

I, Cynthia Mitchell, County Clerk of Denton County, Texas, do hereby certify that the following Commissioners Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting on October 23, 2007.

ATTEST:

Cynthia Mitchell, County Clerk
and Ex-Officio Clerk of the
Commissioners Court of
Denton County, Texas

By: *Kathleen Branford*



Deputy County Clerk

Be it remembered, Commissioners Court of Denton County, Texas was called to order on the day of 23rd day of October, 2007, at 9:00 a.m. in Commissioners Courtroom, 2nd Floor, Courthouse on the Square, Denton, Texas by Judge Mary Horn. Commissioners Cynthia White, Ron Marchant, Bobbie J. Mitchell and Andy Eads were present, along with County Clerk Cynthia Mitchell's representative, Deputy Clerk, Erin McCorkle.

Court opened with an Invocation by Jim Heath, Liaison for Denton County Historical Commission, followed by the Pledges of Allegiance to the American and Texas Flags led by Cynthia Mitchell, County Clerk for Denton County.

ITEM 1 PUBLIC INPUT FOR ITEMS NOT LISTED ON THE AGENDA

County Clerk Cynthia Mitchell thanked everyone for the support received by her team for Breast Cancer Awareness Walk.

Dennis Engelke, Director of Member and Employee Relations at CoServ along with the President and CEO of CoServ, Mike Graspring, presented a check for \$5000.00 from the CoServ Charitable Foundation to the Historical Park Foundation.

**ITEM 2 CONSENT AGENDA
BUDGET**

- 7.A) Approval of Intra-Departmental Transfers, and any appropriate action.
- 7.G) Approval of Budget Amendment Request #100230 for Repairs and Maintenance for Sandy Jacobs Government Center in the amount of \$8,000.00, and any appropriate action.

HUMAN RESOURCES

8.A) Approval of Order Making Appointments. (Appointments have been posted and advertised. Interviews were conducted as set forth in the Denton County policies adopted by the Commissioners Court, except as otherwise stated in the appointment orders. These appointments are within the budgetary constraints.) Medical Examiner: Regina Banks; County Planning: Linda Hollingshad; CSCD – Adult Probation: Adrian Barajas and Joel Thomas; Road & Bridge, Pct. 4: Donald Smith; Sheriff: Cara Kemnitz; County Clerk: Debbie White.

LEGAL

14.A) Approval of an Order setting a date and time to conduct a Public Hearing to consider speed limits where certain schools (Navo Middle School and Paloma Creek Elementary) are located on Navo Road in the unincorporated area of Denton County Commissioner Precinct #1, with the Public Hearing to be held on November 6, 2007, at 9:10 a.m., before the Denton County Commissioners Court, and any appropriate action. Commissioner Precinct #1.

Move to approve Consent Agenda by **Comm. White**, seconded by **Comm. Mitchell**.

Motion Carried 5-0-0

Court Order 07-0658

Discussion of item in Commissioners Court Transcript to minutes. (Page 6)

ITEM 5 AUDITOR

5.A) Approval of Bill Report/Payroll and Accept Financial Report for August, 2007. (Payments from CSCD, Community Corrections, TAIP, Sheriff's Training, Sheriff's Forfeiture, VIT Interest, DA Check Fee, and DA Forfeiture Funds are presented for recording purposes only.)

DELETIONS—

GENERAL	\$	7,500.00 to Law Office – Christopher Jones, incorrect vendor;
P.H. Prep.	\$	1,360.80 to Alliance Regional Newspapers, duplicate payment;

ADDITIONS—

GENERAL	\$	20.00 to Second Court of Appeals, expedite;
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Move to approve amended Bill Report by **Comm. Marchant**, seconded by **Comm. Mitchell**.

Motion Carried 5-0-0

Court Order 07-0659

Discussion of item in Commissioners Court Transcript to minutes. (Page 6)

ITEM 7 BUDGET

7.B) Approval of Budget Amendment Request #100180 for Copier Rental for Non-Departmental in the amount of \$2,508.00, and any appropriate action.

Move to approve by **Comm. Marchant**, seconded by **Judge Horn**.

Motion Carried 5-0-0

Court Order 07-0660

Discussion of item in Commissioners Court Transcript to minutes. (Page 7)

7.C) Approval of Budget Amendment Request #100190 to reduce revenues and reallocate currently budgeted funds for Various Juvenile Probation Budgets in the amount of \$105,789.00, and any appropriate action.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Marchant**.

Motion Carried 5-0-0

Court Order 07-0661

Discussion of item in Commissioners Court Transcript to minutes. (Page 8)

7.D) Approval of Budget Amendment Request #100200 to increase revenues and allocate expenditures for Overtime-OCD Task Force/Benefits for Sheriff's Department in the amount of \$60,000.00, and any appropriate action.

Move to approve by **Judge Horn**, seconded by **Comm. White**.

Motion Carried 5-0-0

Court Order 07-0662

Discussion of item in Commissioners Court Transcript to minutes. (Page 8)

7.E) Approval of Budget Amendment Request #100210 to increase revenues and allocate expenditures for Texas Traffic Safety Grants-STEP Wave Grant for Overtime-Texas Traffic Safety and STEP Wave Grant Supplies including the creation of a line item for GRANT purposes for FY 2007-2008 for Sheriff's Department in the amount of \$34,713.00, and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Marchant**.

Motion Carried 5-0-0

Court Order 07-0663

Discussion of item in Commissioners Court Transcript to minutes. (Page 8)

7.F) Approval of Budget Amendment Request #100220 to increase revenues and allocate expenditures for 2007 Byrne Justice Assistance Grant (JAG) Program various line items for Sheriff's Department in the amount of \$9,321.00, and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Marchant**.

Motion Carried 5-0-0

Court Order 07-0664

Discussion of item in Commissioners Court Transcript to minutes. (Page 9)

7.H) Approval of Budget Amendment Request #102240 to increase revenues and allocate expenditures for Vehicle Emissions Compliance Program for Non-Departmental in the amount of \$177,233.00, and any appropriate action.

Move to approve by **Comm. Marchant**, seconded by **Comm. Eads**.

Motion Carried 5-0-0

Court Order 07-0665

Discussion of item in Commissioners Court Transcript to minutes. (Page 11)

ITEM 8 HUMAN RESOURCES

8.B) Approval of change the job title and job description for slot 002-S4 from Deputy Constable pay grade 22, to Sergeant pay grade 22, and any appropriate action.

NO ACTION

Discussion of item in Commissioners Court Transcript to minutes. (Page 15)

ITEM 13 OTHER DEPARTMENTS

13.A) Approval of the road closure and detour plans for the Nicholson Road Bridge, and any appropriate action. Commissioner Precinct 1.

Move to approve by **Comm. White**, seconded by **Comm. Mitchell**.

Motion Carried 5-0-0

Court Order 07-0666

Discussion of item in Commissioners Court Transcript to minutes. (Page 15)

ITEM 13 OTHER DEPARTMENTS

13.B) Approval of the revision to the Subdivision Rules and Regulations policy in regards to laying of underground utility lines during construction of new subdivisions, and any appropriate action.

Commissioner Precinct 1.

Move to approve by **Comm. White**, seconded by **Comm. Eads**.

Motion Carried 5-0-0

Court Order 07-0667

Discussion of item in Commissioners Court Transcript to minutes. (Page 16)

ITEM 14 LEGAL

14.B) Approval of (1) the Contract for Purchase of Right-of-Way (Phase II-Parcel 16) between Denton County and Presbyterian Children's Home and Services for the Services for the purchase of real property for the FM 1171 Project; (2) grant authorization to proceed with the closing and approval for the County Judge to sign all necessary closing documents to purchase the Right-of-Way from Presbyterian Children's Home and Services; and (3) direct the County Auditor to issue a warrant in the amount of the purchase price, plus any fees, for the purchase of the real property from Presbyterian Children's Home and Services, with funding to come from FM 1171 Project, Auditor #70-7360-90-20, any appropriate action. Commissioner Precinct #3 and Commissioner Precinct #4.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.

Motion Carried 5-0-0

Court Order 07-0668

Discussion of item in Commissioners Court Transcript to minutes. (Page 17)

14.C) Approval of (1) the Contract for Purchase of Right-of-Way (Phase II-Parcel 6) between Denton County and Patricia Long Burns and John Lee Long for purchase of real property for the FM 1171 Project; (2) grant authorization to proceed with the closing and approval for the County Judge to sign all necessary closing documents to purchase the Right-of-Way from Patricia Long Burns and John Lee Long; and (3) direct the County Auditor to issue a warrant in the amount of the purchase price, plus any fees, for the purchase of real property from Patricia Long burns and John Lee Long, with funding to come from the FM 1171 Project, Auditor #70-7360-90-20, and appropriate action. Commissioner Precinct #3 and Commissioner Precinct #4.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.
Motion Carried 5-0-0
Court Order 07-0669

Discussion of item in Commissioners Court Transcript to minutes. (Page 18)

14.D) Approval authorizing Kevin Carr, information Services for Denton County to execute the Dell Custom Factory Integration "CFI" Software Export Compliance Certification #1 letter, and any appropriate action.

Move to approve by **Comm. White**, seconded by **Judge Horn**.
Motion Carried 5-0-0
Court Order 07-0670

Discussion of item in Commissioners Court Transcript to minutes. (Page 18)

14.E) Approval of the Microsoft Enterprise License Agreement and Enrollment form, and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Eads**.
Motion Carried 5-0-0
Court Order 07-0671

Discussion of item in Commissioners Court Transcript to minutes. (Page 19)

14.F) Approval of the Microsoft Essential Support Services Agreement, and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Eads**.
Motion Carried 5-0-0
Court Order 07-0672

Discussion of item in Commissioners Court Transcript to minutes. (Page 19)

14.G) Approval of the Interlocal Cooperation Agreement between Denton County and the Denton Independent School District to share the use and expense of fiber optic maintenance and related services, and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Eads**.
Motion Carried 5-0-0
Court Order 07-0673

Discussion of item in Commissioners Court Transcript to minutes. (Page 19)

14.H) Approval of the 2007-2008 Amendment and Renewal Agreement for Alternative Dispute Resolution Program (DCAP), and any appropriate action.

Move to approve by **Comm. Marchant**, seconded by **Comm. Mitchell**.
Motion Carried 5-0-0
Court Order 07-0674

Discussion of item in Commissioners Court Transcript to minutes. (Page 21)

14.I) Approval of the 2007-2008 Social Service Agreement between Denton County and Pediplace, and any appropriate action.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.
Motion Carried 5-0-0
Court Order 07-0675

Discussion of item in Commissioners Court Transcript to minutes. (Page 21)

14.J) Approval of the Library Service Agreements between Denton County, Texas and (a) Lake Cities Library and (b) Frisco Public Library (City of Frisco), and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Eads**

Motion Carried 5-0-0

Court Order 07-0676

Discussion of item in Commissioners Court Transcript to minutes. (Page 22)

ITEM 16 ADDENDA

16.A) Approval to renew the Contract for Arbitrage Rebate Services between Denton County and First Southwest Asset Management, and any appropriate action. DA/Civil

Move to approve by **Comm. Marchant**, seconded by **Comm. Eads**.

Motion Carried 5-0-0

Court Order 07-0677

Discussion of item in Commissioners Court Transcript to minutes. (Page 22)

16.B) Approval of an Order granting an exemption from the competitive requirements for certain purchases in Texas Local Government Code Section 262.023 for a personal service contract (Commercial Buyer Representative Agreement) regarding real property for county facilities between Denton County, Texas, and Texas Commercial Brokerage under the discretionary exemptions provision in Texas Local Government Code Section 262.024(a4), Commissioner Precinct #1, and any appropriate action. DA/Civil

Move to approve by **Judge Horn**, seconded by **Comm. White**.

Motion Carried 5-0-0

Court Order 07-0678

Discussion of item in Commissioners Court Transcript to minutes. (Page 23)

16.C) Approval of an Order approving a Commercial Buyer Representation Agreement between Denton, Texas and Texas Commercial Brokerage for a personal service contract regarding real property for county facilities, Commissioner Precinct #1, and any appropriate action. DA/Civil

Move to approve by **Comm. White**, seconded by **Judge Horn**.

Motion Carried 5-0-0

Court Order 07-0679

Discussion of item in Commissioners Court Transcript to minutes. (Page 23)

16.D) EXECUTIVE SESSION – Texas Government Code Section 551.0725 – Deliberation Regarding Contract Being Negotiated: Closed meeting where the commissioners court of a county with a population of 400,000 or more may conduct a closed meeting to deliberate business and financial issues relating to a contract being negotiated if, before conducting the closed meeting the commissioners court votes unanimously that deliberation in an open meeting would have a detrimental effect on the position of the commissioners court in negotiations with a third person; and the attorney advising the commissioners court issues a written determination that deliberation in an open meeting would have a detrimental effect on the position of the commissioners court in negotiations with a third person regarding a Commercial Buyer Representation Agreement regarding real property for county facilities, Commissioner Precinct #1. DA/Civil

NO ACTION

ITEM 19 ADJOURNMENT 9:45 AM

This set of minutes for October 23, 2007, prepared by Deputy Clerk Kathleen Bransford and reviewed by County Clerk, Cynthia Mitchell.