COURT ORDER NO. 2011- 634 -09-12

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
AUGUST 15, 2011

On Monday, August 15, 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 Shaheen led the Invocation.
Commissioner Williams led the Pledge of Allegiance.
Commissioner Jaynes led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the **Collin County Commissioners' Court** at 1:30 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 2:23 p.m. and adjourned the meeting into the **Collin County Commissioners' Court**.

FYI NOTIFICATION

1 Addenda:

a. AI-33991 No. 1 to Construction, Myers Park Pump Station and Ground Storage Tank Project (IFB No. 04179-11) to make various changes to the Invitation For Bids, Purchasing.

b. AI-33992 No. 2 to Construction, Myers Park Pump Station and Ground Storage Tank Project (IFB No. 04179-11) to make various changes to the Invitation For Bids, Purchasing.

c. AI-34006 No. 3 to Construction, Myers Park Pump Station and Ground Storage Tank Project (IFB No. 04179-11) to make various changes to the Invitation For Bids, Purchasing.

2. AI-33994 Budget amendment(s)/adjustment(s) totaling $36,616 (over $5,000 per c/o 2005-589-08-01), Budget.

2. Public Comments.

3. Presentation/Recognition:

a. Presentation of Service Pins for the month of August, Human Resources.

Jon Kleinheksel, Public Works, presented a 20 year service pin to Linda Smith, a 10 year service pin to Buddy Driver and a 10 year service pin to Claude Thomas. (Time: 1:32 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled item 4a and asked to vote separately for Schindler Elevator disbursement. Commissioner Webb pulled items g1a, g1b, and i6. Judge Self pulled items c3 and i2. Commissioner Shaheen pulled items e1, e2 and e3. Commissioner Webb made a motion to approve the remainder. (Time: 2:11 p.m.)

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

a. AI-34037 Disbursements for the period ending August 9, 2011, Auditor.

Commissioner Williams made a motion to approve with the exception of the Schindler disbursement. (Time: 2:11 p.m.)

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

COURT ORDER NO. 2011-553-08-15

Commissioner Williams made a motion to approve the Schindler disbursement. (Time: 2:12 p.m.)

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

COURT ORDER NO. 2011-554-08-15

b. Award(s):

1. AI-34024 Services: Morgue Transport (IFB No. 06221-11) to Weatherall Family Funeral Service, LLC, Medical Examiner.

COURT ORDER NO. 2011-555-08-15

c. Agreement(s):

1. AI-34025 Interlocal Agreement with the City of Frisco for the engineering and construction of Coit Road from Main Street to North of Eldorado Parkway – Segment 1 (2007 Bond Project No. 07-023), County participation NTE $3,000,000 and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2011-556-08-15

2. AI-33856 Interlocal Agreement with the City of Frisco for the engineering and construction of Eldorado Parkway from Preston Road to Custer Road (2007 Bond Project No. 07-024), County participation NTE $4,347,500 and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2011-557-08-15

3. AI-33993 Agreement for the Provision of Fire Protection Services with the Collin County Firefighters Association, Inc. (Contract No. 07265-11) to be paid in equal quarterly payments of $250,000 (totaling $1,000,000) per LGC Chapter 352 through and including September 30, 2012 and further authorize the County Judge to finalize and execute same, Fire Marshal.

Judge Self recommended holding this item until after the briefing from the Fire Marshal the following day. (Time: 2:12 p.m.)

Judge Self reconvened Commissioners' Court on Tuesday, August 16, 2011, at 9:47 a.m. to take a motion on item as submitted. Commissioner Shaheen made a motion to approve the agreement for the Provision of Fire Protection Services with the Collin County Firefighters Association, Inc. (Time: 9:48 a.m.)

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

COURT ORDER NO. 2011-558-08-15

There being no further business of the Commissioners' Court, Judge Self adjourned the meeting at 9:48 a.m. and reconvened the meeting of the Commissioners' Court Budget Workshop.

d. Amendment(s):

1. AI-34014 No. 1 to Professional Services, Surveying (RFQ No. 07301-10) with Halff Associates 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, Special Projects.

COURT ORDER NO. 2011-559-08-15

2. AI-34015 No. 3 to Professional Services, Appraisal Services (RFP No. 05553-08) with Pyles Whatley Corporation 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, Special Projects.

COURT ORDER NO. 2011-560-08-15

3. AI-34018 No. 5 to the Interlocal Agreement with the City of Celina for Animal Control Services to set the rate and extend the agreement for one (1) year through and including September 30, 2012. Payments will be made in quarterly installments for an annual amount of $19,222, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-561-08-15

4. AI-34017 No. 5 to the Interlocal Agreement with the City of Celina for the Facility construction and use of the Animal Shelter Services to set the rate for FY2012 in equal quarterly installment payments for an annual amount of $13,136 effective October 1, 2011 through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-562-08-15

5. AI-34034 No. 5 to the Interlocal Agreement with the Town of Fairview for Animal control Services to set the rate and extend the agreement for one (1) year through and including September 30, 2012. Payment will be made in quarterly installments for an annual amount of $36,641, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-563-08-15

6. AI-34033 No. 5 to the Interlocal Agreement with the Town of Fairview for the Facility Construction and use of Animal Shelter Services to set the rate for FY2012 in equal quarterly installment payments for an annual amount of $22,989 effective October 1, 2011 through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-564-08-15

7. AI-34019 No. 5 to the Interlocal Agreement with the City of McKinney for the Facility Construction and use of the Animal Shelter Services to set the rate for FY2012 in equal quarterly installment payments for an annual amount of $320,576 effective October 1, 2011 through and including September 30, 2012 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-565-08-15

8. AI-34020 No. 5 to the Interlocal Agreement with the City of Melissa for Animal Control Services to set the rate and extend the agreement for one (1) year through and including September 30, 2012. Payments will be made in quarterly installments for an annual amount of $17,004, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-566-08-15

9. AI-34021 No. 5 to the Interlocal Agreement with the City of Melissa for the Facility Construction and use of Animal Shelter Services to set the rate for FY2012 in equal quarterly installment payments for an annual amount of $11,621 effective October 1, 2011 through and including September 30, 2012 and further authorize the purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2011-567-08-15

e. Change Order(s):

1. AI-33951 No. 1 to Culverts and Bands, Steel (IFB No. 08361-10) with CONTECH Construction Products, 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, Public Works.

Commissioner Shaheen noticed items e1, e2 and e3 were not noted saying whether there was a price increase or not. Frank Ybarbo, Purchasing, said these contracts were already in the system before the agreement from the previous court to notate the increase or decrease. Commissioner Shaheen made a motion to approve the three items. (Time: 2:13 p.m.)

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

COURT ORDER NO. 2011-568-08-15

2. 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.

COURT ORDER NO. 2011-569-08-15

3. AI-33938 No. 1 to Fencing, Labor and Materials, All-Inclusive (IFB No. 07306-10) with Robinson Fence Co. 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, Public Works.

COURT ORDER NO. 2011-570-08-15

4. AI-33950 No. 1 to Road Materials, Flexbase (IFB No. 08355-10) with TXI 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, Public Works.

COURT ORDER NO. 2011-571-08-15

5. AI-33939 No. 1 to Road Materials: Lime Treated Subgrade (IFB No. 08362-10) with JRJ Paving 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, Public Works.

COURT ORDER NO. 2011-572-08-15

6. AI-33946 No. 2 to Road Materials, Aggregate (IFB No. 05601-09) with TXI 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, Public Works.

COURT ORDER NO. 2011-573-08-15

7. AI-33948 No. 2 to Road Materials, Cement Treated Base (IFB No. 05602-09) with TXI Operations, 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, Public Works.

COURT ORDER NO. 2011-574-08-15

8. AI-33947 No. 2 to Road Materials, Stone RipRap (IFB No. 05601-09) with Martin Marietta Materials 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, Public Works.

COURT ORDER NO. 2011-575-08-15

9. AI-34011 No. 2 to Services, Mowing (Contract No. 07723-09) with Tandem Mowing Service 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, Special Projects.

COURT ORDER NO. 2011-576-08-15

10. AI-33940 No. 3 to Equipment, Lease: Road Construction and Right-of-Way Maintenance Equipment (IFB No. 08599-08) with ESS Corporation 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, Public Works.

COURT ORDER NO. 2011-577-08-15

11. AI-33941 No. 3 to Equipment, Lease: Road Construction and Right-of-Way Maintenance (IFB No. 08599-08) with Holt Cat 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, Public Works.

COURT ORDER NO. 2011-578-08-15

12. AI-34001 No. 3 to Supplies, Janitorial Chemicals (IFB No. 07718-09) with Olmsted-Kirk Equipment 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.

COURT ORDER NO. 2011-579-08-15

13. AI-33943 No. 5 to Road Materials, Emulsified Asphalt (IFB No. 05550-08) with Ergon Asphalt and Emulsions, 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, Public Works.

COURT ORDER NO. 2011-580-08-15

f. Budget adjustment(s)/amendment(s):

1. AI-34003 $999,965 for the purchase of an Asphalt Reclaimer, Hot Mix Asphalt Paver and Heavy Duty Vibratory Roller for the Full Depth Reclamation project utilizing the BuyBoard cooperative contract with Holt Cat, Public Works.

Sol Gieser, Kirby-Smith Machinery, said he understands the County has been looking into buying new road construction equipment. He stated over the last few years they have been asked to do training and product demonstrations which cost a considerable amount of money. He said they were told numerous times they were the leader between two companies for the bidding process for the new equipment. As of July 1st, he states they did not hear anything from the County and were not allowed to speak to anyone. He noticed this item on the court agenda and said he believes they are quoting $100,000 less in package price. He said they invested a lot of time and materials for this bid and he is curious as to why they were not informed or had any contact in the last few weeks.

Jon Kleinheksel, Public Works, said they were approached by Kirby-Smith and were asked if they would be willing to test their products. He said two weeks ago he instructed his staff to no longer contact the salesmen and they would work through purchasing. He said the total package price does not come out to $100,000 more as Mr. Gieser stated but is actually $6,000 more. Commissioner Shaheen said it appears the delta is $3,000. Commissioner Shaheen asked if there are functional differences and Mr. Kleinheksel said yes. Frank Ybarbo, Purchasing, said they performed the proper processes regarding quotes and bids. Commissioner Shaheen made a motion to approve. (Time: 1:42 p.m.)

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

COURT ORDER NO. 2011-581-08-15

g. Receive and File, Auditor:

1. Final Audit Result(s):

a. AI-33933 Final Audit Results for the Justice of the Peace, Precinct 3-1 (3rd & 4th Quarter FY2010).

Commissioner Webb asked Jeff May, County Auditor, if he felt the Justice of the Peace Precinct 3 is making progress. Mr. May said he believes the Judge has been pushing hard to make improvements. He does not feel they need to go back to the JP office. Commissioner Webb made a motion to approve. (Time: 2:16 p.m.)

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

COURT ORDER NO. 2011-582-08-15

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

Commissioner Webb noticed there was concern regarding sending cash in the company mail and asked what Mr. May's assessment was. Mr. May said the deposits through the mail have been addressed and they are providing armored car services to Myers Park. The other items shouldn't warrant any action on the Commissioners part and is more an issue trying to segregate duties. They are looking at redoing their audits to address issues. Commissioner Webb asked if they are going to look into accepting credit cards at Myers Park to help decrease cash intake. Caren Skipworth, IT Director, said they are pulling credit card equipment for testing and possibly within a month they will have service if there are no issues. Commissioner Webb made a motion to approve. (Time: 2:20 p.m.)

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

COURT ORDER NO. 2011-583-08-15

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

1. AI-33998 July 25, 2011.

COURT ORDER NO. 2011-584-08-15

2. AI-34005 July 25, 2011 Workshop.

COURT ORDER NO. 2011-585-08-15

i. Miscellaneous

1. AI-34002 Replat of Caddo Creek Estates Lot 10R, Block 2, Engineering.

COURT ORDER NO. 2011-586-08-15

2. AI-33965 Donation of a surplus 2002 Ford Explorer (Vehicle Unit No. 37851) to the Josephine Volunteer Fire Department per LGC VTCA 263.152, Public Works.

Judge Self said this is a policy in place to provide their surplus vehicles to the volunteer fire departments. He made the motion to approve. (Time: 2:21 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2011-587-08-15

3. AI-33902 Sale of five (5) pieces of County Surplus Equipment in the amount of $49,000 to Fannin County per VTCA LGC 263.152, Public Works.

COURT ORDER NO. 2011-588-08-15

4. AI-33995 Declare property as surplus, authorize additions and/or deletions to the list as deemed necessary, authorize the Purchasing Agent to sell same via on-line auction and advertise for same, Purchasing.

COURT ORDER NO. 2011-589-08-15

5. AI-34048 Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-590-08-15

6. AI-34049 Personnel Changes, Human Resources.

Commissioner Webb said one of the accounting techs at the District Clerk's office is being moved to a Deputy Clerk II position and asked if this is the same tech the Court approved a few months ago or if it is someone new. Cynthia Jacobson, Human Resources, said this is a different position and the previous one discussed was for the lead position. Commissioner Webb made a motion to approve. (Time: 2:23 p.m.)

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

COURT ORDER NO. 2011-591-08-15

GENERAL DISCUSSION

5. <u>AI-33738</u> Compensation analysis and benefits, Human Resources.

Cynthia Jacobson, Human Resources, presented a 2011 Salary Structure Analysis. She said there are 716 employees in 107 non-exempt positions with an average length of service of over eight years. 133 of the employees are at the maximum of the pay range. As part of the analysis they reviewed the pay ranges of the positions and identified any positions whose minimum and maximum were 10% higher or lower than the average minimum and maximum.

Ms. Jacobson presented the turnover rates and percentages for each individual department from FY2010.

She discussed the responses to adequate compensation question presented in an exit interview. Commissioner Webb asked why Health Care had so many people strongly disagree that they were provided an adequate rate of pay for their job. Ms. Jacobson said the nurses feel their compensation is not comparable to those of hospitals.

Ms. Jacobson discussed the data collected concerning previous pay versus Collin County hire pay and the pay cuts people took to work for the County. She presented each individual department with their percentages.

Judge Self asked if she has had an opportunity to see why the Bureau of Labor and Statistics (BLS) reported the wages in Collin County have decreased by 1.8%. Ms. Jacobson said they haven't had a chance to look at this but when you have people coming into the County who were previously unemployed it drops the rates. Commissioner Shaheen said it looks as though the County has been doing well concerning pay increases as opposed to the other entities.

Ms. Jacobson discussed the average pay for performance lump sum increases. She presented the amounts for each individual department for FY2009, FY2010 and FY2011.

She said there are four positions whose pay ranges were over the average are Section Leader/Compliance Auditor, Medical Assistant, TB Outreach and Parts Warehouse Supervisor. Four positions whose pay ranges were below the average are Animal Control Supervisor, Farm Museum Coordinator, Nutritionist and Veterans Service Officer. Ms. Jacobson said they must have three comparable matches before they will move a position pay range. With the criteria, there were two positions that are looking to be moved to a higher pay grade which are Animal Control Supervisor and Veterans Service Officer. Judge Self said the current Veterans Service Officer is the most productive officer in Texas. He has processed more claims in the state of Texas than any other service office. Commissioner Webb said the nutritionist numbers are low and wondered why they could not find enough comparable positions. Ms. Jacobson said they have hired nutritionist from hospitals and their pay grade is comparable.

Ms. Jacobson presented the Exempt Salary Analysis. She stated there are 63 employees in the 34 benchmark exempt positions with an average length of service of over nine years and eight of the employees are at the maximum pay range. There are a total of 87 exempt employees and ten are at the maximum pay range. Two positions are under the average which is Counselor for Substance Abuse and Web Development Programmer. She stated Human Resources are not recommending changing the pay scales. (Time: 2:06 p.m.)

NO ACTION TAKEN

6. AI-34066 Board/Committee Appointments, Commissioners Court:

a. AI-34067 Appointment to the North Behavioral Health Authority.

Judge Self asked to hold this item until they receive more information. (Time: 2:07 p.m.)

HELD

7. AI-33858 RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb said there was a meeting the previous week and there was some discussion of the gas and excise tax and Congress not renewing it. There were discussions related to the outer loop and the only viable pieces were Segment one and Segment three. (Time: 2:09 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

There being no reason to recess into Executive Session Judge Self recessed the meeting at 2:23 p.m. until the following day.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

ATTEST:

Duncan Webb, Commissioner, Pct. 4

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S