

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 11, 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 11<sup>th</sup> day of December, 2007, at 9:00 a.m. in Commissioners Courtroom, 2<sup>nd</sup> 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, Kathleen Bransford.

Court opened with an Invocation by Ashley Williams, President of Denton Home Schools and 4-H Enrichment Club, followed by the Pledges of Allegiance to the American and Texas Flags led by Madelyn Schwind, Argyle 4-H, Secretary to the Denton County 4-H Council.

**ITEM 1 PUBLIC INPUT FOR ITEMS NOT LISTED ON THE AGENDA**

**Georgia Caraway** announced that a Curatorial Facility Certification Program had been rewarded to the Courthouse on the Square Museum due to the hard work and diligence of Kim Cupit, Curator of Collections, who spoke in more detail about the award.

**Steve Mossman** announced expanded Tax Office Hours in the cities of Lewisville and Denton offices.

**ITEM 3 RESOLUTIONS/AWARDS/REPORTS/PRESENTATIONS**

3.B) **Annual Report of the Texas Cooperative Extension.**

3.A) **Presentation and Update by the North America's Supercorridor (NASCO).**

**ITEM 2 CONSENT AGENDA (Pull Item 2.B)**

**HUMAN RESOURCES**

2.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.) **Information Services:** Araceli Perez; **Tax Assessor-Collector:** Angela Benton; **County Jail:** Charley Miller; **Communications:** Phoebe Fireall; **Road & Bridge, Pct.1:** Margaret Beverly; **WIC:** Sandra Johnson.

**TREASURER**

2.C) Approval of Payroll.

**PURCHASING**

2.D) Approval of report on proceeds from Surplus On-Line Auction #09-07-1855 held in November, 2007.

2.E) Approval of selecting Huitt-Zollars, Inc. as the most qualified firm for engineering services for the box culvert repairs on Cowling Road over Moores Branch Tributary, authorize negotiations, and any appropriate action.

**PUBLIC WORKS**

2.F) Approve January 4, 2008 at 9:05 a.m. as the time and date to hold a Public Hearing to approve a Special Use permit for a used manufactured home on Lot 10, Block A, Lakeview Ranchettes, Precinct 1, as recommended by The Lake Ray Roberts Planning and Zoning Commission and the Denton County Planning Department.

2.G) Approve the Final plat of the Carlisle Addition, Phase B, Precinct 4. Planning

2.H) Approve the Final Plat of the Magnolia Addition, Precinct 4. Planning

Move to approve Consent Agenda by **Comm. White**, seconded by **Comm. Eads**.  
**Motion Carried 5-0-0**  
**Court Order 07-0769**

**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.)

ADDITIONS—

GENERAL	\$	170.00 to Giuseppe's, Chief's Meeting, FM, expedite;
SO FORF.	\$	8,465.16 to U.S. Marshal's Service, Seized Funds to be held by US Mars.;
SO FORF.	\$	9,477.00 to IRS, Seized Funds to be held by IRS, expedite.

Move to approve amended Bill Report by **Comm. White**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (Marchant absent for vote)**  
**Court Order 07-0770**

**ITEM 7 BUDGET**

7.A) Approval of Budget Amendment Request #100370 for Intern/Benefits for Criminal District Attorney in the amount of \$647; and any appropriate action.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (Marchant absent for vote)**  
**Court Order 07-0771**

7.B) Approval of Budget Amendment Request #100380 for Copier Rental for Non-Departmental in the amount of \$1,011; and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (Marchant absent for vote)**  
**Court Order 07-0772**

7.C) Approval of Budget Amendment Request #100390 to increase revenues and allocate expenditures for TJPC Diversionary Placements for Juvenile Probation in the amount of \$162,000; and any appropriate action.

Move to approve by **Comm. Eads**, seconded by **Comm. Mitchell**.  
**Motion Carried 4-0-0 (Marchant absent for vote)**  
**Court Order 07-0773**

7.D) Approval of Budget Amendment Request #100400 to increase revenues and allocate expenditures for Communities in Schools for Juvenile Probation in the amount of \$75,000; and any appropriate action.

Move to approve by **Comm. Mitchell**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (Marchant absent for vote)**  
**Court Order 07-0774**

7.E) Approval of Budget Amendment Request #100410 to increase revenues and allocate expenditures for Salary, Assistants/Benefits for TJPC X-Community Based Program in the amount of \$117,278; and any appropriate action.

Move to approve by **Comm. Eads**, seconded by **Comm. Mitchell**.  
**Motion Carried 5-0-0**  
**Court Order 07-0775**

**ITEM 13 OTHER DEPARTMENTS**

13.D) Approval of a resolution regarding the Home-Delivered Meal Grant Program of Span, Inc., and any appropriate action. County Judge

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

**Motion Carried 5-0-0**  
**Court Order 07-0776**

**ITEM 8 HUMAN RESOURCES**

8.A) Approval of temporary slot in Justice of the Peace, Pct. #2 for two and a half weeks and any appropriate action.

Move to approve by **Comm. White**, seconded by **Comm. Mitchell**.  
**Motion Carried 5-0-0**  
**Court Order 07-0777**

8.B) Approve to exercise the option to exempt the Denton County Public Employee Benefits Cooperative Plan from the requirements of title XXVII of the Public Health Service Act (PHS Act) and take any appropriate action.

Move to approve by **Judge Horn**, seconded by **Comm. Marchant**.  
**Motion Carried 4-1-0 (Mitchell, nay)**  
**Court Order 07-0778**

8.C) Approval of revisions to Personnel Policy # 3.8-Vacation Time and any appropriate action.

Move to approve allowing employees to take accrued vacation after six (6) months of employment effective January 1 by **Comm. Eads**, seconded by **Comm. White**.  
**Motion Carried 3-2-0 (Horn & Mitchell, nay)**  
**Court Order 07-0779**

8.D) Approval of the attached policy revisions to Personnel Policy #2.11-Vehicle Use and any appropriate action.

**ACTION POSTPONED**

**ITEM 18 RECESS 11:01 AM**  
**ITEM 19 RECONVENE 11:06 AM**

**SHERIFF**

12.A) Approve Grant Award Acceptance for Sheriff's Office Co-Serve Grant, and any appropriate action.

Move to approve by **Judge Horn**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (White absent for vote)**  
**Court Order 07-0780**

**ITEM 13 OTHER DEPARTMENTS**

13.A) Discussion and possible action related to a disaster declaration and court order related to the threat of wild land fires from drought conditions and including the discharge and sale of aerial fireworks, any appropriate action. Emergency Services.

**NO ACTION**

13. C) Approval of Fiscal Year 2008 Emergency Management Performance Grant (EMPG) Application or any appropriate action. Emergency Services

Move to approve by **Comm. Marchant**, seconded by **Comm. Mitchell**.  
**Motion Carried 4-0-0 (White absent for vote)**  
**Court Order 07-0781**

**ITEM 14 LEGAL**

14.B) Approval of the Fire Protection Service Agreement between Denton County, Texas and the City of Aubrey Fire Department, and any appropriate action.

Move to approve by **Judge Horn**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (White absent for vote)**  
**Court Order 07-0782**

14.C) Approval of the Library Service Agreements between Denton County, Texas and (a) Plano Public Library System (City of Plano), and (b) Aubrey Area Library (City of Aubrey), and any appropriate action.

Move to approve by **Judge Horn**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (White absent for vote)**  
**Court Order 07-0783**

14.D) Approval of the Contract for Professional Services between Denton County, Texas, and Huitt-Zollars, Inc., in the amount of \$30,980.00, for the Trietsch Road Bridge Rehabilitation Project, with funding to come from Commissioner Precinct #1 Bridge Consultant Line Item #20-5355-85-10, Commissioner Precinct #1.

Move to approve by **Judge Horn**, seconded by **Comm. Eads**.  
**Motion Carried 4-0-0 (White absent)**  
**Court Order 07-0784**

**ITEM 13 OTHER DEPARTMENTS**

13A) Approval of a resolution casting Denton County's 504 votes for the Denton Central Appraisal District (DCAD) Board of Directors, and any appropriate action. County Judge

Move to approve casting 504 votes for Pearl Ford by **Comm. Mitchell**, seconded by **Comm. White**.  
**Motion Carried 3-2-0 (Horn & Marchant, nay)**  
**Court Order 07-0785**

**ITEM 14 LEGAL**

14.A) Approval of the Denton County Tax Abatement Policy to be adopted effective December 11, 2007 to December 10, 2009, and any appropriate action.

**ACTION POSTPONED**

**ITEM 15 EXECUTIVE SESSION**

Convened in Executive Session 11:46 AM  
Reconvened in Formal Session 12:15 AM

15.B) Consultation with Attorney: Contemplated Litigation; Texas Government Code, Section 551.071 (1)(A): Ad Litem Attorney fees in family law cases where a government entity was not a party.

15.C) Consultation with Attorney: Pending Litigation, Texas Government Code, Section 551.071 (1)(A); Robert H. Osburn, et al v. Denton County District Clerk, et al; Cause No. 2001-60515-393, pending in the 393<sup>rd</sup> Judicial District Court of Denton County, Texas.

**NO ACTION**

15.A) Consultation with Attorney: Contemplated Litigation, Texas Government Code, Section 551.071 (1)(A): Kelly Crider

Move to approve the recommendation of the Denton County Criminal District Attorney's Office, Civil Division, that the court settle the claim of Kelly Crider in the amount of \$850.00 to be paid from line item #4265, Operating Supplies, under 26.60.42 Juvenile Detention, Tracy Oliphant, Juvenile Probation by **Judge Horn**, seconded by **Comm. White**.

**Motion Carried 5-0-0  
Court Order 07-0786**

**ITEM 20      ADJOURNMENT      12:15 PM**

This set of minutes for December 11, 2007, prepared by Deputy Clerk Kathleen Bransford and reviewed by County Clerk, Cynthia Mitchell.