

STATE OF TEXAS

COMMISSIONERS COURT MEETING MINUTES

COUNTY OF COLLIN

FEBRUARY 7, 2011

On Monday, February 7, 2011, 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 Cheryl Williams
Precinct 3 Commissioner Joe Jaynes
Precinct 4 Commissioner Duncan Webb

Commissioner Jaynes led the Invocation.
Commissioner Webb led the Pledge of Allegiance.
Judge Self led the Pledge of Allegiance to the Texas Flag.

Judge Self called to order the meeting of the Collin County Commissioners Court at 12:02 p.m. and then recessed into Executive Session under paragraph 551.071, which is legal advice, to receive advice from Legal Counsel regarding the Texas Open Meetings Act, Texas Public Information Act and matters under Chapter 305 of the Texas Government Code including the Texas Open Meetings Act and the Texas Public Information Act. The meeting was reconvened at 6:00 p.m. and recessed into the Health Care Foundation.

President Self called to order the meeting of the Collin County Health Care Foundation at 6:03 p.m. and adjourned the meeting at 8:05 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 6:13 p.m., adjourned the meeting at 6:14 p.m. and reconvened the meeting of the Collin County Commissioners Court.

FYI NOTIFICATION

1. AI-33219 GEM (Going the Extra Mile) Award Recipients.

2. Public Comments.

3. Presentation/Recognition:

a. AI-33198 Certificate of Achievement for Excellence in Financial Reporting presented to the Auditor's office by Judge Mark Rusch, Auditor.

4. 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. Judge Self pulled item f2 and moved to item g1. Following discussion of item g1, Commissioner Webb pulled the following items for discussion: 4a; 4b, Commissioner Webb wanted to thank the tax assessor collector for cutting down on the number of items; 4c1 and 2; all of 4d; 4h1; 4h2a; j1; j2; and j5. Commissioner Jaynes made a motion to approve the remainder of the consent agenda. (Time: 6:18 p.m.)

a. **AI-33220** Disbursements for the period ending February 1, 2011, Auditor.

Commissioner Webb had a question about an email that was part of the packet. Nicole Gillespie, Administrative Services, stated the date of February 1st needed to be changed to January 25th. Commissioner Webb made a motion to approve with the date change. (Time: 6:19 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-062-02-07

b. **AI-33203** Tax refunds totaling \$1,280,193.42, Tax Assessor Collector.

COURT ORDER NO. 2011-063-02-07

c. **Award(s):**

1. **AI-33177** Vehicle: Dump Truck (IFB No. 11032-11) to Southwest International Trucks, Inc., Public Works.

Commissioner Webb asked Jon Kleinheksel, Public Works, how they decide that an extended warranty is not necessary. Mr. Kleinheksel said for the amount of mileage they put on their trucks, it is cost prohibitive to get an extended warranty. Commissioner Webb made a motion to approve. (Time: 6:20 p.m.)

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

COURT ORDER NO. 2011-064-02-07

2. **AI-33175** Professional Services, Surveying of Various County Properties (RFI No. 07301-10), Special Projects.

Commissioner Webb said this relates to the award to Halff and Associates. He was looking at the analysis of the points that were on the spreadsheet and trying to figure out how they arrived at those grades. Frank Ybarbo, Purchasing, came forward. He said under statute we cannot bid these out. Price cannot be included

in the evaluation. It has to be based on their qualifications in confidence. The categories are figured by each evaluator and totaled up for an average. Commissioner Webb said consistency would be very important in this process. Mr. Ybarbo said it depends on the experience of the evaluator. Commissioner Webb made a motion to approve. (Time: 6:22 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-065-02-07

d. Agreement(s):

1. AI-33199 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.

Commissioner Webb said we probably don't have a lot of leases of our facilities, and he assumed this has been going on for a while. Bill Bilyeu, Administrative Services, said this is a different lease because it's with the federal government. Commissioner Webb said his concern is not with the price but that the lessee has no obligation to not damage or waste the space and it doesn't provide who pays for electricity. Commissioner Webb asked who does pay for electricity. Mr. Bilyeu said the County pays for the electricity for the benefit of having a congressman inside our office. Judge Self said this is a good will lease. Commissioner Webb made a motion to approve. (Time: 6:24 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-066-02-07

2. AI-33181 Interlocal Agreement with the Town of Fairview for the Engineering of FM 1378 (Country Club Road) from North of Farmstead Road to South of FM 2786 (Stacy Road) (Bond Project No. 99-00-22), budget adjustment in the amount of \$127,471 (County's portion NTE \$63,735.49) and further authorize the County Judge to finalize and execute same, Engineering.

Ruben Delgado, County Engineer, came forward to address this item. Commissioner Webb had a question on an item in the memo that the County share will come from the completed bond project and will not exceed \$63,735.49. However, Commissioner Webb said, if you read your agreement, it seems to imply we could go over that \$63,000 number. Mr. Delgado said that is left open because sometimes in the engineering process things come up that you can't foresee in the beginning. If it does go above that amount, we will come back

before the Court. Judge Self said it will come out of the bond amount. Our amount is capped by the bond for the total project. Commissioner Webb said it is not capped by the bond. Judge Self said he's talking about the bond program, not the actions of this Court. Following further explanation by Mr. Delgado, Commissioner Webb made a motion to approve. (Time: 6:27 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-067-02-07

3. AI-33202 Interlocal Agreement with the City of Richardson for Property Tax Collection Services and further authorize the County Judge to finalize and execute same, Tax Assessor Collector.

Commissioner Webb asked Mr. Bilyeu if this was a new contract. Mr. Bilyeu said this is a new contract with a new entity coming on board. Mr. Bilyeu then gave an example of what the tax assessor collector was doing. Commissioner Webb commended the tax assessor collector and then made a motion to approve. (Time: 6:28 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-068-02-07

e. Amendment(s):

1. AI-33201 Transition the Medical Reserve Corps (MRC) Coordinator position (funded by the Cities Readiness Initiative Grant) from a full-time position to a part-time position.

COURT ORDER NO. 2011-069-02-07

2. AI-33207 Contract amendment with the Department of State Health Services (DSHS) for Program Attachment No. 001A to Contract No. 2010-035576, Amendment No. 001B: CPS-Cities Readiness Initiative to revise the contract end date, replace Section VI (in its entirety), Homeland Security.

COURT ORDER NO. 2011-070-02-07

f. Change Order(s):

1. AI-33205 No. 1 to Supplies: Janitorial Equipment (IFB No. 07728-09) with Ace Mart Restaurant Supply 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, Facilities.

COURT ORDER NO. 2011-071-02-07

2. **AI-33158** No. 3 to Supplies: Janitorial Chemical (IFB No. 07718-09) with Eagle Brush Chemical, Inc. to add Item No. 07718-09-1-43 Dust Mop/Dust Cloth Treatment and Item No. 07718-09-1-47 Furniture Polish to the contract and further authorize the Purchasing Agent to finalize and execute same, Facilities.

PULLED

3. **AI-33192** No. 6 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with Bob Barker Company, Inc. to add various items to the contract and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2011-072-02-07

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

1. **AI-33187** \$29,214 to cover a negative salary and benefit category balance in the District Attorney's office due to the return of grant funds, Auditor.

Judge Self asked Jeff May, Auditor, to discuss item g1. Mr. May said this was a grant that the D.A.'s office had in the past. The previous D.A. did not want to sign off on the timesheets, and as a result we lost the grant revenue and then had to charge the funds over to the general fund. Judge Self said he didn't understand the timing of this because we accepted the grant funds before the time was put in. Mr. May said typically when we have a grant, we move the activity over to a grant fund; however, since we did not have the revenues to cover the expenditures, we had to move the expenditures back to the general fund. Judge Self asked if we have the authority to ask the D.A. to cover this from one of his funds. Mr. May said you can ask him but you cannot require him to. Judge Self said he wanted to ask him to do that because we accepted the grant funds under certain terms, and the terms were not met. He recommended holding this item. Commissioner Jaynes asked for a reason. Mr. May said the previous D.A. was not comfortable because the timesheets required him to certify that the people working the grant were working 100% on the grant and he could not certify that that was the case. Judge Self said that was the understanding of the grant when we accepted it. Mr. May said that was correct. (Time: 6:17 p.m.)

HELD

h. Receive and File, Auditor:

1. **AI-33178** Monthly Financial Report for October 2010.

Commissioner Webb thanked the Auditor for spending time with him answering his questions earlier in the day. He had some questions for open court. He stated it was hard to analyze what's going on with this monthly unaudited statement if you're comparing monthly expenditures and monthly revenues to an annual number compared to month to month. Since overseeing and managing the budget is one of the primary responsibilities of the Court he wanted to figure out a way to see how the budget line items are doing on a monthly basis rather

than an annual budget. Mr. May said they could add one more report to help. Judge Self had a different request. Citizens follow the Auditor's reports and Budget's reports. He asked if there was any way to reconcile the Auditor's figures with Budget's figures. Mr. May said we could work on that. He said there are a lot of issues that have to be resolved in order to do that. For example, his reports include things that don't require Budget and that is why there are differences. Commissioner Webb asked Mr. May to go to page 461. It shows a drop of almost \$3 million between total net assets of last year and this year. He asked if he should be concerned with a \$3 million drop which represents a 30% reduction in the net assets in these accounts. Mr. May said the cause is the insurance fund. That is something that we need to keep an eye on this year. Depending on this year's claims, it could come pretty close to zero but that tends to fluctuate. Commissioner Webb asked Mr. May to pull out the insurance fund and give the Court a heads up on what it is doing. Mr. May stated \$1.2 million was pulled out for post employment benefit funding.

Commissioner Webb asked what tax notes are. Mr. May said tax notes are a negotiable instrument for short-term debt sold on the market that does not require an election. Mr. May said we've used them mostly for computer projects and we've purchased capital equipment with them in the past. Commissioner Webb made a motion to approve. (Time: 6:35 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-073-02-07

2. Final Audit Result(s):

a. AI-33217 Justice of the Peace, Precinct 2 (2nd Quarter FY2010).

Commissioner Webb asked about the differential of \$88. If we approve these, are we losing \$88? Judge Self said we ought to accept this audit report. The J.P.'s are coming up with a solution to this. Commissioner Webb made a motion to accept the audit report. (Time: 6:36 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-074-02-07

b. AI-33218 Development Services (3rd Quarter FY2010).

COURT ORDER NO. 2011-075-02-07

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

1. AI-33154 January 10, 2011.

COURT ORDER NO. 2011-076-02-07

j. Miscellaneous

1. AI-33104 Payment to Safety-Kleen Systems, Inc. in the amount of \$13,581.59 for one-half (1/2) of the Ad Valorem Real Property Taxes and Ad Valorem Business Personal Property Taxes assessed from 2009 and budget amendment in the amount of \$13,582 for same, Budget.

Commissioner Webb asked Monika Arris, Budget, about a 32.25% reduction being noted on the spreadsheet before she applied the 50% and it says this is because of a lease. He wanted to know how the lease hold arrived at the factor of 32.25%. Ms. Arris said that is Safety-Kleen's share of the property. The amount is reduced to account for their part. Commissioner Webb made a motion to approve. (Time: 6:37 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-077-02-07

2. AI-33215 Resolution supporting a request for improvements to Interstate Highway 35 East as designed by the Texas Department of Transportation (TxDOT) from Interstate Highway 635 in Dallas County to U.S. Highway 380 in Denton County, Commissioner, Precinct 3.

Commissioner Webb said this is a resolution supporting the improvement to Interstate 35E. He had an issue with Section 1 which he read aloud. Commissioner Webb wanted to keep flexibility and remove the reference to "managed toll lanes". Commissioner Jaynes said this is something Denton County is lobbying for and that's the whole nucleus of the resolution. Commissioner Webb is fine with supporting their position but he does not want to support the position of managed toll lanes on the record. Commissioner Williams agreed with Commissioner Webb. Commissioner Jaynes suggested putting a period after "U.S. Highway 380". Commissioner Webb did not want to set a precedent. Judge Self asked if there was a deadline. Commissioner Jaynes said no. Following discussion, the Court agreed to pull the resolution and have Mr. Nishimoto redraft it. (Time: 6:40 p.m.)

HELD

3. AI-33234 Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-078-02-07

4. AI-33235 Personnel Changes, Human Resources

COURT ORDER NO. 2011-079-02-07

5. AI-33176 Reimbursement of fencing materials in the amount of \$4,193.24 to Mr. Ernesto Rojas for property along CR 167, Public Works.

Commissioner Webb was concerned that following payment for the cost of fencing materials to this person the County has no release from him in exchange for that payment. Jon Kleinheksel, Public Works, said that's correct; we don't have a physical release with language to that effect. Commissioner Jaynes asked Mr. Kleinheksel to get together with Greg Hudson to get release language on there. Judge Self said let's hold this item. (Time: 6:42 p.m.)

HELD

6. AI-33206 Sale of a 2006 Ford Crown Victoria (Inventory No. 47238) in the amount of \$2,500 to the Community Supervision and Corrections Department per VTCA LGC 263.152, Public Works.

COURT ORDER NO. 2011-080-02-07

GENERAL DISCUSSION

5. AI-33141 Fit for Service Program, County Judge.

Judge Self called Dr. David Childs to come forward. By way of explanation, Judge Self said this is an idea that may be a step beyond Pay for Performance. Dr. Childs introduced himself and presented his background, noting he spent 25 years working for Dallas County government, focusing on operational efficiency. During that time they developed a reputation for success with efficiency. He left Dallas County and has been a consultant, helping other government entities look at their operational processes and their quality of services. Judge Self asked how he is paid. Dr. Childs said we work with you to customize the entire package. In terms of compensation, that is negotiable, he said, in terms of what works best for you. They can work on an hourly rate or a fixed flat fee for a particular set of services rendered or work on a benefit sharing plan in which they come in and do an analysis and make recommendations. Those recommendations are implemented, and after six months or one year, they do an analysis of documentable verifiable impacts and share with you percentages of the documented impacts achieved. Judge Self said that was the one that was attractive to him, documenting objective criteria and then he would receive a portion of the savings. Commissioner Shaheen said it sounds like there is a lot of facilitation and dialogue with different employees. He asked for an understanding of the source of the efficiency. Is it best practices implemented elsewhere and brought here? Dr. Childs said it is a combination of both. Commissioner Jaynes wanted to hold off on this. The County has a Citizens Committee on Efficiency and we are waiting for their report. He wanted to see that before another study is started.

Discussion continued, with Dr. Childs answering questions from Court members. Commissioner Williams wondered if conversations should start with elected officials because without their buy in we wouldn't get very far. Commissioner Webb said there is a mention of savings and enhancements. He asked Dr. Childs what is an enhancement and how do you determine value based on that? Dr. Childs said under the benefit sharing plan, all payments would be based upon some documentable verifiable measure. They only accept payment for documentable verifiable improvements that have been blessed by the auditor or an independent party of the County's choice. Judge Self thanked Dr. Childs for coming in. (Time: 6:53 p.m.)

NO ACTION TAKEN

6. AI-33186 Moving a Temporary position provided by Collin County to the Department of Public Safety to the JP 1 office, Justice of the Peace, Precinct 1.

Monika Arris, Budget, came forward on behalf of Judge Raleeh since he was unable to be present. She said we have had a position in the DPS (Department of Public Safety) office for many years and she gave an explanation of the responsibilities of that position which mainly entailed entering tickets into the computer system. DPS has been working to have that information come over electronically from their system to our system. In the process of this transition, the position has turned from full-time to part-time with the idea that it will be phased out once the transition was complete. Bill Bilyeu, Administrative Services, said that data entry of tickets has only occurred for the past four years. Odyssey will go all electronic and then officers will be able to enter that data from their cars.

Judge Self asked Sgt. Hank Sibley, Senior Patrol Officer for DPS, to come forward. Sgt. Sibley introduced himself and presented the Court with his background. He wanted to make sure the Court understood that in every county he's worked in, he's either been in a county facility and had at least one county secretary. DPS doesn't provide a secretary. The secretary also serves as a receptionist for the DPS office. Data entry is a minuscule portion of her job. Sgt. Sibley noted the benefits to the county if this position is retained. If the secretary position is eliminated, he will have to cut services to the public. The door would have to be locked. Justice courts and citizens would have to call and leave a voice mail. We will lose communication between government agencies, court systems and citizens. He said if we lose the secretarial position, he will have to take a highway patrolman and put him at the desk. Judge Self asked where we are entering the tickets now. Mr. Bilyeu said the clerk from their office comes over to our office one day a week. Sgt. Sibley said when she comes over, their door is shut and locked. Commissioner Jaynes asked him to visit with Judge Raleeh and try to come up with another solution. Commissioner Shaheen said we can wait but the decision before us is do we fund this position after the data entry is no longer necessary. Sgt. Sibley again stated data entry is such a small aspect of what this person does. Commissioner Shaheen said this Court has

been hearing for a year that once integration is complete, this position would not be needed.

Judge Self said the decision for us is do we fund a receptionist for DPS. Commissioner Webb asked how long this has been going on. Mr. Bilyeu replied at least 20 years or longer. Ms. Arris noted with it being temporary, we have to switch that person out every six months. Jeff May, Auditor, looked up their fines for last year. \$631,000 was collected by JP1. All the other JP's collected \$200,000 or less, except Frisco.

Sgt. Sibley said she's an administrative assistant to ten troopers. Commissioner Shaheen was struggling with why the County pays for this position and asked if we provide administrative support any other law enforcement agencies. Mr. Bilyeu said you provide secretarial support to Ag Extension. Commissioner Williams asked if they could leave the position in place until integration occurs and then have a different discussion at that time. Commissioner Webb asked if we budget for a complete year even though it is part time. Ms. Arris said yes. A part-time position is less than \$20,000 per year. Commissioner Webb agreed with Commissioner Williams. Judge Self said every level of government is looking at spending. It won't get easier. Commissioner Webb asked Mr. May to figure out how much dollarwise tickets are written. Judge Self said this item would be held. Ms. Arris said we can add this to budget discussions (Time: 7:22 p.m.)

HELD

7. AI-33210 Adoption of the TIRZ/TIF Policy, Budget.

HELD

8. AI-33209 Adoption of the Tax Abatement Policy, Budget.

Items 7 and 8 were discussed together. Mr. Bilyeu offered background leading up to today's discussion. Commissioner Williams said she had no input into the policy that is being presented this evening. She has a number of issues with it and she cannot support it. She said she would like to see the Court work on this policy further. There are a lot of concerns expressed from the cities. Commissioner Webb said he will piggyback off of that. He also has a lot of concerns with respect to policy. He understands state law requires us to have something but he feels this is too restrictive and sends the wrong message to a lot of people. Judge Self said he has been part of all the discussions. He thinks every level of government has lost track of what they're doing in redistribution of wealth. He referred to economist Art Laffer who concludes that fiscal policies are the most important factors. Judge Self continued, he said we will grow and people will come here. He wants to tell companies in Collin County that we value you. We still value the jobs you bring and we want to leave as many tax dollars in your pocket as possible.

Commissioner Shaheen said he has a desire to have a policy in place. When he looks at other decisions made by previous Commissioners Courts as far as some of the abatements that have been granted, having a policy in place is wise and will give the cities in this area an idea of what type of action the Court might take from an abatement or a TIRZ perspective. He asked the new Commissioners if the issue was having a policy. Commissioner Webb said state law requires us to have a policy. Commissioner Williams said we have to recognize that we have very diverse interests in the county. It's difficult to come up with a very stringent policy that will address the needs each city will deal with. Businesses coming into the community reduce the taxes for individual taxpayers. Judge Self said there is no doubt that there will be a difference between the political class and emerging middle class voices. Commissioner Williams asked if anyone from the cities would like to speak.

Jeran Akers, President, Celina Chamber of Commerce and former Mayor, City of Plano, came forward to address the Court. When checking with citizens in Celina, they could not recall conversations about having endorsed this. He suggested that a policy could be had that does not tie the Court's hands to the extent that is being proposed here. Not just one or two commissioners can make the decisions; the final decision is made by all five of you.

The next speaker is Dan Johnson, Deputy City Manager, City of Richardson. We are present and tracking this important decision. He said we stand ready to be a party to this dialogue. He wants to track this and appreciates the beginning of this conversation. Mr. Johnson asked, as a new draft is created, the City of Richardson would like to have a notice to be in attendance. Mr. Johnson said companies do look and are trying to determine their cost of operations. Discussion continued between Mr. Johnson and Court members. Commissioner Jaynes said he doesn't know if this policy will make it anyway since they can't come to a consensus after two years. He thinks the best thing the county did was participate in the Frisco TIF. He thinks the district is paying for itself. It's a win-win for everybody. Commissioner Shaheen said his reference wasn't to Frisco, but was for places like Home Depot. Commissioner Jaynes asked Commissioner Williams to look over the policy and get back to the Court. She said she would be happy to. (Time: 7:47 p.m.)

HELD

9. AI-33211 Commissioners Court regular term meeting dates and time, Commissioners, Precinct 4.

Commissioner Webb led this discussion. He said having meetings on Monday mornings makes it very difficult for him to have enough opportunity to meet with staff and ask questions about items on the agenda. This morning he spent four hours meeting with the Auditor and Budget Director discussing the monthly financials. He said in order for him to do his job, he needs to be able to read the material and have an opportunity to discuss it so we don't spend hours and hours

up here doing things that are just informational in nature. He wants to understand the process. He proposed moving the meeting to a Tuesday afternoon, around 1:30; or if the consensus of the Court is to leave it at Monday, to move it to 1:30. Commissioner Shaheen felt Mondays were nice because you can spend more time in Austin during legislative session. Also you can get access to the agenda on Thursday. Commissioner Webb said he's fine with Monday afternoon. Maybe during session go to Monday afternoon and after session go to Tuesday afternoon. Judge Self said he doesn't care what day we have the meeting after session. Commissioner Jaynes agreed with 1:30 on Monday and then Tuesday after session. Commissioner Williams would prefer not to have the meeting in the morning. Commissioner Jaynes made a motion to change the meetings to 1:30 on Monday during session and meet after session on Tuesday at 1:30. (Time: 7:52 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Duncan Webb
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-081-02-07

10. AI-33242 Compensation options for the recent weather closures, County Judge.

Judge self said Mr. Bilyeu had ideas to present. Mr. Bilyeu said we're looking at paying emergency pay for Wednesday, February 2, 2011, for the whole day. For employees that came in, we will give them call-in time which gives them a minimum of two hours. (Time: 7:54 p.m.)

NO ACTION TAKEN

11. AI-33243 Board/Committee Appointments, Commissioners Court.

Commissioner Webb made a motion to reappoint Rick Crawford and Matt Duncan to the LifePath Board. Mr. Crawford's term will expire December 31, 2011, and Mr. Duncan's will expire December 31, 2012. (Time: 7:55 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

Commissioner Jaynes made a motion to reappoint Doug Kowalski and Dee Roessler to the LifePath Board. Mr. Kowalski's term will expire December 31, 2011, and Ms. Roessler's will expire December 31, 2012. (Time: 7:55 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Duncan Webb
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-082-02-07

12. Potential 82nd Legislative items, Commissioners Court:

a. AI-31816 Discussion of legislative priorities

Judge Self asked for a discussion on legislative priorities. Commissioner Williams said since most of the legislative priorities were developed before she was on the Court, she wanted an opportunity to review those and vote on those and create some type of a position paper so that it is clear what the majority position of the Court is on those legislative agenda items. Judge Self and Commissioner Jaynes said we've done that. Judge Self said it's a little late in the process. Mr. Bilyeu said a bill can be amended all the way up to the end. Commissioner Webb agreed with Commissioner Williams. Judge Self does not want to reopen the process. He said you can bring anything you want to the Court for change. We have representatives and senators that have bills in process that have already been assigned to committees. Commissioner Williams said there was never a formal position. Judge Self replied that was the process for this legislative session. Commissioner Shaheen said those items listed are the sense of this Court. Commissioner Williams said the Court has changed. Mr. Bilyeu said he added items to the legislative list based on last Court. No vote was taken but it was the Court's consensus. Discussion continued among Court members. Judge Self said to Commissioner Williams we'll take a vote on your idea. Commissioner Williams again stated she is trying to make it clear in Austin what the vote of the Court is on any particular position. Commissioner Jaynes said then let's bring them back next week and line them all up and vote up and down. Commissioner Williams said she wants it documented by a resolution to which Commissioner Jaynes replied you'll have a court order. Commissioner Jaynes made a motion to bring this item back to the next Court for further discussion and the Court agreed. (Time: 8:03 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

Executive Session, in accordance with Chapter 551 of the Government Code, to discuss the following subjects:

Legal (551.071)

AI-33136 Advice from Legal Counsel regarding the Texas Open Meetings Act, Texas Public Information Act and matters under Chapter 305 of the Texas Government Code including the Texas Open Meetings Act and the Texas Public Information Act.

This item was taken out of order. Judge Self recessed the meeting into Executive Session at 12:03 p.m. to discuss this item.

NO ACTION TAKEN

There being no further business of the Court, Judge Self adjourned the meeting at 8:04 p.m.



Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S