

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
FEBRUARY 20, 2012

COUNTY OF COLLIN

On Monday, February 20, 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 Shaheen led the Invocation.
Commissioner Williams led the Pledge of Allegiance.
Commissioner Jaynes 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 the meeting at 2:18 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:18 p.m. and adjourned the meeting at 2:18 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:18 p.m. and adjourned the meeting at 2:18 p.m. The meeting of the Collin County Commissioners' Court was reconvened.

FYI NOTIFICATION

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

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

3. Change Order(s):

a. AI-34852 No. 22 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to add Pricing Change Order No. 186 R1 to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

b. **AI-34856** No. 23 to Construction, Building: Collin County Courthouse Addition (IFB No.11067-10) with Turner Construction Company to add various Pricing Change Orders to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

4. **AI-34842** Utilization of the TXMAS contract (Contract No. 5-36010) to purchase a high volume mailing system for the Support Services department from Neopost, Budget.

Commissioner Webb noted the County is about to spend \$33,000 for a postage machine. He had a question about increased maintenance costs. In the last 3 1/2 years the maintenance costs have exceeded the cost of buying a new machine. In 2007 the County paid \$15,000 for maintenance of a postage machine, which does not include postage. The Commissioner wanted to know if the County gets maintenance agreements on these machines. Monika Arris, Budget, replied yes, and the agreements have an increase that goes in every year. Commissioner Webb wanted to look into how this works. Commissioner Shaheen said there are companies that do this as a service so we wouldn't have to have employees and capital expenditures. He asked if it would make sense to use an outside company. Bill Bilyeu, Administrative Services, said we can look into it. Tax statements are handled that way. Commissioner Shaheen would like to see if an outside entity could save the County money. (Time: 2:16 p.m.)

5. **AI-34835** Utilization of the TIPS/TAPS cooperative contract (No. 1072309) to purchase Judges Session Equipment in the amount of \$31,360.60 for 20 HP units from CompuQuick, Inc., Information Technology.

6. **AI-34836** Utilization of the TXMAS cooperative contract (Contract No. 4-70080) to purchase equipment from Sirius Computer Solutions for the Infrastructure Growth Project, Information Technology.

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

a. **AI-34830** \$17,100 to establish the budget for the 2009 Urban Area Security Initiative (UASI) Grant Program for the regional suspicious activity reporting project.

b. **AI-34838** \$23,042 for the FY2012 Public Health Emergency Preparedness Grant to transfer funds to appropriate project codes.

c. **AI-34848** \$29,000 to establish the budget for the 2009 Urban Area Security Initiative (UASI) Grant Program for the regional multi-agency data sharing and intelligence fusion project.

8. **AI-34858** Budget amendment(s)/adjustment(s) totaling \$1,014,293 (over \$5,000 per c/o 2005-589-08-01), Budget.

2. Public Comments. Public comments were heard under General Discussion.

4. **Consent agenda to approve:** Judge Self deleted items 4g3, 4h3 and 4h5 from the agenda. Commissioner Shaheen pulled item 4h1 and Commissioner Webb pulled FYI 4, and 4f1 for discussion. Commissioner Williams noted 4h1 was requested to be pulled by the District Clerk. Commissioner Webb made a motion to approve the remainder of the consent agenda. (Time: 2:12 p.m.)

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

a. **AI-34892** Disbursements for the period ending February 14, 2012, Auditor.
COURT ORDER NO. 2012-110-02-20

b. **AI-34847** Tax refunds totaling \$1,576,317.33, Tax Assessor Collector.
COURT ORDER NO. 2012-111-02-20

c. **Advertisement(s):**

1. **AI-34784** Construction, Bridge: County Road 408 over Ticky Creek (2 Structures) (IFB No. 01115-12), Special Projects.
COURT ORDER NO. 2012-112-02-20

d. **Award(s):**

1. **AI-34871** Fuels (IFB No. 01113-12) to Martin Eagle Oil Co., Inc., Public Works.
COURT ORDER NO. 2012-113-02-20

e. **Agreement(s):**

1. **AI-34840** Interlocal Agreement with the City of Frisco for funding through the 2nd Series - 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG26) for the design of Taychas Trail, Phase 2 and further authorize the County Judge to finalize and execute same, Special Projects.
COURT ORDER NO. 2012-114-02-20

f. Amendment(s):

1. **AI-34857** No. 1 to the Lease of State of Texas Registration and Title System (RTS) Information Resources and Support Agreement for the use of the State of Texas Automation Equipment for one additional location (Brandon Tomes Subaru) for dealers and subcontractors providing registration services and further authorize the County Judge to finalize and execute same, Tax Assessor Collector.

Commissioner Webb noticed in the memo from the Tax Collector that TxDOT wants someone to be responsible for collection of the fund and liability for loss of the equipment. He asked if the amount of the bond is equal to the cost of the equipment. He also asked if the subcontractor had a contractual liability if they lose the machine since the County is responsible for the machine to the State.

The Commissioner wanted to hold this item until the Court heard from Mr. Maun. (Time: 2:17 p.m.)

HELD

g. Change Order(s):

1. **AI-34834** No. 2 to Equipment: Law Enforcement, Electroshock Weapon (IFB No. 08358-10) with GT Distributors, Inc. for a price decrease to various line items and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2012-115-02-20

2. **AI-34866** No. 24 to Construction: Collin County Courthouse Addition (IFB No. 11067-0) with Turner Construction Company to add various items to the contract and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2012-116-02-20

3. **AI-34861** No. 25 to Construction: Collin County Courthouse Addition (IFB No. 11067-0) with Turner Construction Company for a credit in the amount of \$51,506 and further authorize the Purchasing Agent to finalize and execute same, Construction and projects.

HELD

h. Miscellaneous

1. AI-34872 Purchase of two (2) mobile storage units, District Clerk.

Commissioner Shaheen said this agenda item has two pieces to it. One is to combine the purchase of these two mobile storage units with what the County Clerk is purchasing and the second is funding. Monika Arris, Budget, and Andrea Stroh Thompson, District Clerk, came forward. Ms. Arris said this item was pulled because they are in the process of getting pricing. When they have the dollar amount, the item will come back to Court for a discussion on funding. (Time: 2:17 p.m.)

PULLED

Following the discussion on item 4h1, Judge Self recessed the meeting of the Commissioners' Court and called to order the meeting of the Collin County Health Care Foundation at 2:18 p.m.

2. AI-34824 Grant application for the FY2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, addendum and resolution to secure funding for various equipment for the Collin County Medical Examiner's office and further authorize the County Judge to finalize and execute same, Medical Examiner.

COURT ORDER NO. 2012-117-02-20

3. AI-34867 Abandonment of a portion of Holiday Drive undeveloped right-of-way within Holiday Harbor Estates, Public Works.

HELD

4. AI-34873 Retention of One (1) Scag Riding Mower (Unit No. 47322) for Road and Bridge to use in the CSCD Community Service and Inmate Work Programs, Public Works.

COURT ORDER NO. 2012-118-02-20

5. AI-34859 Grant application for the FY2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, addendum and resolution to provide a full-time K-9 handler for the Sheriff's Office and further authorize the County Judge to finalize and execute same, Sheriff.

PULLED

6. AI-34888 Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-119-02-20

GENERAL DISCUSSION

5. AI-34876 City of Farmersville Tax Increment Reinvestment Zone along the US 380 corridor, Budget.

Farmersville Mayor Joe Helmberger came forward requesting the formation of a TIRZ along the US 380 corridor in Farmersville from Lake Lavon to the Hunt County line in order to stimulate economic growth. Farmersville needs the Court's buy in in order to complete the creation of this TIRZ.

Larry Cline from Schrader and Cline was present with a presentation showing the proposed reinvestment zone for the City of Farmersville. Mr. Cline explained the various tracts and proposed development located within the TIRZ. Over the next 30 years this would generate approximately \$340 million of new development.

Commissioner Webb had questions about public improvements and roadways. His questions related to the County's share which is approximately \$6 million. The Commissioner wanted assurance that the expenditures first be allocated for roads and storm sewers. If the projections are substantially off, he wanted to be sure the allocations would go to those types of improvements versus the money going to something like a community center. Commissioner Webb also wanted assurance that everything that has been submitted complies with the recently adopted TIRZ policy. Mr. Bilyeu said the City of Farmersville has been very accommodating; everything complies with the County's recently adopted policy.

Commissioner Webb made a motion to approve conditioned upon an acceptable Interlocal Agreement (ILA) being presented to the Court that sets forth all of the conditions and approvals of this project, including what happens to the \$9 million of contingency. Commissioner Jaynes stated he thinks development will improve the quality of life and economic development. (Time: 1:54 p.m.)

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

Following the vote, Mr. Bilyeu said the Court needed to appoint two members to participate in ILA drafting. Commissioner Jaynes volunteered. Commissioner Webb made a motion to appoint Commissioner Jaynes to the ILA Board. (Time: 1:54 p.m.)

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

Commissioner Jaynes made a motion to appoint Commissioner Williams to the ILA Board. (Time: 1:54 p.m.)

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

COURT ORDER NO. 2012-120-02-20

6. AI-34875 Policy for the use of discretionary funds from the 2007 Bond Election, Administrative Services.

Judge Self stated this discussion would be for the use of discretionary funds from both the 2003 and 2007 bond elections. He asked Ms. Arris how the funds were divided since the County never had a real policy. The funds can be saved for a big project or divided up by precinct. Ms. Arris informed the Judge that savings have traditionally been kept in the city in which it was saved. Ms. Arris said the 2007 bond sale authorized \$15 million in discretionary funds; to date only \$545,000 has been sold. More than likely we will sell some discretionary in 2012; the planned bond sale is in April. About \$3.3 million has come in from projects that were under budget and that money has been swept back in from savings. Ms. Arris had a handout for the Court which she explained to Court members and the audience. Bill Bilyeu, Administrative Services, said in the past projects were looked at on a case by case basis. A project can be budgeted at a certain amount but discretionary money had to be added for cost increases. Commissioner Jaynes has been involved in three different bond elections and he feels the current policy works. In the 2007 bond election voters voted knowing in the past we've used this approach. The Commissioner thinks we would be pulling back on our word to the voters because that's not the way it was presented to them. Judge Self said the Court can move bond money to any project legally. Commissioner Jaynes said giving commissioners their own separate discretionary money was not what was presented to voters. Commissioner Webb said since his precinct has zero dollars in allocations for discretionary monies, he would like to have some ability if one of his two cities came to him with a project. He would like to see some amount that he could commit. Discussion followed among Court members. Commissioner Williams thinks there are valid reasons to have a specific amount of dollars that each commissioner can feel confident is going to be available. It's her preference. Judge Self said a halfway measure would be to receive a report every time a Commissioner has spent something. Commissioner Jaynes wants to stick by the promise the Court made to voters in 2007. Commissioner Shaheen wanted to stay with the current policy but track it on a precinct by precinct basis. He won't support giving it up.

Following further discussion, Commissioner Shaheen made a motion to track every time we get a project so everybody can see what has happened. Commissioner Jaynes seconded. Judge Self said he will not call for a vote because he's not going to force something that the Commissioners will not agree on. Commissioner Jaynes withdrew

his second but he likes the idea of keeping up for transparency. Commissioner Shaheen said not voting on it keeps it status quo and the Court can ask for reporting. Judge Self recommended pulling the motion and he asked Ms. Arris to track discretionary spending by precinct. (Time: 2:09 p.m.)

NO ACTION TAKEN

7. **AI-34874** 2007 Discretionary Road Bonds for Woodbridge Parkway and budget amendment in the amount of \$3,514,949 for same, Administrative Services.

Commissioner Williams lead this discussion. Woodbridge Parkway is partially in the City of Sachse and partially in the City of Wylie. It's on the County's thoroughfare plan and it is a critical roadway for both cities. The Commissioner stated imminent development would occur if the roadway were to go forward. The Court had resolutions from both cities as well as letters from their Economic Development Corporations addressing the importance of this roadway. Commissioner Williams asked the Court to begin using discretionary dollars available to fund 50% of this roadway since it is on the thoroughfare plan.

Sachse Mayor Mike Felix came forward. He said this project is one of the most important projects that he's seen processed in quite a while. The Mayor stated this is a very important project both economically and to their education system and schools. The roadway will make the bus routes easier and safer. Mayor Felix asked the Court to consider today's item. Judge Self asked if the City of Sachse has \$2.2 - \$2.3 million available for the match. Mayor Felix replied yes and said he can provide the breakdown if needed. Commissioner Williams said both the City of Sachse and the City of Wylie have their matching dollars. Moving forward on this resolves a number of outstanding issues.

Commissioner Williams reiterated her motion to use discretionary dollars currently on hand to fund 50% of Woodbridge Parkway.

Monika Arris, Budget, stated she would like to pull the budget adjustment off of the agenda until they receive the Interlocal Agreement from the city. At that time they will allocate the dollars. The city will need the right-of-way first and then they will come back a few months later to assign the construction dollars.

Judge Self noted the motion includes using savings dollars. Following discussion, Commissioner Jaynes said we are using savings from projects and it has been good management on our part. (Time: 1:39 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Joe Jaynes
Vote: 5 – 0 Passed

COURT ORDER NO. 2012-121-02-20

8. **AI-34895** Reallocate \$277,000 from Maxwell Creek Road (07-089) to the Woodbridge Parkway project and budget amendment for same, Administrative Services.

Following discussion on Item No. 7, Commissioner Williams made a motion to approve. Ms. Arris noted she would pull the budget adjustment off the agenda for this item as well until the Interlocal Agreement comes in from the city. (Time: 1:40 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Joe Jaynes

Vote: 5 – 0 Passed

COURT ORDER NO. 2012-122-02-20

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

Judge Self asked that the latest interim charges from the Senate be added to the next packet. (Time: 2:10 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

Following the conclusion of the Collin County Toll Road Authority meeting, Judge Self reconvened Commissioners' Court at 2:18 p.m.

Judge Self recessed Commissioners' Court into Executive Session under paragraph 551.071, Legal, to discuss Medicaid 1115 Waiver, Regional Health Partnership. (Time: 2:18 p.m.)

Legal (551.071)

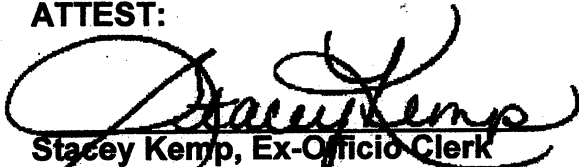
AI-34870 Medicaid 1115 Waiver, Regional Health Partnership, Administrative Services.

NO ACTION TAKEN

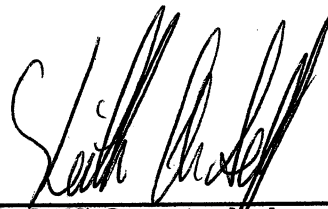
Judge Self reconvened Commissioners' Court at 3:00 p.m. There being no further business of the Court, Judge Self adjourned the meeting at 3:00 p.m.



ATTEST:



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



Keith Self, County Judge



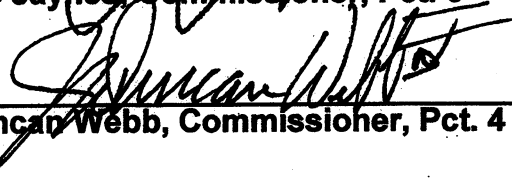
Matt Shaheen, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4