COURT ORDER NO. 2010- 901 -11-01

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
SEPTEMBER 27, 2010

On Monday, September 27, 2010, the Commissioners Court of Collin County, Texas, met in Regular Session at Melissa City Hall, 3411 Barker Avenue, Melissa, Texas with the following members present, and participating, to wit:

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

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

1. Judge Self called to order the meeting of the **Collin County Commissioners Court** at 5:58 p.m. Judge Self thanked the City of Melissa for hosting tonight's meeting and stated the Commissioners held meetings once each quarter in order to offer themselves to the citizens in various areas across the county. Judge Self recessed into the meeting of **Collin County Health Care Foundation** at 6:02 p.m.

President Self called to order the meeting of the **Collin County Health Care Foundation** at 6:02 p.m. and adjourned at 6:16 p.m.

President Self called to order the meeting of the **Collin County Toll Road Authority** at 6:16 p.m. and adjourned at 6:16 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-32601 Award of Services: Offender Specimen Collection and Drug Testing (RFP No. 05251-10) to Treatment Assessment Screening Center, CSCD.

FYI NOTIFICATION

1. <u>AI-32545</u> Budget amendment in the amount of $74,436 to remove the Juvenile Probation FY2010 State Funding budget for the Progressive Sanctions Level 1-2-3 Program (Program was not funded for FY2010).

2. Public Comments. Judge Self asked if there were any blue cards for public comment. Roy Serpa, Fairview, came forward with comments on the salary survey requested by Commissioner Jaynes. Mr. Serpa strongly recommended that when the survey is conducted it is a compensation survey, not a salary survey. Compensation means salary plus benefits. Mr. Serpa also recommended that the Court compare not only to private sector personnel but compare to public comparable personnel as well. Mr. Serpa continued saying they needed to be aware of how many reclassifications had been made in the last five years and stated he would like to know how many had been made. Mr. Serpa told the Court he would appreciate this information being made available to the taxpayers. (Time: 6:01 p.m.)

Chuck Molyneaux, gave comments on employee reclassifications saying any position that does not require a high school diploma, typing test or any other certifications or qualifications and that has a minimum salary of $46,000 and a maximum salary of $75,000 requires re-evaluation. The taxpayers want to know what the qualifications are for other positions in the same pay range. It appears Collin County is being very generous hiring GED accredited employees into a position that starts at $46,426 and has a maximum of over $74,000. We strongly recommend comparison of positions requiring minimum educational requirements to those positions requiring hiring level of education degrees; if no college accreditation is required, no special training is required, or there is no defined accreditation required then the salary ranges of these positions warrant a lower pay range than those accredited or specially trained employees. Our questions to you are what are the qualifications of other positions in the same pay range and what is the normal pay range for a person without a high school diploma and without any certifications. (Time: 6:22 p.m.)

Mark Reid, Plano, gave comments on reclassifications saying he echoes the previous speaker's comment in that the salary range appears to be high. Mr. Reid while he was not an expert, he does run a commercial construction company and said he pulled some information from a 2009 salary survey to take a look at what comparable positions in the construction industry might pay. He gave an example of a Field Engineer I that requires three to five years experience with no specific degree or certification is $25,000 to $62,000. A Field Engineer II requires five to seven years experience and has a pay range of $33,000 to $68,000. A Project Accountant I with routine administrative and payroll activities, a non-degreed employee with up to five years of general office experience is $24,000 to $50,000 with the fiftieth percentile at $33,000.

If you go up to Accountant level III a non-degreed employee with up to 10 years experience pays $32,000 to $79,000. At a level IIII a bachelors' degree in accounting is required and the range goes to $40,000 to $73,000. Mr. Reid continued saying he hoped the information was helpful and that this is a very sensitive issue for the court and the employees as well. He stated that the salary range on this position did seem to be high. Commissioner Ward requested copies of the survey for the court and Human Resources. (Time: 6:26 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked if there were any comments on the consent agenda. Judge Self requested item 4c2 be pulled for discussion. Commissioner Shaheen requested items 4d1, 4d2 4d7 and 4h1 be pulled for discussion. Cynthia Jacobson requested item 4h2 be pulled. There being no further comments a motion was made to approve the remainder of the consent agenda.
(Time: 6:18 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 5 – 0 Passed

a. **AI-32660** Disbursements for the period ending September 21, 2010, Auditor.
COURT ORDER NO. 2010-758-09-27

b. **AI-32594** Tax refunds totaling $47,073.77, Tax Assessor Collector.
COURT ORDER NO. 2010-759-09-27

c. Agreement(s):

1. **AI-32583** Agreement to Contribute Funds - Local Government with the Texas Department of Transportation (TxDOT) for 10% right-of-way (ROW) participation on FM 455 from US 75 to SH 5 roadway project (Bond Project No. 03-117C), budget amendment in the amount of $250,000 and further authorize the County Judge to finalize and execute same, Engineering.
COURT ORDER NO. 2010-760-09-27

2. **AI-32584** Agreement to Contribute Funds – Local Government with the Texas Department of Transportation (TxDOT) for 10% right-of-way participation on FM 545 from West of FM 1827 to East of FM 1827 bridge replacement project (Bond Project No. 07-00-06), budget amendment in the amount of $67,000 and further authorize the County Judge to finalize and execute same, Engineering.

Judge Self commented that this was noted as discretionary and asked Ruben Delgado, Engineering, to approach and explain the funding. Mr. Delgado responded saying these were funds that were saved from other projects; this may be noted as discretionary but actually it is not. Judge Self clarified that this funding was not cutting anything from the discretionary funds, but rather a savings. Motion to approve both 4c1 and 4c2 as submitted. (Time: 6:19 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Matt Shaheen
Vote: 5 – 0 Passed

COURT ORDER NO. 2010-761-09-27

3. AI-32616 Agreement to Contribute Funds – Local Government with the Texas Department of Transportation (TxDOT) for 10% right-of-way participation on SH 78 from Spring Creek Parkway to SH 205 roadway project (Bond Project No. 07-00-07), budget amendment in the amount of $200,002 and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-762-09-27

4. AI-32615 Agreement for Provision of Fire Protection Services with the Collin County Firefighters Association, Inc. (Contract No. 09415-10) to be paid in equal quarterly payments of $250,000 (totaling $1,000,000) per LGC Chapter 352 through and including September 30, 2011 and further authorize the County Judge to finalize and execute same, Fire Marshal.

COURT ORDER NO. 2010-763-09-27

5. AI-32582 Addendum to the Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) for E9-1-1 Services to extend the termination date until the 2010 - 2011 Interlocal Agreement can be signed, processed and returned to NCTCOG and further authorize the County Judge to finalize and execute same, Information Technology.

COURT ORDER NO. 2010-764-09-27

6. AI-32580 Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) for E9-1-1 Service, Equipment, Addressing and Database Maintenance and further authorize the County Judge to finalize and execute same, Information Technology.

COURT ORDER NO. 2010-765-09-27

d. Amendment(s):

1. AI-32643 No. 1 to Insurance: General Liability & Workers' Compensation (Contract No. 06619-09) with Wells Fargo Insurance Services to extend the contract for one (1) year through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

This item was discussed with items 4d2 and 4d7. Commissioner Shaheen stated he pulled these items in order to recognize the Human Resources department for their work. Commissioner Shaheen said he wanted to point out Nicole Welch and Cynthia Jacobson for getting the insurance contracts extended and under negotiations and saving taxpayer money. Motion to approve items 4d1, 4d2 and 4d7. (Time: 6:20 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland
Vote: 5 – 0 Passed

COURT ORDER NO. 2010-766-09-27

2. AI-32642 No. 1 to Insurance, Excess General Liability & Excess Workers' Compensation (Contract No. 06620-09) with McGriff Seibels & Williams to extend the contract for one (1) year through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2010-767-09-27

3. AI-32635 No. 1 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, 2011, further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2010-768-09-27

4. AI-32634 No. 1 to Maintenance: Scanners (Contract No. 12113-10) with Harris, Mackessy & Brennan, Inc. to extend the contract for one (1) year through and including September 30, 2011, further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2010-769-09-27

5. AI-32593 No. 1 to Recycling with the City of Nevada to extend the contract for one (1) year through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2010-770-09-27

6. **AI-32631** No. 3 to Interlocal Agreement for Environmental Services (Contract No. 10178-09) with the City of Wylie to extend the contract for one (1) year through and including September 30, 2011. Payments will be made in equal quarterly installments for an annual amount of $31,200, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2010-771-09-27

7. **AI-32641** No. 3 to Insurance: Property (Contract No. 06557-08) with Arthur J. Gallagher Risk Management Services to extend the contract for one (1) year through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2010-772-09-27

8. **AI-32638** No. 4 to Interlocal Agreement for Animal Control Services with the City of Melissa to set the rate for FY2011 and extend the contract for one (1) year through and including September 30, 2011. Payment will be made in quarterly installments for an annual amount of $17,699, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2010-773-09-27

9. **AI-32636** No. 4 to Interlocal Agreement for Animal Control and Animal Shelter Services with the Town of New Hope to extend the contract for one (1) year through and including September 30, 2011. Payment will be made in quarterly installments for an annual amount of $4,075, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2010-774-09-27

10. **AI-32639** No. 4 Interlocal Agreement for the Facility Construction and Use of Animal Shelter Services with the City of Melissa to set the rate for FY2011 and extend the contract for one (1) year through and including September 30, 2011. Payment will be made in quarterly installments for an annual amount of $11,227, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2010-775-09-27

11. **AI-32617** No. 6 to Professional Services, Architectural: Collin County Courthouse Addition Phase II (Contract No. 11089-08) with Pierce Goodwin Alexander & Linville (PGAL) to add additional services to the contract and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2010-776-09-27

e. Change Order(s):

1. AI-32596 No. 1 to Supplies: Janitorial Chemical (IFB No. 07718-09) with Ecolab to extend the contract for one (1) year through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2010-777-09-27

2. AI-32461 No. 1 to Equipment: 50 Ton Hydraulic Gooseneck Trailer (IFB No. 02173-10) with Knight Brothers to add item no. 02173-10-1-02 - Trade-In Allowance for County Owned 1985 Fontaine Lowboy Equipment Haul Trailer and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2010-778-09-27

3. AI-32395 No. 1 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with Tabb Textiles to extend the contract for one (1) year through and including September 30, 2011 with a price redetermination to the contract, further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2010-779-09-27

4. AI-32586 No. 2 to Contract: Supplies, Janitorial Paper and Disposable Products (IFB No. 07722-09) with Empire Paper Company to extend the contract for one (1) year through and including September 30, 2011 and price adjustments to various items, further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2010-780-09-27

f. Receive and File, Auditor:

1. AI-32436 Justice of the Peace, Precinct 3–1 (1st & 2nd Quarter FY2010).

COURT ORDER NO. 2010-781-09-27

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

1. AI-32606 August 16 - 17, 2010 Budget Workshop.

COURT ORDER NO. 2010-782-09-27

h. Miscellaneous

1. AI-32559 FY2011 Employee Reclassifications, Human Resources.

Judge Self recognized two additional blue cards for public comment. After the additional public comments were heard, Judge Self returned to this item to discuss the reclassification of the Court Coordinator position.

Judge Self agreed with Commissioner Hoagland who believes salary studies should not be up to the taxpayer or a judge, but rather the Human Resources department. Commissioner Hoagland stated that the county has a Human Resources department and that is who the court should rely on for these studies. Judge Self agreed saying the county tended to keep these decisions in house such as with the Information Technology (IT) department. There is a consolidated IT department, not one for each separate department; we also have a consolidated HR department that does the county's salary studies on a routine basis. Judge Self asked why the high range considering the qualifications. Cynthia Jacobson, Human Resources, responded saying the higher range was a discussion between court and the judges; at the time they were using a range that had the same job title, but was not at a comparable job so it increased the salary level. Judge Self commented that the position did not require a degree and had no supervisory of any sort. Discussion regarding comparable positions, their requirements and what they pay compared to the court coordinator position in Collin County followed.

Judge Self asked about the position in the City of Plano. Ms. Jacobson replied that the City of Plano position supervised another position and the one in the City of McKinney supervised multiple clerks. Judge Self questioned why the county was paying the higher salary. Ms. Jacobson replied the salary was approved by the court following discussion.

Judge Self asked about the other positions in the same pay range and what they require; education, experience, etcetera. Ms. Jacobson stated that in this pay range there is a Law Librarian which requires a Masters degree, a Records Manager which requires a very specific certification before they can take the job and a WIC (Women Infants and Children) Supervisor who supervises 25 staff. Judge Self asked what you say to the people who are getting the same pay but have different requirements. Ms. Jacobson referred to the reclassification sheet and said typically they keep jobs as equal as they can; when a situation arises that needs an adjustment she will bring it before the court. As an example, one of the items on the reclassification sheet was for Kenneth Maun's office. He has positions that were initially high, so they were moved to a lower range to be more consistent with an entry level position.

Commissioner Jaynes stated that it sounded as if the court were dealing with this piecemeal. He suggested a hold on the re-classes until a salary survey could be completed so they could get a clear picture of where the county stood and then take the appropriate action.

Commissioner Shaheen stated he had a request to hold the item for 30 days. Commissioner Jaynes agreed saying 30 days would not make much of a difference. Additional discussion among the court members followed. Commissioner Shaheen asked for clarification on how a re-class impacts the employee. Ms. Jacobson replied a re-class does not move anyone's salary up or down; it just changes the pay range. She checked each employee in this position and no one's salary will be affected. Ms. Jacobson also stated the re-classes are looked at for both an increase in range and a decrease in range; not just an increase as earlier indicated. Judge Self asked for a motion from the court. Commissioner Shaheen made a motion to hold the item for 30 days. Commissioner Hoagland disagreed with the motion. Motion to pull item for 30 days. (Time: 6:39 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Joe Jaynes
Vote: 4 – 1 Passed
Nay: Commissioner Jerry Hoagland

COURT ORDER NO. 2010-783-09-27

2. AI-32554 FY2011 Pay for Performance increases, Human Resources.

Cynthia Jacobson, Human Resources, informed the court that information had been added to the Pay for Performance increases and requested the additional information be included in the vote. Motion to approve with changes. (Time: 6:39 p.m.)

Motion by: Commissioner Kathy Ward
Second by: Commissioner Joe Jaynes
Vote: 5 – 0 Passed

COURT ORDER NO. 2010-784-09-27

3. AI-32595 Placement of a Historical Marker at Empire College located in the Southeastern region of Collin County, Public Works.

COURT ORDER NO. 2010-785-09-27

GENERAL DISCUSSION

5. AI-32589 Omnilink JV Monitoring Technology, Commissioner, Precinct 1.

PULLED

6. AI-32633 Designation of the FY2011 Commissioners Court regular term meeting dates and time, Commissioners Court.

Commissioner Hoagland made a motion to keep the current meeting schedule of every Monday. (Time: 6:39 p.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 4 – 1 Passed
Nay: Commissioner Joe Jaynes

COURT ORDER NO. 2010-786-09-27

7. AI-32671 Personnel Changes, Human Resources.

Cynthia Jacobson, Human Resources, approached the court with personnel changes. Ms. Jacobson stated that there were no changes only a correction to a department. Motion to approve. (Time: 6:40 p.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward
Vote: 5 – 0 Passed

COURT ORDER NO. 2010-787-09-27

8. AI-32680 Board/Committee Appointments, Commissioners Court.

NO ACTION TAKEN

9. Potential 82nd Legislative items, Commissioners Court:

a. AI-31816 Discussion of legislative priorities

NO ACTION TAKEN

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

EXECUTIVE SESSION

Judge Self adjourned Commissioners Court into Executive Session under Government Code 551.074 at 6:40 p.m. and reconvened the meeting at 7:31 p.m.

AI-32667 County Extension personnel compensation, Human Resources.

Commissioner Shaheen made a motion to approve item as discussed.
(Time: 7:32 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland
Vote: 5 – 0 Passed

COURT ORDER NO. 2010-788-09-27

AI-32620 Department Heads compensation, Human Resources.

Commissioner Ward made a motion to approve PFP increases for Bill Bilyeu and Sharon Rowe as discussed. (Time: 7:32 p.m.)

Motion by: Commissioner Kathy Ward
Second by: Commissioner Jerry Hoagland
Vote: 5 – 0 Passed

COURT ORDER NO. 2010-789-09-27

AI-32621 Retirement insurance coverage for an employee, Commissioner, Precinct 4.

NO ACTION TAKEN

There being no further business of the Commissioners Court, Judge Self adjourned the meeting at 7:32 p.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Not Present

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Kathy Ward, Commissioner, Pct. 4

ATTEST:

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