**COURT ORDER NO. 2011- 632 -09-12**

**STATE OF TEXAS**

**COUNTY OF COLLIN**

**COMMISSIONERS' COURT**
**MEETING MINUTES**
**AUGUST 1, 2011**

On Monday, August 1, 2011, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Collin County Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Judge Keith Self
Precinct 1 Commissioner Matt Shaheen
Precinct 2 Commissioner Cheryl Williams
Precinct 3 Commissioner Joe Jaynes
Precinct 4 Commissioner Duncan Webb

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

**1.** Judge Self called to order the meeting of the **Collin County Commissioners' Court** at 6:00 p.m. and recessed into the **Collin County Toll Road Authority**.

President Self adjourned the meeting of the **Collin County Toll Road Authority** at 7:19 p.m. and reconvened the meeting of the **Collin County Commissioners' Court**. The meeting started with General Discussion Item 5.

Judge Self adjourned the meeting of the **Collin County Commissioners' Court** at 8:28 p.m. and called to order the meeting of the **Collin County Health Care Foundation.**

**DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:**

**1. AI-33900** Budget amendment in the amount of $6,000 to reallocate funds to the appropriate line items for Investigation costs for the Juvenile Probation department, Auditor.

**FYI NOTIFICATION**

**1. AI-33922** Change Order No. 14 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to add Price Change Order No. 102 R1 to the contract for additional FRP in the Kitchen area (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

**2. AI-33832** Purchase Motorola radio upgrades utilizing the HGAC (Houston-Galveston Area Council) cooperative contract, Purchasing.

Commissioner Shaheen asked for a full explanation to be presented to Court members and citizens. Sheriff Terry Box said this is a second year project of flashing all the public service radios for Collin County whereby we will be able to communicate with the surrounding cities of McKinney, Frisco, Prosper, Plano, Allen, Wylie and Murphy. Commissioner Shaheen stated he wanted to draw attention to that. (Time: 7:58 p.m.)

**3. AI-33842** Utilization of the TXMAS cooperative contract (Contract No. 5-581010) for the purchase of investigative equipment for the Sheriff's office from DTC Communications, Inc., Sheriff.

**2.** Public Comments.

**3.** Presentation/Recognition.

**4. Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Commissioner Webb pulled disbursement 4a, and items 4b1, 4d6, 4g2, Commissioner Williams pulled item 4d4 and Commissioner Shaheen pulled items FYI2 and 4c2. Commissioner Jaynes made a motion to approve the remainder of the consent agenda. Following the vote, Commissioner Jaynes noted that included in the approval was the Historical Commission's grant. (Time: 7:57 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Duncan Webb
Vote: 5 - 0 Passed

**a. AI-33952** Disbursements for the period ending July 26, 2011, Auditor.

Commissioner Webb pulled this item because of a disbursement to Schindler, Inc. He asked that that disbursement be voted on separately. Judge Self asked for a motion. Commissioner Webb made a motion to approve all disbursements with the exception of Schindler, Inc. (Time: 8:00 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

**COURT ORDER NO. 2011-500-08-01**

Judge Self asked for a motion on the disbursement to Schindler, Inc. Commissioner Williams made a motion to approve. (Time: 8:00 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Abstained: Commissioner Duncan Webb
Vote: 4 - 0 Passed

**COURT ORDER NO. 2011-501-08-01**

**b. Advertisement(s):**

**1. AI-33918** Services: Juvenile Sex Offender Counseling (RFP No. 07244-11), Juvenile Probation.

Commissioner Webb stated the memo provided by the Juvenile Probation Department said an average of 65-70 hours a week is required to maintain the current level of treatment and success in the program. He asked if those 65-70 hours were performed by one person, multiple persons, or how does this work. Joe Scott, Juvenile Probation Services Director, came forward. He stated this contract is to one vendor, and that one vendor is Terri Bauer. Ms. Bauer has one person that helps her. Ms. Bauer works 60 hours or more every week herself. She testifies in court and she does sex offender assessments. She works six days a week; on Saturdays she conducts outpatient and inpatient groups in Plano. Mr. Scott said the out of county sex offender program more than generates enough revenue to pay for the sex offender therapist we contract with. Mr. Scott said he feels that Terri Bauer is the best sex offender therapist in the state, if not the nation. He feels this is money well spent. Commissioner Webb said he wanted to make sure that this was an accurate number of hours worked, and if Mr. Scott feels that that is correct, he will make a motion to approve. Commissioner Shaheen asked Mr. Scott if the $200,000 is just for Ms. Bauer. Mr. Scott replied they pay Ms. Bauer $200,000, and Ms. Bauer pays her assistant. Ms. Bauer has been a consultant with the county for ten years. Commissioner Shaheen asked why we don't make her an employee. Mr. Scott said it comes down to money. Commissioner Shaheen stated a social worker doesn't get paid anywhere near this amount of money. He thinks it would be a big savings to the taxpayers if we hired her as an employee. Mr. Scott stated if the county hired Ms. Bauer and an assistant, it would only save the county about $15,000-$20,000 per year versus the way it's being done now.

Commissioner Williams said she doesn't think the Court has any control over this item. The Commissioner wanted the public to be clear when there are items that the court has no control over.

Judge Self asked Frank Ybarbo, Purchasing Agent, to come forward to answer if this is going to RFP (Request for Price) or if this was a sole source contract. Following a brief discussion, Judge Self asked for a vote. (Time: 8:10 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

**COURT ORDER NO. 2011-502-08-01**

**c. Agreement(s):**

**1. AI-33930** Acceptance of the FY2012 Cities Readiness Initiative Grant in the amount of $154,852; approval of Contract No. 2011-038526 with the Department of State Health Services (DSHS) beginning August 1, 2011 through and including July 31, 2012, Homeland Security.

**COURT ORDER NO. 2011-503-08-01**

**2. AI-33861** Professional Services Agreement with Tyler Technologies for additional services to assist the District Clerk with the Odyssey Case Manager software, budget amendment in the amount of $38,794 and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

Commissioner Shaheen asked for explanation of the additional services for $39,000. Bill Bilyeu, County Administrator, said they are going to do basic and advanced training for staff. The subject matter expert that installed the system is no longer in the district clerk's office. Their ultimate goal is to have multiple subject matter experts. Also, there are some installations in the system that aren't being used to their fullest extent, so they're going to go back and retrain. Commissioner Shaheen said he can see spending this money for training when you're building training materials. He asked other court members if they found it odd. Commissioner Williams thinks it's odd but she thinks it's necessary because otherwise you have a dysfunctional office. They are in desperate need of training and retraining. And if we don't provide it, we will have a much worse situation. Commissioner Webb agreed; Tyler put in the system and they are the only ones who can provide the expertise. Commissioner Shaheen added there is other work other than training, which he missed in his initial reading. The Commissioner made a motion to approve. Commissioner Williams suggested talking to the district clerk about moving money around in her budget for ongoing training. Commissioner Webb agreed. Judge Self stated he asked Caren Skipworth, IT Director, about the possibility of consolidating the Odyssey experts from the different offices. (Time: 8:12 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Duncan Webb
Vote: 5 - 0 Passed

**COURT ORDER NO. 2011-504-08-01**

**3. AI-33916** Agreement with the University of Texas Southwestern Medical Center for Donor Services and further authorize the Purchasing Agent to finalize and execute same, Medical Examiner.

**COURT ORDER NO. 2011-505-08-01**

**4. AI-33895** Grant discretionary exemption from the competitive bid process per V.T.C.A. LGC 262.024 (a)(4) for a Professional Services Agreement (Agreement No. 06225-11) with David T. Hanks, Ph.D. to provide Psychological Examinations and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

**COURT ORDER NO. 2011-506-08-01**

**d. Amendment(s):**

**1. AI-33887** No. 1 to Services: Professional Audit (RFP No. 06294-10) with Pattillo, Brown & Hill, L.L.P. to extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Auditor.

**COURT ORDER NO. 2011-507-08-01**

**2. AI-33866** No. 1 to Physician Services (Contract No. 07335-11) with Dr. James Shupe to extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, County Clerk.

**COURT ORDER NO. 2011-508-08-01**

**3. AI-33901** No. 1 to Emergency Alert Notification System (Contract No. 03221-10) with Everbridge to extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Homeland Security.

**COURT ORDER NO. 2011-509-08-01**

**4. AI-33929** No. 1 to Low Income Vehicle Repair Assistance, Retrofit and Accelerated Retirement Program (LIRAP) (Contract No. 582-9-90416-08) with the Texas Commission on Environmental Quality (TCEQ) to extend the contract through and including August 31, 2013 and further authorize the County Judge to finalize and execute same, Special Projects.

Commissioner Williams pulled this item for community information. There is a legislative change to how this program will be handled in the future. It is repairs only now; is that correct? Jeff Durham, Parks and Open Space Special Projects, said the main change in the LIRAP program is the extension of the contract period. Commissioner Williams said part of the reason for the extension is they will no longer do replacements for vehicles; they will only do repairs. Mr. Durham said it was replacement and repair but we've used most of the money. The North Central Texas Council of Governments has stated with the remainder of the money they will only do repairs. He's not sure if that

will be repairs only going forward. Following further discussion, Commissioner Williams made a motion to approve. (Time: 8:15 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

**COURT ORDER NO. 2011-510-08-01**

**5. AI-33893** No. 2 Services: Inmate Healthcare (RFP No. 04479-08) with Correctional Healthcare Management to extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize same, Sheriff.

**COURT ORDER NO. 2011-511-08-01**

**6. AI-33927** No. 4 to Services: Emergency Medical (Ambulance) (Contract No. 09006-03) with American Medical Response Ambulance Service Inc. for a 3% price increase to the contract for years 9 and 10 and further authorize the Purchasing Agent to finalize and execute same, Fire Marshal.

Commissioner Webb pulled this because he was reading the letter from American Medical Response, and it was requesting an increase in cost of 3% based on the CPI (Consumer Price Index); however, their letter indicates the CPI is 2.4%. His question is why the increase is at 3% when the CPI is 2.4%. The Commissioner said you can budget 3%, but if it turns out CPI is less than that, he wants the increase to be based upon the actual CPI as of January 1st. Commissioner Shaheen said he thought the contract said whatever CPI is now. Frank Ybarbo, Purchasing Agent, said it's usually at the anniversary of the contract, which is November 1st. Commissioner Shaheen doesn't want to deviate from the contract; he thinks CPI will be 1/2% and he wanted to use that. Mr. Ybarbo said this matter was before the court today because cities that they service need to prepare their budgets. Commissioner Webb said if they want to budget, they can budget for 3% but in terms of what we pay, it should be the CPI. Judge Self asked Mr. Ybarbo if he could change the contract with that caveat. Following that clarification, Commissioner Webb made a motion to approve. (Time: 8:18 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

**COURT ORDER NO. 2011-512-08-01**

**7. AI-33931** No. 5 to the Inter-Governmental Cooperative Reimbursement Agreement (Agreement No. 10151-09) for the Local Initiative Project Grant Contract with the Texas Commission on Environmental Quality (TCEQ) (Contract No. 582-8-89950) to reduce the funding obligation by $84,663.90 and further authorize the County Judge to finalize and execute same, Special Projects.

**COURT ORDER NO. 2011-513-08-01**

**e. Change Order(s):**

**1. AI-33925** No. 3 to Services: Tax Statement Preparation & Mailing Services (IFB No. 08632-08) with Outsource Data Center to extend the contract for one (1) year through and including August 31, 2012 and further authorize the Purchasing Agent to finalize and execute same, Tax Assessor Collector.

**COURT ORDER NO. 2011-514-08-01**

**2. AI-33957** Change Order No. 5 to Services: Coffee (Contract No. 02067-07) with Canteen Vending Services Division to extend the contract for one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

**COURT ORDER NO. 2011-515-08-01**

**3. AI-33923** No. 15 to Construction: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Construction Projects.

**COURT ORDER NO. 2011-516-08-01**

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

**1. AI-33908** July 11, 2011.

**COURT ORDER NO. 2011-517-08-01**

**g. Miscellaneous**

**1. AI-33917** Sale of Struck Off Property located at 1000 New Street, McKinney, Texas to John and Cheryl Boley and further authorize the County Judge to finalize and execute the associated documents, Administrative Services.

**COURT ORDER NO. 2011-518-08-01**

**2. AI-33926** Scope of Services submitted by Halff Associates, Inc. to design corrective measures for the Myers Park show barn electrical upgrade project and budget amendment in the amount of $26,550 for same, Construction & Projects.

Commissioner Webb pulled this item because he was trying to understand what is going on with the show barn. This is a reduction in what they estimated would be the cost to do these design corrective measures. He wanted to know how much less $26,550 was from the original estimate. Bill Burke, Construction and Planning Project Manager, said

it is approximately $600 to $800 less than what was originally proposed. They went down because Mr. Burke told them there was some scope in the construction administration area that was not needed. Following discussion, Commissioner Webb made a motion to approve. (Time: 8:22 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

**COURT ORDER NO. 2011-519-08-01**

**3. AI-33859** Award of the FY2011 Historical Commission grants, Historical Commission.

**COURT ORDER NO. 2011-520-08-01**

**4. AI-33896** 2009 Grant Adjustment Notice with the Texas Department of Public Safety for the 2009 Homeland Security Grant Program (HSGP) to acknowledge the reduction in funding to the Citizens Corps program and further authorize the County Judge to finalize and execute same, Homeland Security.

**COURT ORDER NO. 2011-521-08-01**

**5. AI-33894** Grant application with the Federal Emergency Management Agency through the State of Texas Department of Public Safety Division of Emergency Management for the FY2012 Pre-Disaster Mitigation (PDM) grant funds to provide assistance to the residents of Collin County for the cost of installing a tornado safe room, Homeland Security.

**COURT ORDER NO. 2011-522-08-01**

**6. AI-33833** Acceptance of the 2011 Byrne Justice Assistance Grant (JAG) in the amount of $25,263 and further authorize the County Judge to finalize and execute the Memorandum of Understanding and the Interlocal Agreement with the cities of Plano and McKinney, Sheriff.

**COURT ORDER NO. 2011-523-08-01**

**7. AI-33960** Personnel Appointments, Human Resources.

**COURT ORDER NO. 2011-524-08-01**

**8. AI-33961** Personnel Changes, Human Resources.

**COURT ORDER NO. 2011-525-08-01**

## GENERAL DISCUSSION

**5. AI-33738** Compensation analysis and benefits, Human Resources.

Cynthia Jacobson, Human Resources, came forward with a power point presentation entitled "2011 Law Enforcement Salary Structures". An extensive study was conducted of the various law enforcement positions and pay ranges. An analysis was conducted of 403 current employees in 13 different positions. Of the positions analyzed, 131 employees, or 33%, are at the maximum of the pay range and 76 employees, or 21%, are within 10% of the maximum. It is anticipated that Collin County will be covered by Civil Service in September 2011. Of the positions used for the analysis, for FY2010 there was an overall turnover rate of 8.7%. Detention officers have the highest rate of turnover at 12.3%. Excluding detention officers, the overall turnover rate was 3.7%. Judge Self said they hear often that the younger officers don't move through the ranks very fast. Ms. Jacobson said with 233 detention officers, they are the largest group. A slide entitled "Quartile Rankings" showed the number of employees by position who are at the maximum of the pay grade. Following an exit interview inquiry, 49 of 60, or 82%, of respondents agreed or strongly agreed that they were provided an adequate rate for their jobs. Previous pay vs. Collin County hire pay, 75 of 90, or 86%, of incumbents received an increase in pay when starting with Collin County.

Base pay increases for the comparison counties used in the study shows Collin County slightly higher than all but two. A discussion of step increases vs. pay for performance followed. Ms. Jacobson moved to city comparisons. Collin County is lower than most of the comparable cities' base pay increases. Under pay for performance, law enforcement employees who are at the maximum of the pay range are eligible for a one-time lump sum increase if they meet performance guidelines. Collin County offers supplemental pay for shift differential; most of the comparable counties do not. The county paid $300,000 for shift differential pay for 2010 which impacted 354 employees. Collin County does not offer supplemental pay for special teams, education or TCLEOSE.

The next part of Ms. Jacobson's presentation was broken down between jail positions and non-jail positions. There are 233 detention officers. Their average length of service is seven years. 53, or 23%, are at the maximum of the pay range; 43, or 18%, are in the top quartile of the pay range. The pay range for Collin County's detention officers is the highest of all counties surveyed.

There are 18 jail sergeants. Their average length of service is 11 years. Two, or 11%, are at the maximum of the pay range; three, or 17%, are in the top quartile of the pay range. Collin County's minimum and maximum salaries are higher than all surveyed counties with the exception of Fort Bend County and Collin County's experience requirements are less than other counties.

There are nine jail lieutenants in housing. Their average length of service is 17 years. Six employees, or 67%, are at the maximum of the pay range. Collin County's jail

lieutenants' salary is higher than the average of the comparable counties. The position of jail lieutenant non-housing has five employees. Their average length of service is 14 years. One is at the maximum of the pay range and two are in the top quartile of the pay range. Collin County's jail lieutenant non-housing salary is higher than the average.

There are five captains in the jail with an average length of service of 22 years. Four captains are at the maximum of the pay range. Collin County's jail captain salary is higher than the average and slightly below Denton County.

The position of assistant chief deputy over the jail has a pay range of $82,623 to $110,722. The maximum pay for the assistant chief deputy is higher than all counties surveyed.

Ms. Jacobson moved on to sheriff's office law enforcement positions that are non-jail. Cities and counties were used for this comparison. Collin County has 58 deputy sheriffs currently working. Their average length of service is just over 11 years. There are 19, or 33%, that are at the maximum of the pay range; 16, or 28%, are in the top quartile of the pay range. Collin County's minimum salary was higher than all surveyed with the exception of the cities of Allen and Frisco. Maximum salaries were also higher with the exception of the City of Frisco. The cities of McKinney and Plano were not a match because their education requirements are higher than Collin County's.

There are 17 criminal investigators and their average length of service is 16 years. There are 16 employees, or 94%, that are at the maximum of the pay range. Collin County's pay range for criminal investigator is the highest of the entities surveyed.

The position of patrol sergeant was added to the law enforcement pay plan in FY 2011. There are three patrol sergeants and their average length of service is just over 12 years. Collin County's minimum salary is right in the middle of the cities and counties in the comparison and our pay range maximum is less than 2% lower than the city/counties' average. Moving to the position of patrol lieutenant, Collin County has eight with an average length of service of just over 18 years. Four, or 50%, are at the maximum of the pay range; three, or 38%, are in the top quartile of the pay range. Collin County's pay range is higher than all except Fort Bend and Denton Counties and the cities of Frisco and Plano.

There is one captain in training and he has been with us for 32 years. The person in this position is at the top of the pay range. Collin County has three majors who each supervise a specific area. Their average length of service is 15 years and two out of the three, or 67%, are at the maximum of the pay range. Each of the counties in the comparison split similar duties among several positions so there is no equivalent match. There is one chief deputy sheriff. His length of service is 29 years and he is at the maximum of the pay range. Collin County is higher than the average with the exception of Denton County.

For constables, the positions of deputy constable and chief deputy constable were studied. We have 22 deputy constables and the average length of service is almost ten years. Nine are at the maximum of the pay range. Collin County's pay range for deputy constable is higher than all counties surveyed. There are three chief deputy constables and their average length of service is 28 years. They are all at the maximum of the pay range. Collin County's pay for chief deputy constables is roughly equal to the average.

Court officers, or bailiffs, are on the law enforcement pay scale. There are sixteen right now and their average length of service is 15 years. Nine of those sixteen, or 56%, are at the maximum of the pay range. Salaries for court officers in Collin County are higher than all counties surveyed. Commissioner Williams asked why salaries for deputy constables are out of whack as compared to salaries for deputy sheriffs. Ms. Jacobson said in doing the comparison they are looking at specific job duties, what are the job duties being performed. Sheriff's deputies' duties can be compared to the duties of city police officers but deputy constables cannot.

Ms. Jacobson presented a summary of issues: constables have a significant pay differential from a market standpoint. Deputy sheriffs barely hit the mark at being at the higher end of the grouping. Commissioner Webb wanted to see how our average length of service compares to these others because they will impact maximums. Judge Self said this briefing has dramatically improved from years past. Commissioner Williams added that Sheriff Box has heard some of her concerns and increased some of his requirements. As he's increasing his standards, Commissioner Williams is hoping we'll increase compensation accordingly. The Commissioner said she doesn't have a problem with being at the top of the pay scale if we are getting the best educated, most fit and most professional people out there. (Time: 7:55 p.m.)

**NO ACTION TAKEN**

**6. AI-33987** Commissioners redistricting update, County Judge.

Judge Self stated he wanted to let citizens know redistricting is coming. Bill Bilyeu, County Administrator, said by August 31st we need to have a map adopted by the court. The map will then go to the federal government for the justice department to review. They have 60 days to review it. It must be done before the filing deadline for the primary, which is November 12th. This puts us right on the deadline if we get it done by the end of this month. Mr. Bilyeu explained the guidelines for the map to the court. (Time: 8:27 p.m.)

**NO ACTION TAKEN**

**7. <u>AI-33882</u> Board/Committee Appointments, Commissioners Court:**

**a. <u>AI-33915</u>** Appointment to the North Texas Behavioral Health Authority, County Judge.

Judge Self appointed Suzanne Bowers to the North Texas Behavioral Health Authority. Commissioner Webb seconded and stated he was very impressed with her. (Time: 8:27 a.m.)

Motion by: Judge Keith Self
Second by: Commissioner Duncan Webb
Vote: 5 - 0 Passed

**<u>COURT ORDER NO. 2011-526-08-01</u>**

**8.** Possible future agenda items by Commissioners Court without discussion.

**<u>EXECUTIVE SESSION</u>**

There being no reason to recess into Executive Session and no further business of the Court, Judge Self adjourned the meeting at 8:27 p.m.

**Keith Self, County Judge**

**Matt Shaheen, Commissioner, Pct. 1**

**Cheryl Williams, Commissioner, Pct. 2**

**Joe Jaynes, Commissioner, Pct. 3**

**Duncan Webb, Commissioner, Pct. 4**

**ATTEST:**

**Stacey Kemp, Ex-Officio Clerk**
**Commissioners Court**
**Collin County, T E X A S**