Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, stated all appointments were within standard guidelines. Commissioner Shaheen made a motion to approve. (Time: 7:01 p.m.)

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

COURT ORDER NO. 2010-096-01-25

ITEM NO. 7 AI-31374 Personnel Changes, Human Resources.

Ms. Jacobson remained before the Court, stating all personnel changes were standard. There were corrections due to the first payroll of the year being put in as 2009 instead of 2010. Commissioner Hoagland made a motion to approve. (Time: 7:02 p.m.)

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

COURT ORDER NO. 2010-097-01-25

ITEM NO. 8 AI-31377 Board/Committee Appointments, Commissioners Court.

Commissioner Jaynes reappointed Aimee Hilton to the CPS Board and Judge Self appointed Leigh Althaus to the CPS Board.

Commissioner Shaheen appointed J.B. Owens to the Collin County Citizens Academy.

Commissioner Ward reappointed Tracey Dry to the CPS Board and reappointed Bill Moore to the Planning Board and Ryan Dry to the Parks Board.

Commissioner Hoagland made a motion to approve all appointments. (Time: 7:02 p.m.)

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

COURT ORDER NO. 2010-098-01-25

ITEM NO. 9 Possible future agenda items by Commissioners Court without discussion.

Judge Self asked that general recognitions be put on every Court for staff. (Time: 7:03 p.m.)

EXECUTIVE SESSION

There being no reason to recess into Executive Session and no further business of the Court, Judge Self adjourned Commissioners Court at 7:03 p.m.



ATTEST:


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


Keith Self, County Judge


Matt Shaheen, Commissioner, Pct. 1


Jerry Hoagland, Commissioner, Pct. 2


Joe Jaynes, Commissioner, Pct. 3


Kathy Ward, Commissioner, Pct. 4