

STATE OF TEXAS  
COUNTY OF COLLIN

COMMISSIONERS' COURT  
MEETING MINUTES  
OCTOBER 10, 2011

On Monday, October 10, 2011, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Collin County Administration Building, 4<sup>th</sup> Floor, 2300 Bloomdale Road, City of McKinney, 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 called to order the meeting of the Collin County Commissioners' Court at 1:31 p.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 3:25 p.m. and adjourned the meeting at 3:26 p.m.

Judge Self reconvened the meeting of the Collin County Commissioners' Court at 3:26 p.m. and recessed into Executive Session.

Judge Self reconvened the meeting of the Collin County Commissioners' Court and adjourned the meeting at 4:03 p.m.

#### FYI NOTIFICATION

1. AI-34372 Annual Statement of the Tax Increment Finance District 1 (TIF 1) for the year ended September 30, 2011 from the City of Plano, County Judge.

2. Public Comments.

#### 3. Presentation/Recognition:

a. Service Pins for the month of October, Human Resources.

Sharon Rowe, Elections Administrator, presented a 10 year service pin to Sandy Braswell. (Time: 1:33 p.m.)

**4. Consent agenda to approve:** Judge Self asked for any comments concerning the consent agenda. Commissioner Webb pulled items d4 and d5. Hearing no further comments, Commissioner Shaheen made a motion to approve the remainder. (Time: 3:21 p.m.)

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

a. **AI-34358** Disbursements for the period ending October 4, 2011, Auditor.  
**COURT ORDER NO. 2011-791-10-10**

b. **AI-34326** Tax refunds totaling \$74,382.38, Tax Assessor Collector.  
**COURT ORDER NO. 2011-792-10-10**

**c. Award(s):**

1. **AI-34301** Services, IT: Courthouse Network Reorganization & Installation Services (RFP No. 07247-11), Information Technology.  
**COURT ORDER NO. 2011-793-10-10**

2. **AI-34314** Services, IT Tech Assistance: IPCC Enterprise CVP/IVR/VXML Studio (Audium) (RFP No. 06224-11), Information Technology.  
**COURT ORDER NO. 2011-794-10-10**

3. **AI-34214** Striping, Roads and Parking Lots (IFB No. 07236-11) to various vendors, Public Works.  
**COURT ORDER NO. 2011-795-10-10**

**d. Agreement(s):**

1. **AI-34302** Renewal of the Service Agreement with Appriss, Inc. to participate in the 2012 Statewide Automated Victim Notification Service (SAVNS) Program for the period beginning September 1, 2011 through and including August 31, 2012 in the amount of \$30,710 and further authorize the County Judge to finalize and execute the agreement, Auditor.  
**COURT ORDER NO. 2011-796-10-10**

2. **AI-34290** Agreement with the Texas Coalition for Animal Protection (TCAP) to provide space to hold monthly, low-cost spay and neuter clinics at the Collin County Animal Shelter and further authorize the County Judge to finalize and execute same, Development Services.  
**COURT ORDER NO. 2011-797-10-10**

3. **AI-34321** Interlocal Agreement with the City of Allen (Agreement No. 06215-11) for Jail Services through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

**COURT ORDER NO. 2011-798-10-10**

4. **AI-34362** Personal Services Agreement with James White (Agreement No. 09321 11) for park maintenance at Parkhill Prairie Preserve through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

**HELD**

5. **AI-34349** Personal Services Agreement with Jody Howard (Agreement No. 09322 11) for park maintenance at Sister Grove Park through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

Commissioner Webb discussed items d4 and d5 together.

Commissioner Webb said he is concerned about a provision in the contract regarding contractors providing their own workers' compensation insurance. He spoke to Purchasing about putting in a provision that each of the contractors will provide health insurance. Judge Self asked about the chances they would have health insurance. Bill Bilyeu, County Administrator, said he doubts they would. This item was held for further clarification.

(Time: 3:25 p.m.)

**HELD**

6. **AI-34350** Personal Services Agreement with Nathan McTee (Agreement No. 09319 11) for Parkhill Prairie to cultivate 150 acres, distribute river rock along the main park drive as well as general maintenance tasks as requested through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

**COURT ORDER NO. 2011-799-10-10**

**e. Amendment(s):**

1. **AI-34337** No. 1 to the Lease of State of Texas Registration and Title System (RTS) Information Resources and Support Agreement for use of the State of Texas Automation Equipment for one additional location (Boardwalk Transportation North, LLC DBA McKinney Volkswagen) for dealers and subcontractors providing registration services and further authorize the County Judge to finalize and execute same, Tax Assessor Collector.

**COURT ORDER NO. 2011-800-10-10**

2. **AI-34335** No. 4 to the Interlocal Agreement for Animal Control Services with the City of Anna to extend the contract for one (1) year through and including September 30, 2012. Payment will be made in quarterly installments for an annual amount of \$30,497, further authorize the Purchasing Agent to finalize and execute same, Development Services.

**COURT ORDER NO. 2011-801-10-10**

3. **AI-34360** No. 4 to Interlocal Agreement for Environmental Services with the City of Anna to extend the contract for one (1) year through and including September 30, 2012. Payment will be made in equal quarterly installments for an annual amount of \$6,656 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

**COURT ORDER NO. 2011-802-10-10**

4. **AI-34336** No. 5 to Interlocal Agreement for the Facility Construction and use of Animal Shelter Services with the City of Anna to set the rate for FY2012 and extend the contract for one (1) year through and including September 30, 2012. Payment will be made in quarterly installments for an annual amount of \$20,841, further authorize the Purchasing Agent to finalize and execute same, Development Services.

**COURT ORDER NO. 2011-803-10-10**

5. **AI-33904** No. 6 to Interlocal Agreement for participation in the County Monthly Clean Up Program (AGR No. 12171-08) with the North Texas Municipal Water District to extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

**COURT ORDER NO. 2011-804-10-10**

6. **AI-34318** No. 7 to the Jail Services Agreement with the City of Farmersville (Agreement No. 12130-08) to make various changes to the contract, extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

**COURT ORDER NO. 2011-805-10-10**

7. **AI-34344** No. 7 to the Jail Services Agreement with the City of Parker (Agreement No. 12137-08) to make various changes to the contract, extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

**COURT ORDER NO. 2011-806-10-10**

8. **Amendment(s) to the Jail Services Agreement to extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Sheriff:**

a. **AI-34348** No. 4 with the Town of St. Paul (Agreement No. 12145-08).

**COURT ORDER NO. 2011-807-10-10**

- b. **AI-34323** No. 5 with the City of Anna (Agreement No. 12104-08).  
**COURT ORDER NO. 2011-808-10-10**
- c. **AI-34322** No. 6 with the CCCC District Police Department (Agreement No. 1214108).  
**COURT ORDER NO. 2011-809-10-10**
- d. **AI-34328** No. 6 with Dallas Area Rapid Transit (DART) (Agreement No. 12142-08).  
**COURT ORDER NO. 2011-810-10-10**
- e. **AI-34332** No. 6 with the City of Josephine (Agreement No. 12131-08).  
**COURT ORDER NO. 2011-811-10-10**
- f. **AI-34334** No. 6 with the City of Lucas (Agreement No. 12133-08).  
**COURT ORDER NO. 2011-812-10-10**
- g. **AI-34342** No. 6 with the City of Murphy (Agreement No. 12136-08).  
**COURT ORDER NO. 2011-813-10-10**
- h. **AI-34327** No. 7 with the City of Celina (Agreement No. 12128-08).  
**COURT ORDER NO. 2011-814-10-10**
- i. **AI-34331** No. 7 with the Town of Fairview (Agreement No. 12129-08).  
**COURT ORDER NO. 2011-815-10-10**
- j. **AI-34333** No. 7 with the City of Lavon (Agreement No. 12132-08).  
**COURT ORDER NO. 2011-816-10-10**
- k. **AI-34339** No. 7 with the City of McKinney (Agreement No. 12134-08).  
**COURT ORDER NO. 2011-817-10-10**
- l. **AI-34340** No. 7 with the City of Melissa (Agreement No. 12135-08).  
**COURT ORDER NO. 2011-818-10-10**
- m. **AI-34347** No. 7 with the City of Princeton (Agreement No. 12138-08).  
**COURT ORDER NO. 2011-819-10-10**
- n. **AI-34317** No. 7 with the Town of Prosper (Agreement No. 12139-08).  
**COURT ORDER NO. 2011-820-10-10**

**f. Ratification of the County Judge's prior approval:**

1. **AI-34220** Automatic renewal of the Title IV-E Child Welfare Services Contract with the Texas Department of Family and Protective Services for reimbursement of foster care maintenance for the FY2012 CPS cases through and including August 31, 2012, Auditor.

**COURT ORDER NO. 2011-821-10-10**

2. **AI-34222** Automatic renewal of the Title IV-E County Legal Services Contract with the Texas Department of Family and Protective Services for reimbursement of foster care maintenance for the FY2012 CPS cases through and including August 31, 2012, Auditor.

**COURT ORDER NO. 2011-822-10-10**

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

1. **AI-34343** \$11,000 for Design Services for County Road 382 at Rush Creek (Bond Project No. 03-082), Special Projects.

**COURT ORDER NO. 2011-823-10-10**

2. **AI-34341** \$460,000 for the acquisition of Right-of-Way for County Road 170 (Bond Project No. 07-100), Special Projects.

**COURT ORDER NO. 2011-824-10-10**

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

1. **AI-34352** September 19, 2011.

**COURT ORDER NO. 2011-825-10-10**

**i. Miscellaneous**

1. **AI-34397** Amendment to the FY2012 Fee Schedule limiting the collection of the Juvenile Case Manager Fee, Administrative Services.

**COURT ORDER NO. 2011-826-10-10**

2. **AI-34357** Decrease the per vehicle rate for the Collin County Clean Up Program to \$14.78 beginning October 1, 2011 through and including September 30, 2012, Public Works.

**COURT ORDER NO. 2011-827-10-10**

3. **AI-34363** 2011 Tax Roll, Tax Assessor Collector.

**COURT ORDER NO. 2011-828-10-10**

4. **AI-34374** Personnel Changes, Human Resources.

**COURT ORDER NO. 2011-829-10-10**

## **GENERAL DISCUSSION**

### **Presentation, discussion and any action regarding:**

#### **5. AI-34369 Tax Abatement and 381 Agreements, Administrative Services.**

James Shepherd, Shepherd Law Firm, gave a presentation regarding the Collin County Tax Abatement Program which showed the differences between Tax Code Chapter 312 and Local Government Code Chapter 381. Mr. Shepherd stated he feels Chapter 381 would be the easiest and least procedural option. Chapter 381 is usually referred to as a grant program but it can be compared as an abatement program. Under Chapter 381, the program can be specific to each applicant or it can be issued as a blanket program. Mr. Shepherd presented a list of requirements for Chapter 312 that Chapter 381 does not require. In Chapter 381 Mr. Shepherd recommended the agreement requirements includes providing for recapture in the event of default, the applicant's annual certification of compliance, to cancel or modify in the event of default and written agreements required with a municipality. The Court discussed the options for agreements with municipalities and the limitations on certain businesses. Mr. Shepherd stated Commissioner Webb made revisions on the Chapter 381 policy for review.

Commissioner Williams asked if administrative costs would be shared between the members. Bill Bilyeu, County Administrator, said yes. Under Chapter 312 there would be cost to the Central Appraisal District (CAD) that would not be present under Chapter 381. He said there would be more staffing costs involved if the Chapter 312 option was chosen rather than Chapter 381 due to cities' involvement. He stated they would try the first year without adding staff and would use the Commissioners' Court clerical staff for that time.

Mr. Bilyeu said there would be approximately 700 to 800 new vendors coming into the system per year and this would not be a burden on the Auditor's office.

Judge Self suggested adding the cities' input and excluding tax increment financing (TIF) and tax increment reinvestment zones (TIRZ).

There was discussion regarding creating a list of businesses that would be excluded from the tax abatement program.

Commissioner Shaheen said he would like a requirement of five full-time employee equivalents. There was Court discussion regarding how to track employees such as obtaining an employment report from the Texas Workforce. The Court discussed threshold options and amounts.

Mr. Bilyeu presented a timeline saying the Court should have feedback from the cities and everything in place before January 1, 2012. The new policy should become

effective January 1, 2012, with a deadline of December 10, 2011. If a business opens their doors before January 1, 2012, they are not eligible for the program. (Time: 2:41 p.m.)

**NO ACTION TAKEN**

**6. AI-34375 Collin County Tax Abatement Policy, Administrative Services.**

Mr. Bilyeu discussed the major changes for the tax abatement policy. The biggest change would be the threshold. The second part is the addition of information from the cities showing the business meets the requirements for the abatement. Judge Self said the policy is too general. Commissioner Williams said this is a Chapter 312 program where the cities are in control that was created by the legislature where the counties are just tagging along. Mr. Shepherd said in speaking with the cities, they expect there to be discretion and something should be in place to say where and when a business goes into place.

There was Court discussion concerning a threshold amount and the benefits of the program for larger companies and smaller companies.

Language needs to be added to address a minimum amount with a caveat that they are able to go above that amount and monitor documentation. (Time: 3:10 p.m.)

**NO ACTION TAKEN**

**7. AI-34380 Impact of Bike Path mandatory requirements, County Judge.**

Ruben Delgado, Engineering Services, said they met with TxDOT Engineering Director, John Barton regarding mandatory federal guidelines for bike paths. He said there would be one extra foot added to each side of the road. Mr. Delgado calculated there are approximately 45 miles of TxDOT roads these guidelines would affect. Any future Farm to Market roads or state highways will have a bike path incorporated as well as roads that undergo renovation. (Time: 3:18 p.m.)

**NO ACTION TAKEN**

**8. AI-34379 Resignation of the County Court at Law No. 2 Judge, Administrative Services.**

Mr. Bilyeu said Judge Jerry Lewis will be resigning October 31, 2011. He said if the Court appoints someone to fill the position they will stay in that position until November 2012. If the Court chooses to use a visiting Judge they will save money due to not having to provide benefits. Commissioner Jaynes made a motion to approve using a visiting Judge. (Time: 3:20 p.m.)

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

**COURT ORDER NO. 2011-830-10-10**



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

Commissioner Jaynes suggested a discussion about TIRZ policies. (Time: 3:25 p.m.)

**EXECUTIVE SESSION**

Judge Self recessed into Executive Session at 3:26 p.m.

**Personnel (551.074)**

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

**AI-34370** Elections Administrator, Elections.

**NO ACTION TAKEN**

There being no further business of the Court Judge Self adjourned the meeting at 4:03 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, TEXAS