COURT ORDER NO. 2010-459-07-12

STATE OF TEXAS

COMMISSIONERS COURT MEETING MINUTES

COUNTY OF COLLIN

JUNE 21, 2010

On Monday, June 21, 2010, the Commissioners Court of Collin County, Texas, met in Regular Session at the Celina Middle School, 710 E. Pecan, City of Celina, Texas, with the following members present, and participating, to wit:

Present: Precinct 1 Commissioner Matt Shaheen
Precinct 2 Commissioner Jerry Hoagland
Precinct 4 Commissioner Kathy Ward
Absent: Judge Keith Self
Precinct 3 Commissioner Joe Jaynes

Commissioner Hoagland led the Invocation.
Commissioner Ward led the Pledge of Allegiance.
Commissioner Shaheen led the Pledge of Allegiance to the Texas Flag.

1. Commissioner Hoagland called to order the meeting of the **Collin County Commissioners Court** at 6:03 p.m.

Commissioner Hoagland recessed the meeting of the **Collin County Commissioners Court** at 6:05 p.m. and convened the meeting of the **Collin County Health Care Foundation Board of Trustees.**

Trustee Hoagland adjourned the meeting of the **Collin County Health Care Foundation Board of Trustees** at 6:07 p.m. and convened the meeting of the **Collin County Toll Road Authority Board of Directors.**

Director Hoagland adjourned the meeting of the **Collin County Toll Road Authority Board of Directors** at 6:07 p.m. and reconvened the meeting of the **Collin County Commissioners Court.**

FYI NOTIFICATION

1. AI-32004 Attorney General findings for the State Case Registry/Local Customer Service contract for Collin County, Administrative Services.

2. AI-31989 Budget amendment(s)/adjustment(s) totaling $138,002 (over $5,000 per c/o 2005-589-08-01), Budget.

2. Public Comments. There were no public comment cards presented to the Court.

3. Presentation/Recognition.

4. Consent agenda to approve: Commissioner Hoagland asked if any member of the Court or any member of the audience had an item they wanted pulled from the consent agenda for individual consideration. Hearing none, Commissioner Shaheen made a motion to approve the consent agenda. (Time: 6:07 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Kathy Ward
Vote: 3 - 0 Passed

a. **AI-31987** Disbursements for the period ending June 15, 2010, Auditor.
COURT ORDER NO. 2010-399-06-21

b. **AI-31995** Tax Refunds totaling $200,696.01, Tax Assessor Collector.
COURT ORDER NO. 2010-400-06-21

c. Receive and File, Auditor:

1. **AI-32005** Final Audit Results - Sheriff (1st Quarter FY2010).
COURT ORDER NO. 2010-401-06-21

d. Filing of the Minute(s), County Clerk:

1. **AI-31973** May 24, 2010.
COURT ORDER NO. 2010-402-06-21

e. Miscellaneous

1. **AI-31992** Re-plat of lots 2R and 3 of East Hubbard Properties Phase II, Engineering.
COURT ORDER NO. 2010-403-06-21

2. **AI-31998** Grant application for the 2010 Byrne Justice Assistance Grant (JAG) funds in the amount of $38,139 and further authorize the County Judge to finalize and execute the Memorandum of Understanding with the cities of Frisco, McKinney and Plano, Sheriff.
COURT ORDER NO. 2010-404-06-21

GENERAL DISCUSSION

5. AI-31986 Public Hearing – DNT Extension 4B, North of FM 428 to the County Line, Commissioner, Precinct 1.

Commissioner Shaheen asked that this item be placed on the agenda. He felt it would be helpful to the audience to see a presentation and have the ability to make public comment. Mayor Jim Lewis said City Manager Jason Gray was unavailable; therefore, he would make the presentation on his behalf. Mayor Lewis started by showing a map which showed the Celina preferred eastern alignment which goes north from 428 up to Grayson County. He next discussed the right-of way by explaining a slide entitled ROW Commitment Status which highlighted the 25 parcels directly impacted. The slide showed the property owners that are committed to the right-of-way, those that are outstanding, and one that has declined the proposal. Mayor Lewis said the City of Celina is offering property owners a $40,000 per acre development fee credit over their entire tract. In other words, if a property owner has 100 acres and the City of Celina takes one acre, the property owner will get credit for the entire 100 acres. Mayor Lewis said an economic impact analysis estimates the DNT is likely to generate approximately $1.2 billion annually in taxable value along its frontage. The taxes collected on the incremental value could service approximately $96.7 million toward Tollway lanes. Commissioner Shaheen stated what Celina is offering to the property owners is significant and funding of main lanes has significant value to Celina and Collin County.

Commissioner Hoagland asked if anyone wanted to make a comment. Hearing none, he said he would take the liberty of doing so. Commissioner Hoagland thought he had a possible solution to the outer loop. He stated he has met with people in Denton County who are saying the alignment will not work in Denton County because it is going through horse country and they will not allow that. Denton County thinks the alignment needs to be north to "dodge" horse country. Commissioner Hoagland pointed to the Denton/Collin County line on the map. He was suggesting one of two things: one, connect the way it is designated on the map or, two, have it hug the Denton/Collin County line. It will swing to the west and go around the metro area. Commissioner Hoagland thought it was a win-win for everybody. Commissioner Shaheen thought Commissioner Hoagland's idea had merit. Mayor Lewis said they were happy to meet with Commissioner Hoagland at any time. Commissioner Hoagland added that he has had two meetings with the Denton County judge and she is adamant that the line is not going where it is shown right now as far as the outer loop is concerned.
(Time: 6:53 p.m.)

NO ACTION TAKEN

6. <u>AI-32048</u> Transportation bond funding, Commissioner, Precinct 1.

Commissioner Shaheen requested an update from the Engineering Department on transportation bond funding, both requests from the cities as well as the County's capacity. He stated he has had a lot of questions from the cities with respect to the County's position. Tracy Homfeld, Engineering, came forward with a presentation updating the Court on project status and where they are with funding. She discussed bond sales from 2008 through 2010 and spoke about the projects funded through bond sales and those that were contingency funded. Commissioner Ward asked for an example of contingency funding. Ms. Homfeld replied in 2003 service roads were funded for the DNT (Dallas North Tollway). The project was estimated to cost $14 million but actually came in at $12 million. The leftover funding was used for other county road projects. Ms. Homfeld continued her explanation. In 2010 there wasn't a bond sale but $4.2 million in projects were paid through contingency funding. Ms. Homfeld said she meets with cities annually and asks them to look at their funding needs for the next few years. She has asked the cities to push their projects out as far as possible. Next year there will be a call for projects of approximately $36 million. Ms. Homfeld then showed projections for the next five years for both cities and county. Her slide showed the County's portion of the projects; the cities match that funding at 50%. Ms. Homfeld answered questions from the Court.

Ms. Homfeld stated she is tracking approximately 120 projects currently, noting a complete list of project status can be found on the County's Share Point site. Commissioner Shaheen said as of now there are no dollars for 2011. Monika Arris, Budget, said that was correct. Commissioner Ward asked Ms. Homfeld to make sure the Court and mayors involved in projects were kept up to date on any updates to the website.(Time: 6:17 p.m.)

<u>NO ACTION TAKEN</u>

7. <u>AI-32036</u> Hiring freeze and the impact on offers made.

Bill Bilyeu, Administrative Services, said this item was placed on the agenda due to two positions which were presented and denied at the last Court: network support and maintenance worker. Mr. Bilyeu asked the Court to reconsider their vote on these positions as offers had been made to two individuals. Commissioner Ward made a motion to approve. Commissioner Shaheen did not want to approve these positions due to the possibility of having to lay people off in October. He asked Ms. Skipworth to come forward. Caren Skipworth, Information Technology, said the network support position would be filled by an employee currently working at the help desk. Commissioner Shaheen asked about the implication of leaving the help desk position open. Ms. Skipworth said she would have to pull someone from within the department to assist on the help desk. She was requesting the opportunity to look at her department and see where they can best handle a vacancy and bring that back to the Court. She said due to the volume of work and the fact that the help desk has a staff of two,

she could not take a vacancy at the help desk. Commissioner Ward asked that department heads look at their departments if a position becomes vacant and decide whether it is better to keep one higher paid employee that is a vital position versus keeping two or three other employees. She did not want to see offers made only to be cut in October. Ms. Skipworth asked the Court to consider their PFP process and how lower performers are handled. Commissioner Shaheen said he would approve the network support specialist with the understanding that Ms. Skipworth will come back at a later time with a recommendation to abolish another position in her department. Commissioner Hoagland said that wasn't what Ms. Skipworth said. Commissioner Ward wanted to use IT as an example of doing a trade for a trade in positions. Budget is the time when department heads and elected officials will come back and make a presentation as to the positions they have to keep and those they can cut. Mr. Bilyeu said these two individuals would start at the beginning of the next payroll. (Time: 6:27 p.m.)

Motion by: Commissioner Kathy Ward
Second by: Commissioner Jerry Hoagland
Nay: Commissioner Matt Shaheen
Vote: 2 - 1 Passed

COURT ORDER NO. 2010-405-06-21

8. AI-31984 Designation of Collin County's Voting Delegate at the 2010 National Association of Counties (NACo) conference, County Judge.

Mr. Bilyeu remained before the Court and said this is a moot point. The only way to vote is if a member of the Court had paid for registration, and no one did. Commissioner Hoagland suggested passing on this item and bringing it back later. (Time: 6:29 p.m.)

NO ACTION TAKEN

9. Approval to Post Position(s):

a. AI-31971 Tech I, Texas AgriLife Extension Service.

Carrie Brazeal, Texas AgriLife, stated this was a part-time position, 20 hours per week. Among their responsibilities is recruiting and training teachers for their programs. Ms. Brazeal said if they lose this position, 75% of the schools will not be able to participate in their activities. Commissioner Ward asked if the school districts have been asked to chip in to fund this $10,000 position. Commissioner Shaheen liked the idea of asking the school districts to fund this position. Mr. Bilyeu said it is a little late in the schools' budget process to ask for funds but the Court can send a letter signed by the judge. Commissioner Ward wanted to try that. (Time: 6:31 p.m.)

NO ACTION TAKEN

b. AI-31999 Equipment Operator, Public Works.

c. AI-31972 Truck Driver, Public Works.

Jon Kleinheksel, Public Works, came forward with a request to fill the positions listed in 9b and 9c. He said his department is in the midst of their busiest season and they have four openings right now. Commissioner Shaheen understood that it made Mr. Kleinheksel's job harder, but he said a $14 million shortfall is a big number. Monika Arris, Budget, stated these positions will be funded by the Road and Bridge fund and that fund is doing quite well. Mr. Kleinheksel said there is currently $14.5 million in the Road and Bridge fund. He then listed the projects that are ongoing. Commissioner Shaheen wanted it clarified that no tax dollars would be allocated to these positions. Ms. Arris said that was correct. Jeff May, Auditor, said the majority of this fund comes from road fees from title fees for vehicles and from fines. Commissioner Shaheen made a motion to approve with a request that Ms. Arris make a presentation at a future Court on this fund. (Time: 6:39 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Kathy Ward
Vote: 3 - 0 Passed

COURT ORDER NO. 2010-406-06-21

10. AI-32022 Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, stated all personnel appointments were within standard guidelines. Commissioner Shaheen made a motion to approve. (Time: 6:39 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Kathy Ward
Vote: 3 - 0 Passed

COURT ORDER NO. 2010-407-06-21

11. AI-32019 Board/Committee Appointments, Commissioners Court.

NO ACTION TAKEN

12. Potential 82nd Legislative items, Commissioners Court:.

a. AI-31816 General.

NO ACTION TAKEN

b. <u>AI-31724</u> Transportation Priorities as recommended by Commissioners Court.

Commissioner Shaheen wanted it emphasized to our legislature that transportation needs to be a higher priority. (Time: 6:40 p.m.)

NO ACTION TAKEN

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

Commissioner Ward asked Jeff May, Auditor, and Monika Arris, Budget, to agree before Budget cycle how they will make their presentations: will they discuss days in reserve or dollars in reserve. Also, as in the case of Public Works, she wanted to know what money is in various funds. She asked that they compare "apples to apples". (Time: 6:54 p.m.)

EXECUTIVE SESSION

There being no reason to recess into Executive Session and no further business of the Court, Commissioner Hoagland adjourned the meeting of the Commissioners Court at 6:54 p.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Kathy Ward, Commissioner, Pct. 4

COMMISSIONERS COURT COLLIN COUNTY TEXAS

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, TEXAS