

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
FEBRUARY 6, 2012

On Monday, February 6, 2012, 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:

Judge Keith Self
Commissioner Matt Shaheen, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Joe Jaynes, Precinct 3
Commissioner Duncan Webb, Precinct 4

Commissioner Webb 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 1:30 p.m. and recessed into the meeting of Collin County Health Care Foundation at 2:11 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:11 p.m. and adjourned the meeting at 2:11 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:11 p.m. and adjourned the meeting at 2:17 p.m.

Judge Self reconvened the meeting of the Collin County Commissioners' Court to adjourn 2:41 p.m.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda items, Commissioners Court.

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

a. AI-34761 \$68,931 to establish the budget for the FY2012 Risk Based Funding (RBF) Grant.

b. **AI-34789** \$265,000 to establish the budget for the SCAAP (State Criminal Alien Assistance Program) fund.

Commissioner Webb had questions regarding the funds received and the amount of the budget amendment; he asked what happens to the differential. Sheriff Terry Box came forward in response. Sheriff Box explained that these funds can only be used for detention. He is asking for the establishment of a budget so he can pay for overtime per last year's agreement with the Court. Sheriff Box was not aware that there were funds left over; however, any additional funds are most likely invested. Jeff May, County Auditor, confirmed this saying the money is placed in a separate fund and stays there until it is used for this purpose. Commissioner Webb asked for clarification that this money not like a typical grant; if you don't use it, it will be taken back. Mr. May confirmed that these funds will not be taken away; they will stay in the account until they are needed. (Time: 1:39 p.m.)

c. **AI-34747** \$350,650 for additional available grant funds which will be used to fund the Election Supply Carriers that will store, secure and transport voting machines and supplies to and from the polling places.

2. Public Comments. Judge Self informed the court that he had received one blue card for public comment. Roy Serpa, Fairview, came forward with his comments. Over the past year, Mr. Serpa wrote several letters to the editor of the Dallas Morning News (DMN) asking why there was not more information about Collin County in the publication. Mr. Serpa was angry because the last two articles published did not correctly relate to Collin County. The article included information about the Dallas/Fort Worth Metroplex, what was going on in Las Vegas and then pictures of Collin County. Mr. Serpa thinks it is obvious that the DMN is unaware of the progress being made in Collin County. The information was not positive; it was critical and very misleading. As a resident of Collin County, Mr. Serpa wanted the Court to know how upset he is and stated he would write a letter to the editor. (Time: 1:34 p.m.)

3. Presentation/Recognition:

a. **AI-34773** Proclamation honoring Carole Coffey for her service on the Child Protective Services Board, Commissioner, Precinct 1.

Commissioner Matt Shaheen presented a posthumous proclamation in honor of Carole Coffey in recognition of her dedicated service to the Collin County Child Protective Services Board. Ms. Coffey was first appointed to the Board in 1998 by Commissioner Phyllis Cole. She made a significant impact on children through her work on the Board and was a blessing to the County. Commissioner Shaheen gave condolences to Ms. Coffey's family and thanked her family for her service. (Time: 1:36 p.m.)

4. Consent agenda to approve: Judge Self asked for any comments on the consent agenda. Commissioner Webb requested items FYI 2b, 4c1, 4g4, 4j5 and one disbursement to Rentacrate on item 4a; Commissioner Jaynes requested item 4j6 and Commissioner Shaheen requested item 4g2 be pulled for discussion. There being no further comments, a motion was made to approve the remainder of the consent agenda to include all disbursements with the exception of Rentacrate. (Time: 1:37 p.m.)

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

a. AI-34806 Disbursements for the period ending January 31, 2012, Auditor.

Commissioner Webb pulled the disbursement to Rentacrate from the list to obtain additional information. He wanted to know how much was being spent on the item and whether it was a monthly, bi-monthly or quarterly amount. Commissioner Webb expressed concerns about renting storage because a large amount of money can be spent very quickly. He also questioned when the county would be able to stop spending money on renting the storage crates. Andrea Stroh Thompson, District Clerk, came forward. Ms. Thompson informed the court that her staff has returned some of the crates and are working to return more. Some of the files currently being stored in the crates cannot fit in the mobile shelving until they can move the older closed files to make room; there is no available storage where they can move the closed files. Until additional mobile shelving units can be built, they will have to rely on the rented storage. Ms. Thompson plans on having the shelving units on the next Commissioners' Court so the process can be started. She is highly motivated to complete the project as quickly as possible. Commissioner Webb replied that he realizes this situation was not the fault of Ms. Thompson; however, he wants to end the expenditure as soon as possible. A motion was made to approve the disbursement to Rentacrate. (Time: 1:42 p.m.)

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

COURT ORDER NO. 2012-068-02-06

b. AI-34790 Tax refunds totaling \$2,054,876.73, Tax Assessor Collector.

COURT ORDER NO. 2012-069-02-06

c. Award(s):

1. AI-34781 Induction Light Kits for Wall Pack and Pole Mounted Lights (IFB No. 09313-11) to FSG-Lighting and Rexel Electrical, Facilities.

Commissioner Webb questioned the award because the back up documentation does not support the cover sheet which indicates FSG is the lowest bid. Commissioner Webb informed the court that he received information as to why the documentation did not match and requested that Purchasing include an explanation when the lowest bid is not selected. A motion was made to approve the award. (Time: 1:43 p.m.)

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

COURT ORDER NO. 2012-070-02-06

d. Agreement(s):

1. **AI-34814** Interlocal Agreement to piggyback the City of Grapevine's contracts for the purchase of various goods and services per Texas Government Code 791.001–791.029; which provides for cooperation between local governmental bodies and further authorize the County Judge to finalize and execute same, Purchasing.

COURT ORDER NO. 2012-071-02-06

2. **AI-34783** Engineering Services Agreement (AGR No. 01128-12) with Brinkley and Barfield, Inc. for the design of a drainage structure on CR132 at Long Branch, budget amendment in the amount of \$49,200 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2012-072-02-06

3. **AI-34786** Engineering Services Agreement (AGR No. 01129-12) with Dannenbaum Engineering Corporation for the design of a drainage structure on CR419 over a branch of Sister Grove Creek, budget amendment in the amount of \$52,452 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2012-073-02-06

4. **AI-34788** Engineering Services Agreement (AGR No. 01130-12) with Charles Gojer & Associates, Inc. for the design of a drainage structure on CR601 over Tom Bean Creek, budget amendment in the amount of \$41,590 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2012-074-02-06

e. Amendment(s):

1. **AI-34614** No. 2 to Engineering Services for Roads–Improvements to FM 455 from US 75 to .75 Miles East of SH 5 (AGR No. 12273-09) with Dannenbaum Engineering to amend ROW and Parcel Maps per TxDOT's request, budget amendment in the amount of \$15,389 and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2012-075-02-06

f. Change Order(s):

1. **AI-34776** No. 2 to Services, Mowing (IFB No. 07723-09) with DFW Group, Inc. to extend the contract for one (1) year through and including September 30, 2012, further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-076-02-06

2. **AI-34782** No. 3 to Services, Maintenance: Plumbing Contractor (IFB No. 03489-09) with Plumb Right Services, Inc. to add line items pricing to reflect repair or replacement of broken and/or irreparable backflows, further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2012-077-02-06

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

1. **AI-34780** \$134 to purchase an iPhone with voice/data service for the District Clerk Chief Deputy, District Clerk.

COURT ORDER NO. 2012-078-02-06

2. **AI-34811** \$500 to establish a budget for Animal Care, Development Services.

Commissioner Shaheen wanted to clarify that recent emails indicating the shelter was an unclean, poor environment for animals were misleading and not true. He pulled this item which is for a donation of dog beds to express concerns that it could place additional work on the staff. Commissioner Shaheen asked that a member of Animal Services come back to the court in a month to evaluate the beds and give the Court an update on the benefit. Commissioner Williams gave comments that the beds were a shelter standard used nationwide and should reduce staff time in cleaning and maintenance. Laundry should no longer be an issue because the beds can be sanitized much like the floors. Judge Self commented that \$500 does not seem to be enough money to purchase beds for Collin County's shelter and asked about the county's intent.

Bill Bilyeu, County Administrator, came forward saying the county will use the donation as a test for one group of the dogs to see if the beds will be a benefit or if they will incur long term costs. The Court could decide whether they would fund beds in the future or continue to accept volunteer donations. Commissioner Shaheen reiterated his apprehension on the subject and will not agree with using tax payer dollars to fund the beds. Judge Self agreed to vote for the item if future programs are donated. Commissioner Shaheen made a motion to include in the analysis of the program that the beds be donated and not use tax payer money. The motion died for lack of a second. A motion was made to accept the donation. (Time: 1:48 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Joe Jaynes
Vote: 4 – 1 Passed
Nay: Judge Keith Self

COURT ORDER NO. 2012-079-02-06

3. **AI-34810** \$6,106.21 to establish a budget for Spay/Neuter Program, Development Services.

COURT ORDER NO. 2012-080-02-06

4. **AI-34813** \$6,781 to add Geotech Testing to the Myer's Park Pump Station and Ground Storage Tank Project, Construction & Projects.

Commissioner Webb pulled this item to request that anytime a capital expenditure comes before the Court that a preliminary budget is presented that outlines all the hard costs as well as all soft costs. Commissioner Webb's concern is that a project could be approved at a specified amount and then additional costs will occur that will have to be accepted. If all possible costs are known up front, it could change the Court's vote on the project. Moving forward, the Court should receive an overall project estimate which includes all projected costs. A motion was made to approve the item as submitted. (Time: 1:50 p.m.)

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

COURT ORDER NO. 2012-081-02-06

5. **AI-34803** \$11,424 to purchase security cameras for County offices located at 920 East Park Boulevard, Plano, Texas, Homeland Security.

COURT ORDER NO. 2012-082-02-06

h. Receive and File, Auditor:

1. Final Audit Result(s):

- a. **AI-34751** Fire Marshal (2nd, 3rd & 4th Quarter FY2011).

COURT ORDER NO. 2012-083-02-06

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

1. **AI-34770** January 9, 2012.

COURT ORDER NO. 2012-084-02-06

j. Miscellaneous

1. **AI-34805** Adoption of the amended 50/3 Chapter 381 Program to update the city preference list to include the City of Lucas, Administrative Services.

COURT ORDER NO. 2012-085-02-06

2. **AI-34743** Order, Release of Easement & Quitclaim Deed for Joel Moore property described as Tract III in "Dedication of Roadway to the Public," dated December 13, 1978, Volume 1152, Page 534, Deed Records, Collin County, Texas, Administrative Services.

COURT ORDER NO. 2012-086-02-06

3. **AI-34779** Amend the FY2012 Fee Schedule for the District Clerk's Office to amend the fee for Mail Service of Process for Expedited Foreclosures, District Clerk.

COURT ORDER NO. 2012-087-02-06

4. **AI-34765** Re-designation of the addressed rural section of N. State Highway 5 South of Anna as S. Powell Parkway, with one address update to maintain 9-1-1 addressing consistency with properties annexed by the City of Anna, GIS/Rural Addressing.

COURT ORDER NO. 2012-088-02-06

5. **AI-34253** Purchase 38 MDC's (Mobile Data Computers) for the Constable's and Sheriff's office and budget amendment in the amount of \$369,428 for same, Information Technology.

Commissioner Webb pulled this item for discussion to ensure the participation of the Constables since this is such a large sum of money. He expressed concerns over the county spending the funds on this project only to have the equipment go unused. Commissioner Williams asked if the current equipment could be removed and replaced with the new equipment.

Caren Skipworth, Information Technology (IT), responded saying yes, they could remove the current equipment. Ms. Skipworth then informed the Court that she had a correction to the original quote. The number of units needed has been reduced to a total of 32 and includes all remaining Constable's Offices equaling an approximate reduction of \$59,733.

Commissioner Williams moved to approve with the understanding that all would be updated. Ms. Skipworth informed the Court that the only office with hesitation was Constable, Precinct 2. The Commissioner reiterated her motion that the Court would approve and that all will be changed. Judge Self asked if the units were compatible with the Sheriff's Office; Ms. Skipworth confirmed they are the same for both the Constable's and Sheriff's Offices. Commissioner Shaheen asked Ms. Skipworth to inform the listening audience why these units were so important in relation to Odyssey. Ms. Skipworth explained that when the county started the Odyssey project, the initiative for the law enforcement side was to provide mobility; the funds for this equipment will be paid from the CIJS (Common Integrated Justice System) funding. The new units will provide the ability for electronic signatures which will enable the reduction of paper usage and place Odyssey in the field. In addition, TLETS will also be available for Officers in the field. When serving warrants, there will no longer be a need to get a paper document; the officer can pull the electronic document while in the field and then capture a signature electronically.

Commissioner Jaynes asked to hear the concerns of Precinct 2 Constable Joe Barton. Constable Barton addressed the Court to say his office did not request the new units and does not see the need for them. There is not a need to have a computer route out their daily work schedule; they are not having any trouble at the present time in that area. Constable Barton said he would not be as opposed to the idea if they could keep their desk top units. Commissioner Williams replied that the laptops would also have docking stations so they could go from the car to the office; there was no need for two units. After a brief discussion, a motion was made to approve 32 units with the understanding that they be used in place of the current desktop units to include the entirety of the Constables offices. (Time: 1:56 p.m.)

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

COURT ORDER NO. 2012-089-02-06

6. **AI-34807** Partial road closure (right lanes) of County Roads 132, 134, 135, 138, 176, 177, 178 and 179 on March 11, 2012 to facilitate the Texas High School Cycling League (THSCL) bicycle race, Public Works.

Commissioner Jaynes asked what specifically the county would be doing to inform residents of the road closures. Jon Kleinheksel, Public Works, approached saying a letter is sent to each address and sign boards are installed before the race. A motion was made to approve the partial road closures. (Time: 1:58 p.m.)

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

COURT ORDER NO. 2012-090-02-06

7. **AI-34762** Deposit the net proceeds totaling \$302,783 from the Collin County On-Line Auction held on December 14, 2011 per Local Government Code 263.156, Purchasing.

COURT ORDER NO. 2012-091-02-06

8. **AI-34817** Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-092-02-06

9. **AI-34818** Personnel Changes, Human Resources.

COURT ORDER NO. 2012-093-02-06

GENERAL DISCUSSION

5. **AI-34777** Phase 3 Recommendations from the UNT Mental Health Study, County Judge.

Judge Self informed the Court that in the time since this item was placed on the agenda, the state has begun to take another look at mental health funding. Bill Bilyeu, County Administrator, came forward with additional information. They are awaiting an opinion from a State Court in Austin regarding individuals being held for criminal purposes and being placed in a state hospital. There is a concern that some of the people being held for civil commitments could be placed in local hospitals which could bring the costs of care back to the counties. The UNT study recommended that Collin County create a plan for managing mental health care. Mr. Bilyeu suggested Dallas County Behavioral Health Leadership Team (BHLT). The county would also need a qualified organization that wants to take the lead in such a project. Considerations include what services will be provided and what plan should be put together.

The Court would need a qualified individual who was competent and focused on running the program. Eventually the county would start to see a backup of patients. A brief discussion followed. Judge Self recommended the Court wait to hear how the State Court rules before they make any decisions. (Time: 2:00 p.m.)

NO ACTION TAKEN

6. AI-34714 2012 Primary Election Calendar, Administrative Services.

Bill Bilyeu came forward to say if a decision is not made on the redistricting boundaries this week, the April 3, 2012 primary date will not stand. Because all parties involved in the decision were not included, the consensus is that a decision will not be made this week; therefore, the primary date will be scheduled in late April or more likely May or June. Collin County should not see the impact that other counties will see due to the effort of the Commissioners' Court in getting the cities and school districts to reschedule their elections. A brief discussion followed. (Time: 2:06 p.m.)

NO ACTION TAKEN

7. Board/Committee Appointments, Commissioners Court:

a. AI-34809 Historical Commission, Commissioner, Precinct 1.

Commissioner Shaheen re-appointed Carole Lowe to the Historical Commission.
(Time: 2:07 p.m.)

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

COURT ORDER NO. 2012-094-02-06

8. AI-34804 83rd Legislative Agenda for 2013, Commissioners Court.

Judge Self asked for any discussion on the draft of the Legislative Agenda for 2013. Commissioner Jaynes recommended adding something concerning the drought and water usage. Discussion included agenda items 1-regarding paperless court records, 6-regarding amendments to the Transportation Code and 3-Consistency of jail standards between county and state facilities. (Time: 2:09 p.m.)

NO ACTION TAKEN

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

Commissioner Webb requested an analysis on indigent defense for capital murder and a report on Personal Time Off (PTO).

Commissioner Jaynes asked that TxDOT address the Court with an update on the US 75 project.

Judge Self requested a discussion be placed on the next court agenda regarding comments from organizations such as NTCOG. (Time: 2:10 p.m.)

EXECUTIVE SESSION

Judge Self recessed the Court into Executive Session at 2:17 p.m. in accordance with Chapter 551 of the Government Code, to discuss the following subjects:

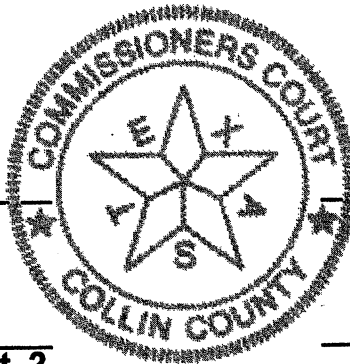
Legal (551.071)

AI-34713 Advice from legal counsel regarding the creation of the Lakehaven Municipal Utility District (MUD) of Collin County, Administrative Services.

NO ACTION TAKEN

Judge Self reconvened the meeting of the Commissioners' Court at 2:41 p.m. There being no further business of the Court, Judge Self adjourned the meeting at 2:41 p.m.

Keith Self, County Judge



Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3
ATTEST:

Duncan Webb, Commissioner, Pct. 4

Stacy Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, TEXAS