

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 December 23, 2008.

ATTEST:

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

By:



Deputy County Clerk

Be it remembered, Commissioners Court of Denton County, Texas was called to order on the 23rd day of December, 2008, at 9:00 a.m. in Commissioners Courtroom, 2nd Floor, Courthouse on the Square, Denton, Texas by Judge Mary Horn. Commissioners Ron Marchant, Bobbie J. Mitchell, and Andy Eads were present, along with County Clerk Cynthia Mitchell's representative, Deputy Clerk, Kathleen Bransford.

Court opened with an Invocation by Bobbie Mitchell, Commissioner Precinct 3, followed by the Pledges of Allegiance to the American and Texas Flags led by Amy Phillips, Human Resources Director.

ITEM 2 CONSENT AGENDA

2.A) Approval of Order Making Appointments, and any appropriate action. (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.) **County Clerk:** Rebecca Watkins; **Planning:** Karen Dean; **Justice of the Peace Pct 1:** Jordan Korson; **County Jail:** Charles Demery, Charon Hauck, Susan Quinn; **Road & Bridge Pct 4:** Frank Gibson, Pete Porter; **Juvenile Probation Services:** Shara Freeman, Anthony Kazlouski, Kristopher Laney, Mindi Malcom.

BUDGET

2.B) Approval of Intra-Departmental Transfers, and any appropriate action. Budget

TREASURER

2.C) Approval of Payroll. Treasurer

OTHER DEPARTMENTS

2.D) Approve the appointment of Dolores Warden Vann and Don Vann to the Denton County Historical Commission.

2.E) Approve the appointment of Amy Sizemore to the Denton County Child Protective Services Board, and any appropriate action. County Judge

Move to approve Consent Agenda by **Comm. Marchant**, seconded by **Comm. Mitchell**.
Motion Carried 4-0-0
Court Order 08-0965

ITEM 5 AUDITOR/TREASURER

5.A) Approval of Bill Report. (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	\$	9,687.75 to Burkett, Cynthia-PC, incorrect amount;
GENERAL	\$	1,623.00 to Goodness, Kelly, duplicate invoice;
Comm Corr	\$	6,293.00 to Tiner Radiator and Air, incorrect vendor;

ADDITIONS—

GENERAL	\$	290.00 to Pioneer Rental, rental.
---------	----	-----------------------------------

Move to approve amended Bill Report by **Comm. Eads**, seconded by **Comm. Mitchell**.
Motion Carried 4-0-0
Court Order 08-0966

5.B) Approve the Amendment to the County Vehicle Usage Policy to Adjust the Mileage Reimbursement Rate to the IRS maximum as of January 1, 2009, and any appropriate action.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0967

ITEM 6 PURCHASING

6.A) Approval of award for RFP #10-08-1944, Adult & Juvenile Probation Forensic Lab Service to Kroll, as recommended by the evaluation committee; and any appropriate action. (CONFIDENTIAL UNTIL AFTER AWARD, 262.030 LGC)

Move to approve by **Comm. Marchant**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0968

ITEM 7 BUDGET

7.A) Approval of Budget Amendment Request #100370 for Computer Software for County-Wide Technology in the amount of \$825; and any appropriate action

Move to approve by **Comm. Marchant**, seconded by **Comm. Mitchell**.
Motion Carried 4-0-0
Court Order 08-0969

7.B) Approval of Budget Amendment #100380 for Contract Labor including the transfer of funds from Vehicle Inventory Tax Interest Unappropriated Contingency in the amount of \$4,000; and any appropriate action.

Move to approve by **Comm. Eads**, seconded by **Comm. Marchant**.
Motion Carried 4-0-0
Court Order 08-0970

ITEM 8 HUMAN RESOURCES

8.A) Approval of a stop loss premium and raise the stop loss limit from \$250,000 to \$350,000 for the 2009 benefit plan year (see Option 4 in the attached spreadsheet) and any appropriate action.

Move to approve by **Comm. Marchant**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0971

8.B) Approval of the 2009 PEBC budget and any appropriate action.

Move to approve by **Comm. Eads**, seconded by **Comm. Marchant**.
Motion Carried 4-0-0
Court Order 08-0972

ITEM 13 OTHER DEPARTMENTS

13.A) Approval of Disaster Declaration and Executive Order as a mitigation effort to reduce the threat of wildfires due to drought conditions. Emergency Services

Move to approve by **Judge Horn**, seconded by **Comm. Mitchell**.
Motion Carried 4-0-0
Court Order 08-0973

ITEM 14 LEGAL

14.A) Approval of the Agreement between the North Central Texas Council of Governments (NCTCOG) and Denton County, Texas, for participation in the 2009 Digital Aerial Photography Project, as recommended by Director of Information Services, and any appropriate action.

Move to approve by **Comm. Marchant**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0974

14.B) Approval of the Group Agreement between Denton County, as a member of the Public Employee Benefits Cooperative of North Texas (PEBC) and Blue Cross and Blue Shield of Texas, a Division of Health Care Service Corporation, and any appropriate action.

Move to approve by **Comm. Marchant**, seconded by **Comm. Eads**.
Motion Carried 3-1-0 (Mitchell nay)
Court Order 08-0975

14.C) Approval of the Interlocal Cooperation Agreements between Denton County, Texas, and the Town of Little Elm for Ambulance and Fire Protection Services, as recommended by the Director of Emergency Services, and any appropriate action.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0976

14.E) Approval of the Encroachment Agreement between Denton County, Texas, and Brazos Electric Power Cooperative, Inc., as part of the Easement on Old Alton Road for the Equestrian Parking Area located at Lewisville Lake, Denton County, Texas, from the United States Army Corps of Engineers (USACE Tract F-554). Commissioner Precinct #4.

Move to approve by **Comm. Eads**, seconded by **Comm. Mitchell**.
Motion Carried 4-0-0
Court Order 08-0977

14.F) Approval of: (1) Contract for purchase of right-of-way by Denton County, Texas, from Bank of America, N. A., Trustee; Glenn W. Blaylock, Trustee of the Martha Blaylock Trust; Roger O. Shorlemer, Independent Executor of the Estate of Georgiana Schorlemer, Deceased; Elizabeth B. Zuberbueler; Stephanie Schorlemer Deprez; Mark Schorlemer; Lee Anne Schorlemer Sugg; Leslie Schorlemer and Charles C. Blaylock, for Tract A (Phase II - Parcel 14) of the FM 1171 Improvement Project; (2) grant authorization to proceed with closing and approval for the Denton County Judge to sign all necessary closing documents; and (3) direct the Denton County Auditor to issue a warrant in the amount of \$272,095.20, plus any applicable fees, with funding to come from FM 1171 Improvement Project, Auditor #70-7360-90-20. Commissioner Precinct #3.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0978

14.G) Approval for scheduling a Public Hearing January 13, 2009 at 9:00 a.m. to discuss the proposed adoption by the Denton County Commissioners Court to revise the existing order for on-site sewage facilities as promulgated by the Texas Commission on Environmental Quality (TCEQ), said Order to update and replace the existing Denton County on-site sewage facility Order, and any appropriate action.

Move to approve by **Comm. Eads**, seconded by **Comm. Marchant**.
Motion Carried 4-0-0
Court Order 08-0979

ITEM 15 EXECUTIVE SESSION

Convened in Executive Session 9:30am
Reconvened in Formal Session 9:50am

15.A) Consultation with Attorney; Texas Government Code §551.071(1)(A): Ad Litem Attorney Fees in Family law cases where governmental entity was not a party, and any appropriate action
NO ACTION

15.B) Texas Government Code §551.071(1)(A) & (B) – Consultation with Attorney in a closed meeting when the governmental body seeks the advice of its attorney about contemplated litigation or a settlement offer with regard to a pending claim for property damages incurred by Denton County in the Joseph A. Carroll Administration Building on June 28, 2008, and any appropriate action.

Approval and acceptance of a settlement offer from Zurich North America Insurance Company, on behalf of CBS Mechanical, Inc., in the amount of \$78,500.00 representing full and final payment of Claim No. 9720055051, for property damage occurring at the Joseph A. Carroll Administration Building on June 28, 2008.

Move to approve by **Judge Horn**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0980

ITEM 14 LEGAL

14.D) Approval of the Lease Agreement between Denton County, Texas and Frankford Plaza, Inc., to lease office space in Carrollton for the Denton County Juvenile Probation Department – Carrollton facility, as recommended by Commissioner Precinct 2, and any appropriate action.

Move to approve by **Comm. Marchant**, seconded by **Comm. Eads**.
Motion Carried 4-0-0
Court Order 08-0981

ITEM 20 ADJOURNMENT 9:53AM

December 23, 2008, prepared by Deputy Clerk Erin Kirby and reviewed by County Clerk, Cynthia Mitchell.