COURT ORDER NO. 2011- 633 -09-12

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
AUGUST 8, 2011

On Monday, August 8, 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

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

1. Judge Self called to order the meeting of the **Collin County Commissioners' Court** at 1:32 p.m. and recessed into the **Collin County Health Care Foundation**.

President Self called to order the meeting of the **Collin County Health Care Foundation** at 3:50 p.m. and adjourned the meeting into the **Collin County Commissioners' Court**.

1. AI-33944 Amendment No.1 to Services: Offender Specimen & Drug Testing (RFP No. 05251-10) with Treatment Assessment Screening Center, Inc. to extend the contract for one (1) year through and including August 31, 2012, Adult Probation.

2. Public Comments.

Pat Hatchell, Plano, discussed the supplemental benefits for retirees and the two companies who are bidding for retiree insurance. She stated some people have opinions about AARP and the other company appears to be more beneficial for younger retirees. (Time: 3:23 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. He pulled items 4c1 and e1. He stated items f1, f6, f10 and g2b were pulled off the agenda. Commissioner Webb pulled items e4 and g1. Commissioner Shaheen pulled item 4f5. Hearing no further comments Commissioner Williams made a motion to approve the remainder. (Time: 3:20 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 5 – 0 Passed

a. AI-33997 Disbursements for the period ending August 2, 2011, Auditor.

COURT ORDER NO. 2011-527-08-08

b. AI-33975 Tax refunds totaling $277,289.55, Tax Assessor Collector.

COURT ORDER NO. 2011-528-08-08

c. Award(s):

1. AI-34026 Medicare Supplement Insurance (RFP No. 06212-11) to United American Insurance and United Health Care, Administrative Services.

Frank Ybarbo, Purchasing, came forward. Judge Self said he heard there are no qualified bidders and he did not see a rating matrix on the back of his packet. He said he cannot tell from his backup documentation if this is a benefit or just a program because there is no cost data other than the two programs. Mr. Ybarbo said this was put together in the interest of the retirees. Judge Self suggested they add language to the court order stating there is no cost to the County for this program. Mr. Ybarbo said United Healthcare stated they would provide support directly with the retirees. Judge Self stated the language should read, "At no cost to the County or extended staff support from the County". Commissioner Webb made a motion to approve using the language the Judge suggested to amend the court order. (Time: 3:30 p.m.)

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

COURT ORDER NO. 2011-529-08-08

d. Agreement(s):

1. AI-33870 Interlocal Agreement with the City of Dallas for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute same, Homeland Security.

COURT ORDER NO. 2011-530-08-08

e. Amendment(s):

1. AI-33968 No. 1 to Services: Outpatient Substance Abuse (RFP No. 01135-10) with First Step Counseling to extend the contract for one (1) year through and including August 9, 2012 and further authorize the Purchasing Agent to finalize and execute same, County Court at Law 5 and 366th District Court.

Judge Self asked if they could have a short-term extension on the contracts to accommodate the County budget year. Frank Ybarbo, Purchasing, said they could adjust them to start October 1st. Monika Arris, Budget, said when they start October 1st it is hectic to get the requisition in between Budget and Purchasing due to them trying to rollover the new budget and get the system updated. Mr. Ybarbo said it would take approximately

three months because they have over 300 of these types of contracts. Judge Self made a motion to approve the contract as written. (Time: 3:35 p.m.)

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

COURT ORDER NO. 2011-531-08-08

2. AI-33967 No. 1 to Services: Outpatient Substance Abuse (RFP No. 01135-10) with Life Management Resources to extend the contract for one (1) year through and including August 9, 2012 and further authorize the Purchasing Agent to finalize and execute same, County Court at Law 5 and 366th District Court.

COURT ORDER NO. 2011-532-08-08

3. AI-33966 No. 1 to Services: Outpatient Substance Abuse (RFP No. 01135-10) with LifePath Systems to extend the contract for one (1) year through and including August 9, 2012 and further authorize the Purchasing Agent to finalize and execute same, County Court at Law 5 and 366th District Court.

COURT ORDER NO. 2011-533-08-08

4. AI-33878 No. 3 to Storm Water Management Program (Agreement No. 12179-08) with Jacobs Engineering Group, Inc. to modify the scope of services to include Year 4 Support Services, extend the period of performance through and including November 11, 2011 and further authorize the Purchasing Agent to finalize and execute same, Engineering.

Commissioner Webb asked if they have to do one of these reports every year because they spend approximately $22,000 on the report. Tracy Homfeld, Engineering, stated this report has to be done every year per Texas Commission on Environmental Quality (TCEQ) regulations. She said the permit cycle is five years and TCEQ has added additional regulations so next year the Engineering Department will have to adjust their program. Commissioner Webb asked if they ever use the additional services listed with this company. Ms. Homfeld said they have never used the additional services in the past four years. Commissioner Webb made a motion to approve. (Time: 3:38 p.m.)

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

COURT ORDER NO. 2011-534-08-08

f. Change Order(s):

1. AI-33776 No. 1 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Mower Medic, LLC to extend the contract one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

HELD

2. AI-33986 No. 1 to Equipment: Law Enforcement, Electroshock Weapon (IFB No. 08358-10) with GT Distributors, Inc. 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, Sheriff.

COURT ORDER NO. 2011-535-08-08

3. AI-33911 No. 2 to Specialized Printing for Elections (IFB No. 01339-09) with Complex Printing, Inc. 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, Elections.

COURT ORDER NO. 2011-536-08-08

4. AI-33963 No. 2 to Specialized Printing for Elections (IFB No. 01339-09) with Zytron to extend the contract one (1) year through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Elections.

COURT ORDER NO. 2011-537-08-08

5. AI-33959 No. 2 to Supplies, Electrical, Parts and Materials (IFB No. 04559-09) with C&W Electric Supply 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, Facilities.

Commissioner Shaheen asked if there is a way to look at these to see if there is a price increase. Frank Ybarbo, Purchasing, said there are no price increases, otherwise they would note it. He stated they will begin to state on the paperwork there is no price increase. Commissioner Shaheen made a motion to approve. (Time: 3:41 p.m.)

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

COURT ORDER NO. 2011-538-08-08

6. AI-33868 No. 3 to 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, 2012 and price redetermination, further authorize the Purchasing Agent to finalize and execute same, Facilities.

PULLED

7. AI-33984 No. 4 to Concrete Work, Various Locations (IFB No. 07115-07) with GT Construction, Inc. 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, Construction & Projects.

COURT ORDER NO. 2011-539-08-08

8. AI-33910 No. 4 to Specialized Printing for Elections (IFB No. 01339-09) with Accurate Forms and Supplies 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, Elections.

COURT ORDER NO. 2011-540-08-08

9. AI-33871 No. 4 to Supplies: Janitorial Equipment (Contract No. 07728-09) with Pyramid School Products to extend the contract for one (1) year through and including September 30, 2012, delete Bid Item No. 07728-09-1-43 (Vinyl Exam Glove) and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2011-541-08-08

10. AI-33958 No. 4 to Services: Uniform & Miscellaneous Rental and Laundry Services (Contract No. 03079-07) with G & K Services 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, Facilities.

PULLED

g. Receive and File, Auditor:

1. AI-33988 Monthly Interim Financial Report for April 2011.

Commissioner Webb asked Jeff May, County Auditor, why there is a substantial increase for liability in accounts payable on page 283. Mr. May said this fluctuates from time to time and the increase was due to a payment to the city of Frisco for construction of a road. Commissioner Webb asked why they went from a negative value to over $16.5 million in deferred revenue. Mr. May stated this was due to Regional Toll Revenues (RTR) funds being received. The funds cannot be reported as revenue until they are spent and then listed as deferred revenue. Commissioner Webb asked why there are negative fund balances under the Capital Project Funds on page 338. Mr. May said these are projected fund balances and each one is different. He said Fund 408 was due to the water pipe project at the Sheriff's office and this fund is to be adjusted. Fund 412 is due to a bond issue that was split between two funds after they started spending the money. At some point they will make an adjustment to move the expenditures from one fund to the other to clean it up. Commissioner Webb asked if they transfer funds from the general fund when there are negative balances in the federal grant funds. Mr. May said they spend the money before they receive it, therefore, it shows as a negative. Commissioner Webb asked if a transfer from the general fund to the juvenile probation fund was a quarterly or annual payment. Mr. May said this is budgeted transfer done every year. Commissioner Webb made a motion to approve. (Time: 3:49 p.m.)

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

COURT ORDER NO. 2011-542-08-08

2. Final Audit Result(s):

a. AI-33974 Child Protective Services Board (3rd Quarter FY2006 through 4th Quarter FY2010).

COURT ORDER NO. 2011-543-08-08

b. AI-33972 Myers Park & Event Center (3rd & 4th Quarter FY2010).

HELD

c. AI-33932 County Clerk (1st Quarter FY2011).

COURT ORDER NO. 2011-544-08-08

d. AI-33977 Constable, Precinct 1 (1st & 2nd Quarter FY2011).

COURT ORDER NO. 2011-545-08-08

e. AI-33978 Constable, Precinct 4 (1st & 2nd Quarter FY2011).

COURT ORDER NO. 2011-546-08-08

f. AI-33935 Development Services (1st Quarter FY2011).

COURT ORDER NO. 2011-547-08-08

g. AI-33976 Engineering (1st & 2nd Quarter FY2011).

COURT ORDER NO. 2011-548-08-08

h. Miscellaneous

1. AI-33897 Re-designation of Private Road 5587 to Alley Road (with associated updates), GIS/Rural Addressing.

COURT ORDER NO. 2011-549-08-08

2. AI-33971 Acceptance of the Dining Alliance rebate check in the amount of $325.74 to be deposited into Account No. 001-1001-411-4014 for the Going the Extra Mile Employee Incentive Program and budget amendment for same, Purchasing.

COURT ORDER NO. 2011-550-08-08

3. AI-34007 Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-551-08-08

4. AI-34008 Personnel Changes, Human Resources.

COURT ORDER NO. 2011-552-08-08

GENERAL DISCUSSION

5. AI-33973 Texas AgriLife Extension Projects at Myer Park & Event Center update, Special Projects.

Dr. Steve George, Texas AgriLife Extension, discussed the Earth-Kind program. He stated Myers Park is the premier location in the nation for people to see how the Earth-Kind program works. The program shows important techniques on how to manage the landscape during drought conditions and other scenarios. He listed well known horticulturists and other professionals who will be coming to Myers Park from all over the nation to see the Earth-Kind program.

Dr. Greg Church, Texas AgriLife Extension, discussed the projects and the Earth-Kind goals to conserve water, reduce fertilizer and pesticide use, produce energy and reduce waste in landfills. He presented photos of the Earth-Kind gardens and how they tested the drought tolerance of different plants. He discussed the rain harvesting project and the drip irrigation system.

Dr. Rick Maxwell, Texas AgriLife Extension, finished the presentation with pictures and discussion about pasture grasses. He stated they are using the Earth-Kind approach to research what pasture grasses will thrive in this area. (Time: 1:46 p.m.)

NO ACTION TAKEN

6. AI-33738 Compensation analysis and benefits, Human Resources.

Cynthia Jacobson, Human Resources, presented the Ancillary Benefits which consist of all benefits other than medical and retirement. She discussed voluntary employee paid benefits which are optional.

The other benefits discussed were the county paid ancillary benefits. The largest county paid benefit is paid leave. Paid time off (PTO) is a combination of sick time, personal time and vacation time in one lump sum. The accrual of hours is based upon years of service with the County. Catastrophic time off (CTO) is accrued once per year in the amount of 24 hours to a maximum of 160 hours. Catastrophic carryover is the unused sick time employees had when the County revised the leave plans in 2006. Therefore, employees hired after January 1, 2006 do not have catastrophic carryover. Commissioner Webb asked how many accrued days would an employee who has one year of service have. Ms. Jacobson said they would have a total of 27 days; three for CTO and 24 for PTO. She presented a comparison between other counties and cities. Collin County is comparable with other similar entities.

An employee is required to work one year before they are allowed a payout of their PTO time if they choose to leave the County. Currently there are 250,409 hours liability in PTO time. This averages to be 160 hours per employee. Previously there was a $7 million liability regarding catastrophic carryover. After the revision in 2006 this decreased the liability which currently is $3,866,430. Ms. Jacobson said in 2010 they paid out 13,689 hours of PTO for a total of $311,125.

Collin County offers compensatory time off to exempt and non-exempt employees who work in excess of 40 hours in a work week. This is not found in the private sector and is only allowed in the public sector. There are two types of compensatory time: straight and premium. Straight compensatory time is for exempt employees and is calculated as one hour for each hour worked in excess of 40 hours. This time is not paid out if the employee leaves. Non-exempt employees receive premium compensatory time which is calculated as one-and-a-half hours for each hour worked in excess of 40 hours. This time is paid out if the employee leaves. Changes were made in this program in 2010 where exempt employees cannot accrue more than 80 hours compensatory time. Collin County is comparable to other entities who offer the same time program.

Regular full-time employees are eligible for ten paid holidays a year. In 2010, Collin County paid $2,888,618 in holiday pay. Other local entities offer eight to twelve paid holidays per year.

Collin County offers longevity pay to full-time employees who were approved by Commissioners' Court on or prior to the December 18, 2007 agenda. The County paid $3.7 million in the past year for longevity which is more than what was paid before the program was removed. District Attorney Prosecutors receive state mandated longevity pay paid by the state. The County reduces their longevity pay by the amount paid by the state. Deputy Sheriffs also receive state mandated longevity pay. If the deputy was employed before the December 18, 2007 agenda they are grandfathered into county longevity rather than the lower law enforcement longevity.

Ms. Jacobson discussed shift differentials. Shift differentials are the premiums paid to employees who work the second and third shifts for the Sheriff's Office, Juvenile Detention and Facilities. Not all local entities offer this benefit.

Car allowances are given to the Sheriff, Chief Deputy Sheriff, District Attorney Investigators, Road and Bridge Superintendent and Assistant Director, County Extension Agents, Youth Park-Parks Manager and Events Coordinator, Building Projects Coordinator and Veteran's Service Officer. The amount of car allowance varies per position. She said in 2010 the county paid $173,850 in car allowances.

Collin County pays the full cost of short term and long term disability benefits for full-time employees once they reach 90 days of employment. Short-term disability is self-funded and the County pays an administration fee while long-term disability is fully insured and the County pays a premium. It is unusual for a County to pay for short term disability but most other entities offer unlimited sick time in place of this benefit.

Ms. Jacobson stated the County provides employees with $50,000 in basic life insurance and $50,000 in Accidental Death and Dismemberment (AD&D) insurance. In 2010, Collin County paid $86,733 in basic life premiums. The majority of local entities offer the same amount.

Collin County provides basic long term care insurance coverage at no cost to regular full time employees with at least eight years of eligible service. Collin County is the only local entity where this benefit is paid by the employer.

Ms. Jacobson discussed tuition reimbursement and said most other entities offer this benefit.

Ms. Jacobson discussed Workers' Compensation and said the County pays employees who are injured on the job 100% of their salary for up to 12 weeks which is higher than the 70% required by the State.

Jeff May, County Auditor, stated the liability reported on the coffer is only for non-exempt compensatory time and PTO which is $6.6 million. The other liabilities are not reported because they do not pay cash when the employee leaves.

Commissioner Webb asked when it was instituted that an employee could earn three days a year of CTO. Ms. Jacobson said this was implemented when they switched over to PTO. This was not put into place to cover the waiting period for short-term disability. She said the conditions for taking CTO time are very broad. Commissioner Webb said he would like to see when the Catastrophic Carryover will diminish. (Time: 2:07 p.m.)

NO ACTION TAKEN

7. AI-33982 Continued participation in the countywide polling place program (Vote Centers) for the November 8, 2011, Constitutional Amendment Election, Elections.

Sharon Rowe, Elections Administrator, said she has been working with the State Elections Director on the timing and how the State is still discussing what constitutes a successful program. She is preparing an agenda item for August 22nd which will include a public hearing to hear public input and propose early voting dates. Commissioner Shaheen asked about the previous issues concerning bottlenecks and number of computers. Ms. Rowe said they are in the process of purchasing equipment. Commissioner Williams asked if they could look into the issue of parking and different locations where people will gravitate to. Commissioner Jaynes asked Ms. Rowe to see if election judges would participate at the public hearing. (Time: 2:13 p.m.)

NO ACTION TAKEN

8. AI-33983 Options for contract election services available to Cities, School Districts, and Special Districts for the May 2012 Uniform Election Date, Election.

Sharon Rowe, Elections Director, said Senate Bill 100 changes the dynamics of contract election services. She proposed four options for the city, school and special district elections. Option one is to get to an odd-numbered year cycle with two to four year terms. Option two is to join the County on the November uniform election date. In her budget she would propose to look at a way to entice jurisdictions who need help with financing during November elections. Option three is for them to stay in May elections of even-numbered years and she, as the Elections Administrator, coordinates a contract with Dominion, the vendor who supports the County presently. Option four is for them to stay in May elections of even-numbered years and manage elections individually and with a vendor of their choice.

Ms. Rowe discussed option three in detail. She stated there are duties she is asking the districts to see if they can perform themselves. She can coordinate a contract but she doesn't feel she can perform all the election clerk duties. There is a potential for errors and the process is very time consuming. She said she would need another member of the staff to assist with early voting and another person to perform project management on overlapping election cycles who can work with Information Technology.

Maher Maso, Frisco, said he feels in the past they have worked well as a team to make it easier for the citizens to cast their votes in elections. He said there is still an issue in the 2012 May election regarding early voting and mail ballots. They do not have the supply or staff to run their own elections where the County has very seasoned employees. He feels the County knows how to run the elections and have done a great job.

Dr. J.D. Kennedy, McKinney, voiced his appreciation for Sharon Rowe and her elections team. He feels it would be good to keep providing services as they have in the past. He would like them to consider a fifth option where services are provided in full as they have in the past.

Dr. Rick Reedy, Frisco, discussed the issues he has with Senate Bill 100. He feels the elections should be kept the way they are. He stated they employ the county to ensure they have the space and the resources available to make the elections run smoothly and properly. He discussed his issues with the proposed options from a prepared speech.

Commissioner Shaheen said it seems there is a desire to keep things the way they are. He asked Ms. Rowe how the logistics would work if there was a primary election in May. Ms. Rowe said they are working on the details. She said regardless of what option they choose, a vendor would still be needed to assist with certain duties. She also said they would not have enough machines. If the elections stay in May they would need an additional 700. She said if they chose to let the vendor handle the May elections they would cover the machines and coding. She has a proposal for the budget asking for additional staff to assist with a May election. Judge Self clarified that if they hold a Saturday and Monday election, the elections cannot be held in the same location and the jurisdictions will have to work directly with the vendor if they go with Ms. Rowe's option. Ms. Rowe and two of her staff members can assist with early voting and project management. Judge Self asked the cost of option three. The other cost for the County would be $30,000: $20,000 for a dedicated server and $10,000 for a license fee. This does not include the additional staff. She said the vendor is estimating $45,000 for coding, $22,000 for project and accuracy testing and equipment services. If everyone stays in the election, the estimated equipment services cost would be approximately $55,000. These costs would be incurred to the jurisdictions and not the County. Machine rental cost would be in addition to these costs. Commissioner Williams discussed her thoughts on the option choices and how she felt this would be a great opportunity for standardization of future elections. (Time: 2:51 p.m.)

NO ACTION TAKEN

9. AI-34004 Juvenile Detention facility capacity compared to staffing, County Judge.

Bill Bilyeu, County Administrator, discussed the comparison between staffing and the Juvenile Detention population. He stated that even though they house 100 beds this does not mean they can house 100 people due to them needing to be separated because of sex, risk and other factors. Joe Scott, Juvenile Probation Director, said the population of the Juvenile Detention Center has a trend of going down in the summer and increasing in August and early September. Judge Self asked if the Juvenile Board has addressed the fact they are staffed for 132. Mr. Scott said they have three vacancies in detention at this time and they will not fill these positions until the population increases to approximately over 100. (Time: 3:07 p.m.)

NO ACTION TAKEN

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

Bill Bilyeu, County Administrator, said the various maps presented are some he created and others are compilations of the things he has heard from the Commissioners. He suggested they do a workshop to make a decision on redistricting. Commissioner Webb discussed his thoughts on how he would like his precinct to be larger. Commissioner Williams said she feels the most logical place to lose population is from where they gained it a year ago. She discussed her thoughts on how Dallas shouldn't be divided between two Commissioners. The Court discussed their thoughts on moving districts and how they will all have to give and take. Mr. Bilyeu said if the new districting is effective January 1, 2013, then the people who run for office in 2012 will run for the new precincts. Judge Self asked Mr. Bilyeu to schedule a workshop to discuss redistricting. (Time: 3:18 p.m.)

NO ACTION TAKEN

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

Judge Self asked for possible future agenda items. Commissioner Webb would like to look into Catastrophic Time Off. (Time: 3:50 p.m.)

EXECUTIVE SESSION

There being no reason to recess into Executive Session and no further business of the Court, Judge Self adjourned the meeting at 3:51 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

COMMISSIONERS COURT COLLIN COUNTY TEXAS

ATTEST:

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