

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
AUGUST 20, 2012

COUNTY OF COLLIN

On Monday, August 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 Cheryl Williams, Precinct 2
Commissioner Duncan Webb, Precinct 4

Not Present:
Commissioner Matt Shaheen, Precinct 1
Commissioner Joe Jaynes, Precinct 3

Judge Self led the Invocation.
Commissioner Webb 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 1:30 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-35652 Elected Official Appointment(s), Human Resources.
2. AI-35653 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. Change Order(s):

a. **AI-35626** No. 32 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.

Commissioner Webb noted some inconsistencies in the amounts. The memo says the amount of the change order is \$28,365. The summary sheet says the change order is \$28,275. The Commissioner asked for clarification as to which number was correct. Frank Ybarbo, Purchasing, came forward to address the issue. \$28,365 is the correct amount and has been corrected on the document. (Time: 1:34 p.m.)

b. **AI-35629** No. 33 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to add a Pricing Change Order to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

c. **AI-35632** No. 34 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.

Commissioner Webb noted inconsistencies in this item. One place says \$12,222 and another place says \$16,826. The Commissioner said he assumed \$12,222 was correct; he wanted it corrected before it was signed. Bill Burke, Building Project Manager, said \$12,222 is the correct amount and is reflected on the change order. (Time: 1:35 p.m.)

d. **AI-35634** No. 35 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to add a Pricing Change Order to the contract (previously approved by the County Administrator per Court Order No. 2007-80-02-27), Construction & Projects.

3. **AI-35547** Utilization of the BuyBoard Cooperative Contract (No. 340-10) for Uniform/Miscellaneous Rental and Laundry Services with G&K Services for Collin County employees, Facilities.

4. **AI-35519** Facilitate the upgrade of CR 588 and accept the terms of the joint agreement proposed by Royse City, Public Works.

5. **AI-35474** Town of New Hope will compensate the County for improvements to shared segments of CR 408 and 1084, Public Works.

6. AI-35667 Acceptance by the Secretary of State of Collin County's application to participate in the Countywide Precinct Polling Place Program for the November 6, 2012 Uniform Election date, County Judge.

2. Public Comments. There were no public comments.

3. Presentation/Recognition.

4. Consent agenda to approve:

Judge Self stated items 4e2 and 4e14 would be deleted. He asked for comments on the consent agenda. Commissioner Webb pulled FYI 2a and 2c, and a check for Schindler under disbursements. A motion was made to approve the remainder of the consent agenda. (Time: 1:34 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 3 - 0 Passed

a. AI-35655 Disbursements for the period ending August 14, 2012, Auditor.

All disbursements were approved under the consent agenda with the exception of the disbursement to Schindler Elevator.

COURT ORDER NO. 2012-563-08-20

A motion was made to approve the disbursement to Schindler Elevator. (Time: 1:36 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Judge Keith Self

Vote: 2 - 0 Passed

Abstained: Commissioner Duncan Webb

COURT ORDER NO. 2012-564-08-20

b. AI-35617 Tax refunds totaling \$52,531.42, Tax Assessor Collector.

COURT ORDER NO. 2012-565-08-20

c. Agreement(s):

1. AI-35637 Permanent waterline easement to the City of McKinney for a line relocation located West of US 75 and North of Bloomdale Road and further authorize the County Judge to finalize and execute the associated documents, Engineering.

COURT ORDER NO. 2012-566-08-20

2. **AI-35590** Engineering Services Agreement (AGR. No. 08338-12) with Binkley and Barfield, Inc. for Professional Services, Engineering: County Road 559 over Lake Lavon – Approach Slab Repair and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-567-08-20

d. Amendment(s):

1. **AI-35630** No. 3 to Voter Registration & Early Voting Software (Contract No. 02376-09) with Votec Corporation to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2012-568-08-20

e. Change Order(s):

1. **AI-35477** No. 1 to Services: Body Repair and Painting, Light, Med. and Heavy Duty Vehicles (IFB No. 06230-11) with Danny's Paint & Body to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-569-08-20

2. **AI-35476** No. 1 to Services: Body Repair and Painting, Light, Med. and Heavy Duty Vehicles (IFB No. 06230-11) with El Dorado Collision to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

HELD

3. **AI-35478** No. 1 to Services: Body Repair and Painting, Light, Med. and Heavy Duty Vehicles (IFB No. 06230-11) with Red River Truck Repair to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-570-08-20

4. **AI-35486** No. 1 to Services: On-Site Grinding, Mulching and Removing of Debris (IFB No. 05187-11) with Rose Contracting to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-571-08-20

5. **AI-35490** No. 2 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Ed's Lawn Equipment to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-572-08-20

6. **AI-35491** No. 2 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Four Brothers Outdoor Power to delete various items from the contract, extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-573-08-20

7. **AI-35489** No. 2 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Longhorn, Inc. to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-574-08-20

8. **AI-35488** No. 2 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Mower Medic, LLC to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-575-08-20

9. **AI-35487** No. 2 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Richardson Saw and Lawnmower to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-576-08-20

10. **AI-35485** No. 2 to Fencing, Labor and Materials, All-inclusive (IFB No. 07306-10) with Robinson Fence Co. to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-577-08-20

11. **AI-35483** No. 2 to Supplies, Fleet Repair Parts (IFB No. 01165-10) with MHC Kenworth to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-578-08-20

12. **AI-35484** No. 2 to Supplies, Fleet Repair Parts (IFB No. 01165-10) with O'Reilly Auto Parts to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-579-08-20

13. **AI-35494** No. 11 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with Bob Barker Company, Inc. to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2012-580-08-20

14. **AI-35458** No. 31 to Construction: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to add various Price Change Orders in the amount of \$396,334 to the contract and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

HELD

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

1. **AI-35623** \$1,500 for Education and Conference, District Court (Shared).

COURT ORDER NO. 2012-581-08-20

g. Miscellaneous

1. **AI-35659** Sale of Struck Off Property located at 1007 G Avenue, Plano, Texas to House On The Corner Foundation, L.L.C. and further authorize the County Judge to finalize and execute the associated documents, Administrative Services.

COURT ORDER NO. 2012-582-08-20

2. **AI-35654** Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-583-08-20

3. **AI-35625** Personnel Changes, Human Resources.

COURT ORDER NO. 2012-584-08-20

Supplemental Agenda Item:

4. **AI-35684** Order of Election for the November 6, 2012, General Election, Elections.

A motion was made to approve without discussion. (Time: 1:37 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Cheryl Williams

Vote: 3 - 0 Passed

COURT ORDER NO. 2012-585-08-20

GENERAL DISCUSSION

5. AI-35285 Medicaid 1115 Waiver, Regional Health Partnership, Administrative Services.

Bill Bilyeu, Administrative Services, said things are moving slowly. There have been multiple meetings, including one this morning where each of the three counties in the RHP were represented. An outcome of the meeting was learning that the revenues available to fund DSRIP (Delivery System Reform Incentive Payment) projects are higher than expected. The mental health component is much farther along than the primary care and hospitals. There is a deadline this week to get DSRIP projects lined up. Supporting documentation must be completed before the October 1 deadline. Commissioner Williams noted Texas HHSC (Health and Human Services Commission) assumed they could take the California model, implement it and go on. The federal government has nixed that plan and it will take greater scrutiny going forward for other states. The Commissioner wants our hospitals to get more engaged. We must have their cooperation on DSRIP, which is odd, Commissioner Williams stated, because we're dealing with people who are competitors. In conclusion, Judge Self said from the conference calls with the state, it looks like we're right there in the vanguard of the whole thing. (Time: 1:40 p.m.)

NO ACTION TAKEN

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

Mr. Bilyeu said the meeting to discuss the legislative agenda is set for October 1, 2012, which will include the incoming Collin County delegation. There was a question about an AG opinion last week having to do with cash bonds. That was added to the legislative agenda. It has to do with the county holding 5% to cover administrative costs. (Time: 1:42 p.m.)

NO ACTION TAKEN

7. AI-33858 RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb was unable to attend the last RTC meeting. The Commissioner put this item on the agenda because of a phone call from Michael Morris, Director of the RTC (Regional Transportation Council). During the Court's prioritization of projects, there was an item that was an allocation of RTR (Regional Toll Revenues) monies of \$18 million to the interchange at 75 and George Bush. It was pointed out that Collin County would be seeking to get federal funds for that. Mr. Morris said he is recommending to the RTC that \$18 million of federal funds be allocated to that interchange which would then free up \$18 million of our RTR monies.

The second part of the conversation had to do with an opportunity. Several years ago the Texas Department of Transportation loaned the NTTA several hundred million dollars. Approximately \$140 million is still remaining due in annual payments over the next eight years with an interest rate of 6%. TxDOT is in need of that money. TxDOT has come to the RTC and asked if anybody is interested in buying the note. In addition to earning 6% interest, the offer is to stop charging their in-house engineering fees against the region's RTR monies. And they're willing to re-credit to our RTR monies the amount of in-house engineering they've charged our account with over the last five or six years. The caveat is, although they will credit the RTR monies back to the region, at some point we would have to repay that re-credit. The amount is \$43 million for the region. They didn't want to say we'll just forgive it because of issues with not making the same deal with other regions. Repayment of the \$43 million would take place in the future.

Continuing, Commissioner Webb said, of the \$43 million for the region, approximately \$10 or \$11 million is Collin County RTR monies. It's been Dallas County's position that they would buy the \$140 million note; however, Dallas County doesn't have \$140 million in RTR monies left in their account. Also, the feeling is why should Dallas County front this whole note purchase when the impact of the fronting of it, i.e., re-crediting of RTR funds and savings on in-house engineering, benefits everybody in the region? Commissioner Webb's question is would Collin County be interested in purchasing the note? What Commissioner Webb was proposing to the Court is taking \$10 million of the \$18 million that is freed up and participate at \$10 million in the purchase of the \$140 million note. That way there can't be any complaints related to Collin County getting \$10 or \$11 million re-credited back in RTR monies. That \$10 or \$11 million comes back to us over eight years and we're earning 6% on it. At that point we're a team player and we've picked up additional income on a note that can be used for future projects. Commissioner Webb wants to talk to Mr. Morris to let him know if the County has any interest in participating.

Judge Self asked Mr. Bilyeu for an analysis of future RTR projects. Mr. Bilyeu replied the timing of when we would need money for future projects doesn't seem to be effected by this time frame. We don't have a project that would need that amount of money in such a short amount of time. Following discussion, Commissioner Webb said Mr. Morris wants some feedback this week. Neither Judge Self nor Commissioner Williams had an objection. Commissioner Williams thinks it's a great opportunity to free up a tremendous amount of money over time. Judge Self said we don't have to vote on this because it's an update, but he asked Commissioner Webb to tell Mr. Morris that Collin County is interested. Commissioner Webb said he wants to participate for \$10 million. The Judge said we're posted for a monthly update. Due to it being an investment of \$10 million, if Mr. Morris brings it forward, the Court will take a future vote. (Time: 1:52 p.m.)

NO ACTION TAKEN

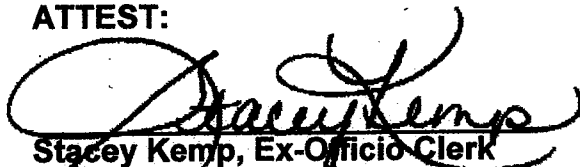
8. Possible future agenda items by Commissioners Court without discussion.

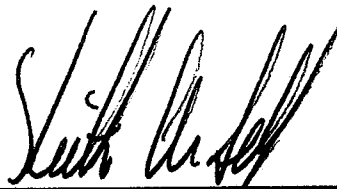
EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 1:52 p.m.



ATTEST:


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



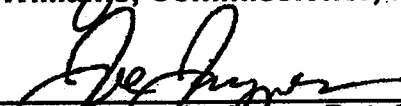
Keith Self, County Judge



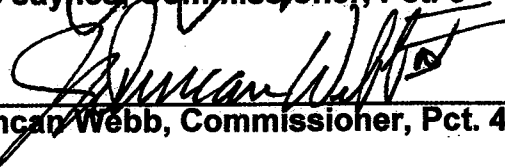
Matt Shaheen, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4