

STATE OF TEXAS  
COUNTY OF COLLIN

COMMISSIONERS' COURT  
MEETING MINUTES  
SEPTEMBER 20, 2010

On Monday, September 20, 2010, the Commissioners Court of Collin County, Texas, met in Regular Session in the Commissioners Courtroom, Jack Hatchell Collin County 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

Absent:

Precinct 4 Commissioner Kathy Ward

Commissioner Hoagland led the Invocation.

Judge Self led the Pledge of Allegiance.

Commissioner Shaheen led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the Collin County Commissioners Court at 9:30 a.m. and recessed into the Collin County Health Care Foundation.

President Self called to order the meeting of the Collin County Health Care Foundation at 9:34 a.m. and adjourned at 10:03 a.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 10:03 a.m. and adjourned at 10:04 a.m.

Judge Self reconvened the meeting of the Collin County Commissioners Court at 10:04 a.m.

### FYI NOTIFICATION

1. AI-32579 Change Order No. 1 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) to make various changes to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

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

- a. **AI-32553** \$1,595 to establish the budget for the 2009 State Homeland Security Program (SHSP) grant funds to purchase radio supplies needed to assemble the DStar Go Kits under the Mobile Incident Command Post (MICP) project.
- b. **AI-32571** \$80,000 to purchase laptops, scan guns and label printers utilizing the Chapter 19 funds (reimbursed 100% by the Secretary of State).
- c. **AI-32539** \$12,000,000 to establish the budget for the Regional Toll Road (RTR) grant for the Outer Loop Segment 1 from US 75 to SH 121.

**2. Public Comments.**

**3. Presentation/Recognition:**

- a. **AI-32476** Technology Excellence Award presented to the Collin County IT Department by the Texas Association of Governmental IT Managers (TAGITM) for the "Technology Eases Overtime & Jail Population" project, Information Technology.

Caren Skipworth, Information Technology, introduced Dale Harwell, Information Services Manager with the City of Hurst and former member of Texas Association of Governmental Information Technology Managers. Mr. Harwell presented the 2010 Technology Excellence Award to the Collin County Information Technology Department for their plea and arraignment video project. (Time: 10:04 a.m.)

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

Judge Mark Rusch, Administrative District Judge, presented a service pin to Jeff May, County Auditor, in recognition of his 15 years of service.

**4. Consent agenda to approve:** Judge Self asked for any comments on the consent agenda. Judge Self informed the court item 4g3 and General Discussion item 5 were pulled from the agenda. Commissioner Shaheen requested item 4h3 be pulled for discussion. There being no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 10:05 a.m.)

Motion by: Commissioner Jerry Hoagland  
Second by: Commissioner Matt Shaheen  
Vote: 4 – 0 Passed

- a. **AI-32604** Disbursements for the period ending September 14, 2010, Auditor.

**COURT ORDER NO. 2010-739-09-20**

**b. Advertisement(s):**

1. **AI-32577** Equipment: Grounds Maintenance (IFB No. 03212-10), Public Works.  
**COURT ORDER NO. 2010-740-09-20**

**c. Award(s):**

1. **AI-32576** Road Materials: Flexible Base (IFB No. 08355-10) to TXI, Public Works.  
**COURT ORDER NO. 2010-741-09-20**

**d. Agreement(s):**

1. **AI-32531** Amended and Restated Interlocal Cooperation Agreement with the City of Allen for the use of space located at the Allen Municipal Court Facility by Justice of the Peace, Precinct 3-2 through and including September 30, 2011; further authorize the County Judge to finalize and execute same, Construction & Projects.  
**COURT ORDER NO. 2010-742-09-20**

2. **AI-32566** Personal Services Agreement with Erin Kristen Duddleston for autopsy assistant services at the Collin County Medical Examiner's office through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Medical Examiner.  
**COURT ORDER NO. 2010-743-09-20**

3. **AI-32575** Interlocal Cooperation contract with the Collin County Community Supervision and Corrections Department (CSCD) to provide 36 residential beds at the Collin County Detention Facilities for the purpose of housing offenders sentenced to a period of confinement pursuant to Article 42.12, Sec. 12 & 18 of the Code of Criminal Procedure for participation in the Sheriff's Convicted Offender Reentry Effort (S.C.O.R.E) program and further authorize the County Judge to finalize and execute same, CSCD.  
**COURT ORDER NO. 2010-744-09-20**

**e. Amendment(s):**

1. **AI-32544** No. 2 to the DWI No-Refusal Blood Draw Grant Program with the Texas Department of Transportation (TxDOT) to release the grant funds in the amount of \$39,848 that were not utilized for FY2010, budget amendment in the amount of \$47556 and further authorize the County Judge to finalize and execute same, Auditor.  
**COURT ORDER NO. 2010-745-09-20**

**f. Change Order(s):**

1. **AI-32578** No. 1 to Maintenance, Roads: Crack Sealing Services (IFB No. 03195-10) with Curtco, Inc. to extend the contract for one (1) year through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

**COURT ORDER NO. 2010-746-09-20**

**g. Receive and File – Final Audit Result(s), Auditor:**

1. **AI-32501** Fire Marshal (2nd, 3rd & 4th Quarter FY2009 and 1st Quarter FY2010).

**COURT ORDER NO. 2010-747-09-20**

2. **AI-32503** Justice of the Peace, Precinct 1 (3rd & 4th Quarter FY2009 and 1st Quarter FY2010).

**COURT ORDER NO. 2010-748-09-20**

3. **AI-32436** Justice of the Peace, Precinct 3–1 (1st & 2nd Quarter FY2010).

**PULLED**

**h. Miscellaneous**

1. **AI-32630** Resolution supporting the redistricting of Congressional, Legislative, and State Board of Education district, Commissioner, Precinct 3.

**COURT ORDER NO. 2010-749-09-20**

2. **AI-32560** Assignment of the contract for Maintenance: Software and Hardware Voting & Optical Scan equipment from Premier Election Systems to Dominion Voting Systems and further authorize the Purchasing Agent to finalize and execute the assignment letter, Elections.

**COURT ORDER NO. 2010-750-09-20**

3. **AI-32561** Purchase additional laptops, printers, scan guns and VoteSafe licenses for use in Vote Centers for the November 2010 election cycle, Elections.

Sharon Rowe, Elections, approached to inform the court the cost of the equipment was 100% reimbursable by Chapter 19 funds. Once the court approves the purchase of the equipment, her department can then come back to the court and update them on the quantity purchased. Motion to approve purchase as requested. (Time: 10:06 a.m.)

Motion by: Commissioner Matt Shaheen  
Second by: Commissioner Jerry Hoagland  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2010-751-09-20**

4. **AI-32573** Trade-In one (1) UPS (located in the Elections tabulation Room) and purchase one (1) APC Smart-UPS X 1500VA Rack/Tower LCD 120V, Facilities.

**COURT ORDER NO. 2010-752-09-20**

5. **AI-32574** Trade in one (1) UPS (located in the Justice Center) and purchase one (1) APC Smart-UPS X 1000VA Rack/Tower LCD 120V, Facilities.

**COURT ORDER NO. 2010-753-09-20**

### **GENERAL DISCUSSION**

Judge Self recessed the meeting at 10:34 a.m. and reconvened the meeting at 10:39 a.m.

5. **AI-32589** Omnilink JV Monitoring Technology, Commissioner, Precinct 1.

**PULLED**

6. **AI-32612** Naming of the Courthouse Library, Commissioner, Precinct 1.

Judge Jill Wheless, 417<sup>th</sup> District Court, came forward to give comments on the naming of the courthouse law library. Ms. Wheless suggested naming the library after Judge Curt Henderson as the longest serving judge in Collin County. In addition Judge Henderson won the Voice of the Year award from CASA (Court Appointed Special Advocate) for his work in helping the children of Collin County have a voice in CPS (Child Protective Services) cases. Judge Henderson has led the charge in technology and the courts and chaired the State Bar of Texas Computer and Technology Committee. Commissioner Hoagland made a motion to approve naming the law library the Curt B. Henderson Law Library. (Time: 10:41 a.m.)

Motion by: Commissioner Jerry Hoagland

Second by: Commissioner Joe Jaynes

Vote: 4 – 0 Passed

**COURT ORDER NO. 2010-754-09-20**

7. **AI-32618** Emergency Services in MUD Districts, Commissioner, Precinct 2.

Commissioner Hoagland gave comments on the continuing requests for the county to participate in MUDs (Municipal Utility Districts). If this continues it will cost more and more. Commissioner Hoagland suggested a policy related to the MUD districts so they share in the expenses. The county provides fire department and ambulance services as well as other expenses. It is inappropriate for the county as a whole to provide these expenses.

Bill Bilyeu, County Administrator, approached saying the court adopted a policy last year on fire protection based on Seis Lagos which states the county would not reimburse for emergency runs into a MUD or a SUD (Special Utility District). Nothing has been adopted for ambulance services.

Commissioner Jaynes commented that MUDs are taxing entities and should be treated as such. When a run is made by a fire department, the MUD should reimburse the fire department. As for ambulances the county has a coalition that pays for the service based on the services received; the MUDs should be a part of that coalition.

Judge Self's comments included the issue of people buying into the MUDs and SUDs without knowing they will not have emergency services; this is an education process as much as anything else. Additional discussion regarding county participation and citizen education followed.

Sheriff Terry Box came forward to inform the court that his department met with the last two MUDs and gave them a price on cost of officers and vehicles, which was to be included in the new additions. It is the hope to meet with the developers when they first come into the county to discuss law enforcement participation. Judge Self suggested using the Sheriff's plan and be aggressive with the entities as they enter the county. Commissioner Hoagland suggested adopting a policy as well. (Time: 10:50 a.m.)

**NO ACTION TAKEN**

**8. AI-32619 Salary Survey, Commissioner, Precinct 3.**

Commissioner Jaynes opened comments saying this subject was brought up during the latest budget hearings and asked Cynthia Jacobson, Human Resources, about the salary survey and how it will be conducted. Ms. Jacobson approached in response saying typically surveys are submitted to the court each year. There is a very detailed survey for law enforcement and legal positions and another survey, a little less detailed, for exempt and non-exempt positions within the county. They generally use an equal comparison of public and private sector positions. Commissioner Jaynes directed Ms. Jacobson to have the surveys to the court well in advance of the budget cycle next year. (Time: 10:51 a.m.)

**NO ACTION TAKEN**

**9. AI-32517 Three (3) options for trail alignment of the proposed Hike and Bike Trail on the Justice Center Campus, Construction & Projects.**

Bill Burke, Construction and Projects, came forward to present a drawing to show a visual of the three options for the hike and bike trail for the Justice Center. The trail will connect the Sheriff's Office, the Administration Building and the Courthouse then continue north up to the Central Plant and eventually connect to a City of McKinney hike and bike trail.

The county does not have the money to build the trail yet; however, Mr. Burke is trying to get to a logical point, design wise, so that when bond funds are available he can readdress the court to discuss construction.

Mr. Burke explained each alignment. Option one goes down the middle of the compound and will not sacrifice any of the trees. If option one is chosen, the county will still be going with the proposed trail. Sheriff Box has concerns with option one because it runs behind the jail and would have interaction with four inmates who mow and weed eat the property in that area. There are also visual lines of sight on the trail that can be seen by inmates from the jail windows. Judge Self asked for costs on the three options. Mr. Burke replied the original cost for design and construction of the proposed trail and option one was approximately half a million dollars. Options two and three have not been priced, it is expected they will cost more.

Commissioner Shaheen asked Sheriff Box for comments on his concerns with option one. Sheriff Terry Box came forward saying he is not against a trail behind the building, but there are concerns about people walking behind the building. There is a security force that checks the back fence and back gates to make sure everything is secure. If the city does build a hike and bike trail, his department would like to have it as far away as possible from the chain link barrier fence. Commissioner Shaheen stated that the blue trail looked to be the best choice because it goes along the lines of the courthouse and over to the administration building.

Mr. Burke said there are significant costs associated with the blue trail. It goes through the Public Works service center area and would require moving large stock piles, which would then require a fence to keep the public out of the stock pile area. To avoid moving the stock piles, the county would have to remove some very nice pecan trees, which they do not want to do. Commissioner Jaynes had the understanding that the court had agreed to the original trail which included the bridge to the courthouse and the Bill of Rights monument along with some park benches. Judge Self agreed with Commissioner Jaynes and suggested that the county go with the proposed trail and not use the other options. Discussion regarding the options and the future plans of the City of McKinney followed. A motion was made to approve the proposed trail only, the Bill of Rights and picnic tables. Judge Self asked if this could be covered by open space bonds. Bill Bilyeu, County Administrator, replied as long as it is called a park the bonds can be used. (Time: 11:03 a.m.)

Motion by: Commissioner Joe Jaynes  
Second by: Commissioner Matt Shaheen  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2010-755-09-20**

**10. AI-32608 Personnel Changes, Human Resources.**

Cynthia Jacobson, Human Resources, addressed the Court regarding personnel changes. Ms. Jacobson informed the Court all changes follow standard guidelines. Motion to approve personnel changes. (Time: 11: 04 a.m.)

Motion by: Commissioner Jerry Hoagland  
Second by: Commissioner Joe Jaynes  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2010-756-09-20**

**11. AI-32624 Board/Committee Appointments, Commissioners Court.**

Commissioner Joe Jaynes made a motion to appoint Michael Black to the Historical Commission. (Time: 11:04 a.m.)

Motion by: Commissioner Joe Jaynes  
Second by: Commissioner Matt Shaheen  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2010-757-09-20**

**12. Potential 82<sup>nd</sup> Legislative items, Commissioners Court:**

Commissioner Hoagland confirmed the MUD issue is on the list for the State Legislators. Commissioner Shaheen confirmed the meeting date with the legislators to be October 18, 2010. (Time: 11:05 a.m.)

**NO ACTION TAKEN**

**a. AI-31816 Discussion of legislative priorities**

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

**Supplemental Agenda Item**

**14. AI-32653 NTTA Annual update, Administrative Services.**

Paul Wageman, Collin County Appointee to the NTTA (North Texas Tollway Authority) Board, came forward with the State of the Authority for NTTA and his final update after ten years of service for Collin County. Mr. Wageman began by thanking the court members for their support of the Authority and allowing him to serve on the board.

Mr. Wageman continued saying the NTTA has moved forward in a good way on the Sam Rayburn Tollway despite the economic challenges that have been faced. The NTTA has developed a comprehensive five year capital plan to prepare for the long term financial needs of the Authority, while at the same time managing through their pitch point which is expected to occur in 2013 when debt and revenue essentially meet.



The plan firmly positions the Authority to meet its commitments and manage the regional expectations. In closing, Mr. Wageman again thanked the members of the court for their support.

Mr. Wageman introduced Bill Moore, Collin County Appointee to the NTTA Board. Mr. Moore came forward to thank the court for the opportunity to serve on the board. Mr. Moore is in his first year of service with the NTTA and is pleased to see the capability and dedication of the staff. The NTTA has a great future for helping with transportation needs in Collin County. Mr. Moore recognized Paul Wageman for the fine job he has done with the Authority over the last ten years; he is impressed with the leadership and direction he brought to the Authority.

Allen Clemson, Executive Director for NTTA, came forward with a power point presentation of the annual update. The update included revenue for 2009 which was \$321 million dollars. The 2009 budget versus actual spending showed to be favorable. The 2010 operating budget was higher than the previous year due to increased capacity and bringing forward actual transportation projects. The debt service and revenue are expected to meet by 2013 to 2014 and will be managed to meet the financial obligations. The Authority is financially strong and more than capable of meeting all of the debt service requirements as well as bond covenants and trust agreements.

Mr. Allen briefed the court on the five year capital plan which included the 2009 and 2010 bond sales. The plan also included cashless tolling that allows the improvement of mobility by moving traffic faster; it improves air quality and shows operational savings. Effective December 10, 2010 the DNT (Dallas North Tollway) will be fully cashless tolling. This will eliminate 114 positions and the expenses that they incur. Action plans were discussed next. The legislative program continues to work with the region to address the primary concern which is the Local Toll Authority's Right of First Option. This will be pursued in the upcoming legislative session as well as clarifying protection of audit working papers. Mr. Allen addressed administrative fees saying 92% of the toll users pay their tolls. The other eight percent who don't use the toll roads often and don't pay tolls has been addressed aggressively by introducing a long term and patient invoicing process that allows up to 200 day for the customer to pay the toll. The administrative fees were lowered from \$25 to \$8.25 on the 30 day notice before it goes to collections.

Rental cars are one tenth of one percent of the toll business, but because there is a lack of standardization of each rental car company and the state requires that the owner of the car be billed for tolls, the Authority is looking at ways to address the issue

Business diversity spending was discussed next. The board has approved and implemented various policies and procedures that will address the presence of disadvantaged, minority women and small business enterprises. There are currently three programs that are very competitive; disadvantaged business as it relates to federal funding and the requirements of that program, minority women and small business.

The network of the NTTA is operating, building and planning projects in each member county as well as Johnson and Grayson Counties. The remaining construction on the Sam Rayburn Tollway will be the interchange at U.S. 75 and will be complete in 2011. The interchange with the DNT is anticipated to be completed in 2012. There will be some very aggressive exit closures such as the Gaylord Parkway exit which will be closed for approximately 100 days. Commissioner Jaynes asked that a strong effort be made to communicate the closing to those who will be impacted. Mr. Allen said they spend a lot of time with direct contact with businesses, emergency service providers and interested parties that need to travel the route. They communicate to their customers by putting up dynamic sign messages along the route weeks before the closure. The DNT Phase 4 & 5 was included in the update. The final alignment was set in July and they will begin the sketch level toll feasibility studies; they will continue the environmental phase to develop the process. Providing cashless tolls will require some construction to replace the toll booths and make the tollway more aesthetically pleasing. In closing Mr. Allen told the court that safety and convenience is something the Authority strives for in customer service. For example they provide road side assistance in case a car breaks down. Their cameras have software that can detect a vehicle that has stopped moving or that is moving outside the normal range. When this is detected, roadside assistance is dispatched, is typically at the site within ten minutes and can get the customer back on the road in an additional ten minutes. Mr. Allen invited the court to tour the facilities and see the state of the art technology they use to keep the tollway safe. Discussion with the court continued throughout and following the presentation. (Time: 10: 34 a.m.)

**NO ACTION TAKEN**

**EXECUTIVE SESSION**

Judge Self recessed the meeting into Executive Session under Chapter 551 of the Government Code at 11: 05 a.m.

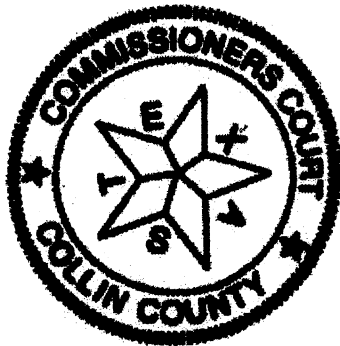
**AI-32620** Department Heads compensation, Human Resources.

**NO ACTION TAKEN**

**AI-32621** Retirement insurance coverage for an employee, Commissioner, Precinct 4.

**NO ACTION TAKEN**

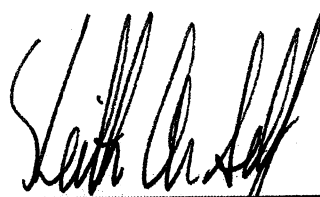
Judge Self reconvened the meeting of the Commissioners' Court at 11: 22 a.m. There being no further business of the court, Judge Self adjourned the meeting at 11:22 a.m.



ATTEST:



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



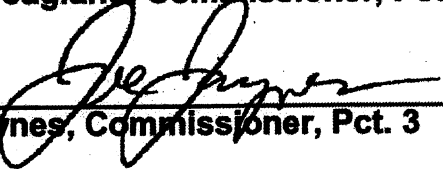
Keith Self, County Judge



Matt Shaheen, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3

Not Present

Kathy Ward, Commissioner, Pct. 4