

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES

COUNTY OF COLLIN

JUNE 6, 2011

On Monday, June 6, 2011, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Allen City Hall, Council Chambers, 305 Century Parkway, 1st Floor, City of Allen, Texas, with the following members present, and participating, to wit:

Judge Keith Self

Precinct 1 Commissioner Matt Shaheen

Precinct 2 Commissioner Cheryl Williams

Precinct 3 Commissioner Joe Jaynes

Precinct 4 Commissioner Duncan Webb

Judge Self led the Invocation.

Commissioner Shaheen led the Pledge of Allegiance.

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

1. Judge Self thanked the City of Allen for hosting the Commissioners' Court meeting in their City Council Chambers. The Judge then called to order the meeting of the Collin County Commissioners' Court at 6:00 p.m. The meeting was recessed at 7:25 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 7:25 p.m. The meeting was adjourned at 7:25 p.m. and the Commissioners' Court meeting was reconvened.

FYI NOTIFICATION

1. AI-33678 Utilization of the Cooperative DIR IT Staff Augmentation Contract (No. DIR-SDD-1106) to acquire a Database Administrator 1 professional, Information Technology.

2. AI-33632 Budget amendment in the amount o \$34,673 to establish the project code budgets for the FY2011 LEOSE (Law Enforcement Officer Standards and Education) funds, Auditor.

2. Public Comments.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled one check on item 4a, and pulled items e2 and f1b. Judge Self stated item 4c2 would be pulled from the agenda and not discussed. Commissioner Shaheen pulled item 4h1 and Commissioner Jaynes pulled item 4a. Hearing no further comments, Commissioner Williams made a motion to approve the remainder of the consent agenda. (Time: 6:56 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

a. AI-33677 Disbursements for the period ending May 31, 2011, Auditor.

Commissioner Webb did not vote on the disbursement to the Schindler Corporation. Commissioner Jaynes did not vote on the disbursement to Mr. Gibbs, Mr. Nolte and Mr. Rose. Commissioner Williams made a motion to approve payment of the remainder of the disbursements.

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-343-06-06

Commissioner Jaynes made a motion to approve payment to Schindler Corporation. Commissioner Webb did not participate in the vote.

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed
Abstain: Commissioner Duncan Webb

COURT ORDER NO. 2011-344-06-06

Commissioner Webb made a motion to approve payment to Greg Gibbs, Mitch Nolte and Dale Rose. Commissioner Jaynes did not participate in the vote. (Time: 6:58 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed
Abstain: Commissioner Joe Jaynes

COURT ORDER NO. 2011-345-06-06

b. AI-33671 Tax refunds totaling \$165,497.59, Tax Assessor Collector.

COURT ORDER NO. 2011-346-06-06

c. Agreement(s):

1. **AI-33655** Amended and Restated Tax Abatement Agreement/Reinvestment Zone No. 111 with the City of Plano, Capital One, National Association and Capital One AutoFinance, Inc., Budget.

COURT ORDER NO. 2011-347-06-06

2. **AI-33621** Enterprise Technology pilot program for facial recognition used for threat identification and dissemination purposes offered by YHD SoftWare Designs for six (6) months with no cost associated to the County and further authorize the Purchasing Agent to finalize and execute same, Homeland Security.

PULLED

d. Amendment(s):

1. **AI-33641** No. 1 to Weather Alert Service (AGR No. 03137-11) with WeatherData Services, Inc. to make various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Homeland Security.

COURT ORDER NO. 2011-348-06-06

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

1. **AI-33481** \$2,768 to purchase four (4) Network printers, Lexmark C734DN color laser printers, Justice of the Peace, Precinct 4.

COURT ORDER NO. 2011-349-06-06

2. **AI-33585** \$135,121 to purchase equipment and software for consolidation of the SQL Database Environment, Information Technology.

Commissioner Webb asked Caren Skipworth, Information Technology, for an explanation of the plans for this funding. He wanted assurance that there is still savings in the Cisco maintenance cost reduction to pay for this. Ms. Skipworth said by way of history, four years ago the Commissioners' Court approved moving all the county software applications into an enterprise server environment so they would be consolidated to our server. That did not include databases. At that time there weren't a lot of options on the market to consolidate databases; however, there are now. Ms. Skipworth said they have requested funding as part of the budget process for the last couple years but there weren't funds available. IT's request today is to ask the court's approval to use some of the Cisco funds to purchase the software for the database consolidation. The software will also allow IT to monitor the statistics of the data growth and usage. Commissioner Webb said this will allow us to project how much data storage we will need as we move into the future. Ms. Skipworth said this will allow her to reduce her costs because she'll be able to maintain a central environment.

Following discussion, Judge Self asked Commissioner Shaheen if he was happy with this. Commissioner Shaheen said he was. Commissioner Webb made a motion to approve. (Time: 7:04 p.m.)

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

COURT ORDER NO. 2011-350-06-06

f. Receive and File, Auditor:

1. Final Audit Result(s):

a. AI-33560 Medical Examiner (3rd & 4th Quarter FY2010).

COURT ORDER NO. 2011-351-06-06

b. AI-33561 District Clerk (4th Quarter FY2010) and change of office.

Commissioner Webb said he's met with the Auditor regarding the latest audit of the District Clerk's office. Audit results for the District Clerk's office were discussed in prior courts. He doesn't feel as though significant progress has been made and he wants to know what options the court has. He wants to impress upon the District Clerk that she has to get these problems handled. Jeff May, County Auditor, said Commissioner Webb's options are limited as a commissioner because according to statute an elected official has control over their office. Commissioner Webb asked if the current elected official is responsible for actions of the former elected official. Mr. May said that was a legal question. Commissioner Williams said the former elected official had a bond and we could take action against that bond. Commissioner Webb felt the court needed to move forward on the monetary side of this to recover the shortages. There were several shortages ranging from \$1,000 to \$3,000. Judge Self said the court could alter the District Clerk's budget tonight; they did not have to wait until the new fiscal year. Commissioner Webb said if the former elected official was responsible for the shortages, he would rather go after the former elected official's bond. Bill Bilyeu, Administrative Services, came forward to explain the process of taking action against a bond. Commissioner Webb had an issue with taking money from the current elected official's budget until he knew whether she could be held responsible. Judge Self said he did not have an issue with that. Commissioner Williams wanted more information before moving forward. She wanted a message sent that the court will recover against the bond if necessary. Commissioner Jaynes asked Mr. May for a list of what is unaccounted for. Mr. May said some issues are with documentation and some is not collecting the correct fees. Commissioner Williams stated she was of the opinion that if there was a more comprehensive audit, we would find there were more monies involved. Commissioner Jaynes agreed a more comprehensive audit was needed. Mr. May said doing so would mean delaying some other

audits, but he can make that a priority. Commissioner Shaheen wants the District Clerk to come to court. Mr. May said he will return to court with a detailed plan. Commissioner Webb made a motion to accept the audit with the request that the Auditor make a complete and full audit of the second, third and fourth quarters. (Time: 7:16 p.m.)

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

COURT ORDER NO. 2011-352-06-06

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

1. **AI-33649** May 9, 2011.

COURT ORDER NO. 2011-353-06-06

2. **AI-33668** May 16, 2011.

COURT ORDER NO. 2011-354-06-06

h. Miscellaneous

1. **AI-33624** Purchase an HP 22" LCD System for the 296th District Court to replace the test unit that was a loaner from Tyler Technologies to electronically process court cases on the docket and budget amendment in the amount of \$2,500 for same, Information Technology.

Commissioner Shaheen said he was fine with this purchase but he wants to hold off on any other purchases of new technology for the District Courts or County Court at Law courts unless the Commissioners' Court receives communication from the judges saying the technology that is being purchased is actually going to be used. His concern is we've spent millions of dollars on the Odyssey application for the courts and it is not being used by all the courts. Judge Self isn't sure if he agrees with approving this purchase. Commissioner Shaheen said he agrees with this purchase because this judge has moved from a paper-based to an automated fashion over the past few months. Caren Skipworth, Information Technology, came forward to answer questions from the court on Odyssey. Commissioner Shaheen said it's up to the judge as to how he runs his courtroom. Following discussion, Commissioner Jaynes made a motion to approve. (Time: 7:25 p.m.)

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

COURT ORDER NO. 2011-355-06-06

Following the vote, Judge Self recessed the Commissioners' Court meeting and called to order the meeting of the Health Care Foundation at 7:25 p.m.

2. **AI-33661** Grant application for the "Enforcing the Underage Drinking Laws" (EUDL) Block Grant Program with the Texas Alcoholic Beverage Commission for funding in the amount of \$10,000 to cover deputy overtime and equipment and further authorize the County Sheriff to finalize and execute same, Sheriff.

COURT ORDER NO. 2011-356-06-06

3. **AI-33711** Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-357-06-06

4. **AI-33712** Personnel Changes, Human Resources.

COURT ORDER NO. 2011-358-06-06

GENERAL DISCUSSION

5. **AI-33686** Superstreet Concept by Pape-Dawson Engineers, Inc., Commissioner Pct. 2.

Commissioner Williams introduced Steve Bonnette, Senior Vice President with Pape-Dawson Engineers in San Antonio. Gilmer Gaston, also with Pape-Dawson, was in attendance as well. Mr. Bonnette and Mr. Gaston were present to explain the Superstreet Concept to the court. Superstreets are alternatives to traditional intersections. Mr. Bonnette said there's not enough money right now to do what we need to do with transportation, so we have to take what we have and manage it better. Mr. Gaston came forward with a Power Point presentation entitled "Texas' First Superstreet, 281, San Antonio". Traditional intersections allow left turns from all approaches. This provides freedom of movement but it increases delay time and congestion. Innovative intersections, such as superstreets, reduce the number of signal phases to increase operational efficiency by removing or redirecting some or all left turns. Fewer signal phases results in lower delays to drivers. Innovative designs also reduce the number of conflict points, which increases intersection safety. The idea behind the superstreet concept is to have two lanes of traffic turning right and then making a u-turn in order to make a left turn. U.S. 281 in San Antonio is Texas' first superstreet. Since implementation, they've seen a 65% reduction in a.m. peak delay and a 73% reduction in p.m. peak delay. Construction cost was \$5.2 million for a six-mile stretch of roadway but they've seen \$24.6 million in benefits per year as a result of reduced delays, reduced fuel and reduced stops. Mr. Gaston noted construction phasing and indirect pedestrian paths were a few of the potential project challenges.

Commissioner Shaheen asked Mr. Gaston if he ever looked at this concept for roads that have access lanes. Mr. Gaston replied they haven't looked at that specifically but it could require a different configuration. Mr. Gaston and Mr. Bonnette answered questions from court members. Commissioner Williams said the court has had many conversations on ways to improve mobility. She thanked them for their presentation. (Time: 6:43 p.m.)

NO ACTION TAKEN

6. AI-33682 Board/Committee Appointments, Commissioners Court.

Judge Self asked for Board/Committee appointments. There were none. (Time: 6:44 p.m.)

NO ACTION TAKEN

a. AI-33683 Designation of a voting representative to the North Central Texas Council of Governments (NCTCOG) General Assembly.

Commissioner Shaheen nominated Judge Self to be the voting representative for the COG General Assembly. (Time: 6:44 p.m.)

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

COURT ORDER NO. 2011-359-06-06

b. AI-33684 Designation of the voting delegate and alternate for the 76th Annual NACo (National Association of Counties) Conference.

Commissioner Jaynes nominated Commissioner Webb to be the voting delegate for the 76th Annual NACo Conference. (Time: 6:44 p.m.)

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

COURT ORDER NO. 2011-360-06-06

c. AI-33685 North Texas Groundwater Conservation District Board.

Judge Self stated they had a nomination from the City of Anna to appoint Mr. Philip Sanders. Commissioner Jaynes made a motion to approve. (Time: 6:44 p.m.)

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

COURT ORDER NO. 2011-361-06-06

7. AI-33727 Notice of allocation procedures for Qualified Energy Conservation Bonds, County Judge.

Judge Self stated the county received notification of an allocation of \$3.2 million. Bill Bilyeu, Administrative Services, came forward to address this item. He received a phone call from the Texas Bond Review Board. They had been empowered by the Governor to inform counties that this money was available. This allows the county the ability to issue bonds and pay them back at a low interest rate or the money can be used as a pass-through if there are private entities that meet the qualifications. This is stimulus money and is allocated nationally. Judge Self asked who sells the bonds. Mr. Bilyeu replied the federal government sells the bonds. Mr. Bilyeu answered additional questions and said today's discussion is to determine if the court has any interest. He thought it was a good idea to market it and see if there is any interest. Judge Self said a vote would not be necessary and he asked Mr. Bilyeu to market it. (Time: 6:49 p.m.)

NO ACTION TAKEN

8. RTC monthly update, Commissioner, Precinct 4.

Commissioners Webb and Williams attended last week's meeting. Commissioner Webb reported Prop 12 funding passed the House, and there will be \$3 billion of funding. There was discussion of the allocations between eastern and western entities. Commissioners Webb and Williams have contacted the RTC regarding getting numbers bumped up for Collin County due to population. As a result of the increase, other counties were zeroed out. Commissioner Webb thanked Senator Shapiro for being instrumental in getting Prop 12 funds through committee. Another topic discussed at the monthly meeting was ten-year inactive projects. He wants to keep Collin County's projects moving so funds are not pulled. He commended Ruben Delgado and the Engineering Department for keeping projects moving. (Time: 6:53 p.m.)

NO ACTION TAKEN

9. Potential 82nd Legislative items, Commissioners Court:

a. AI-31816 Discussion and any action of legislative priorities

NO ACTION TAKEN

10. AI-33710 82nd Legislature, First Special Session.

Mr. Bilyeu discussed items a and b together. He stated items 1, 3, 9 and 12 all passed the legislature. No. 3, SB 420, was signed by the governor and will be effective immediately. He's had no information from TAC (Texas Association of Counties) or CUC (Conference of Urban Counties) concerning the Special Session. Commissioner Shaheen said he would be going to Austin next Thursday. (Time: 6:54 p.m.)

NO ACTION TAKEN

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

Commissioner Webb would like to add an item involving the NTTA. He wants to meet with our representatives in closed session. (Time: 6:56 p.m.)

Supplemental Agenda Item:

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session, in accordance with Chapter 551.087 of the Government Code, Economic Development Negotiations, to discuss the following subjects at 7:26 p.m.:

Economic Development Negotiations (551.087)

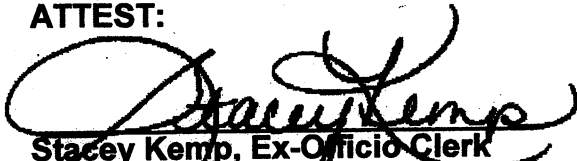
AI-33731 Discussion of an economic development opportunity with a major corporation, Commissioner, Precinct 1.

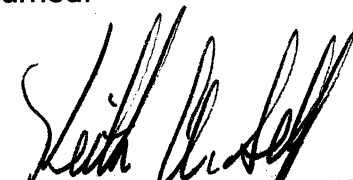
NO ACTION TAKEN

Commissioners' Court was reconvened at 7:35 p.m. There being no further business of the Court, the meeting was adjourned.

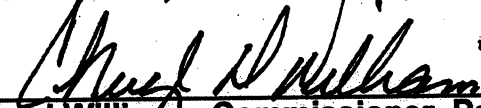


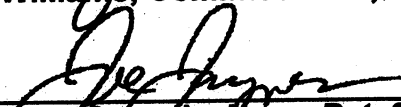
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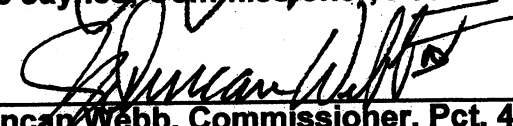

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S


Keith Self, County Judge


Matt Shaheen, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Joe Jaynes, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4