COURT ORDER NO. 2011- 785 -10-03

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
SEPTEMBER 12, 2011

On Monday, September 12, 2011, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Collin County Courthouse, Room 10256, 2100 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.

Judge Self called to order the meeting of the **Collin County Commissioners' Court** at 6:00 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 6:01 p.m. and adjourned the meeting at 6:01 p.m.

Judge Self reconvened the meeting of the **Collin County Commissioners' Court** at 6:01 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-34227 Personnel Changes, Human Resources.

2. Notification of budget adjustment(s)/amendment(s):

a. AI-34023 $1,100 to reallocate funds to the appropriate line item to cover the overage in the Detention In House Training, Auditor.

b. AI-34012 $8,000 to reallocate funds to the appropriate line item for the payments for Lab services, Auditor.

c. AI-34010 $25,000 to reallocate funds to the appropriate line item for payments to the Hearing Master, Auditor.

d. AI-34109 $10,125 to reallocate funds from the Drug Forfeiture Fund line item to the Drug Forfeiture Fund Lease Vehicles line item, Sheriff.

FYI NOTIFICATION

1. AI-34191 Purchase of 9 Digital Flash kits for public safety mobile radios, Sheriff.

2. Notification of budget adjustment(s)/amendment(s), Auditor:

a. AI-34177 $5,000 to establish the budget for the 2011 Cost Reimbursement Agreement for overtime reimbursement for task force members.

b. AI-34081 $128,324 to purchase laptops, scan guns, software and label printers from the Chapter 19 funds.

c. AI-34142 $140,755 to establish the budget or the FY2012 Cities Readiness Initiative Grant from the Department of State Health Services (DSHS).

2. Public Comments.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Shaheen pulled items 4d1 and 4g4 and Commissioner Webb pulled items 4a, 4d2, 4e2, 4f2 and 4g5. Hearing no others, Commissioner Webb made a motion to approve the remainder of the consent agenda. (6:02 p.m.)

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

a. AI-34149 Disbursements for the period ending September 6, 2011, Auditor.

Commissioner Webb made a motion to approve all disbursements with the exception of the disbursement to Schindler Elevator. (Time: 6:02 p.m.)

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

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Commissioner Jaynes made a motion to approve the disbursement to Schindler Elevator. (Time: 6:02 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Cheryl Williams
Abstained: Commissioner Duncan Webb
Vote: 4 - 0 Passed

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b. AI-34146 Tax refunds totaling $667,155.46, Tax Assessor Collector.

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c. AI-34167 Tax refunds totaling $25,835.02, Tax Assessor Collector.

COURT ORDER NO. 2011-627-09-12

d. Agreement(s):

1. AI-34084 Interlocal Agreement with Texas State University System for Law Enforcement Data Sharing and further authorize the County Judge to finalize and execute same, Homeland Security.

In an earlier court Commissioner Shaheen had asked for a benefit analysis for the fusion center. Kelley Stone, Homeland Security, apologized for not having the benefit analysis sooner. He said the analysis would be ready in approximately two weeks. Commissioner Shaheen asked that this item be placed on the agenda in two weeks. He then made a motion to approve. (Time: 6:03 p.m.)

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

COURT ORDER NO. 2011-628-09-12

2. AI-34062 Interlocal Agreement with the City of Wylie to provide GIS services and further authorize the County Judge to finalize and execute same, Information Technology.

Commissioner Webb pulled this item due to concerns of what would happen if one of the parties terminated the agreement within 90 days. He thought the item would be pulled so it could be modified. Judge Self said the item would be pulled and held. (Time: 6:04 p.m.)

HELD

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

1. AI-34131 $5,000 to pay attorney bar dues, District Attorney.

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2. AI-34113 $450 for the Judge's registration to an upcoming conference, 366th District Court.

Commissioner Webb asked Monika Arris, Budget Director, if the $450 budget amendment was for FY 2011 or FY 2012. Ms. Arris replied it was an FY 2011 budget adjustment. Commissioner Webb made a motion to approve. (Time: 6:04 p.m.)

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

COURT ORDER NO. 2011-630-09-12

3. AI-34192 $912 for outstanding expenses and additional travel in FY2011, Texas AgriLife Extension Service.

COURT ORDER NO. 2011-631-09-12

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

1. AI-34073 August 1, 2011.

COURT ORDER NO. 2011-632-09-12

2. AI-34114 August 8, 2011.

Commissioner Webb noted on page 365 of the backup the word "coffer" should be corrected to read "CAFR". With that correction, Commissioner Webb made a motion to approve the August 8, 2011, minutes. (Time: 6:05 p.m.)

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

COURT ORDER NO. 2011-633-09-12

3. AI-34153 August 15, 2011.

COURT ORDER NO. 2011-634-09-12

4. AI-34187 August 22, 2011.

COURT ORDER NO. 2011-635-09-12

g. Miscellaneous

1. AI-33719 Acknowledgment for assignment of an amendment to the Tax Abatement Agreement, Reinvestment Zone No. 78 with Southwest Corporate Federal Credit Union (SCFCU); the National Credit Union Administration has placed SCFCU into conservatorship and has appointed itself the Conservator and successor to all rights, titles, privileges and assets of SCFCU, Administrative Services.

COURT ORDER NO. 2011-636-09-12

2. AI-34200 Accept the donation of a framed painting of the Old Courthouse from Denny Arnold, Administrative Services.

COURT ORDER NO. 2011-637-09-12

3. AI-34118 Re-designation of the south section of Skyview Dr. to County Road 384 (with associated updates), GIS/Rural Addressing.

COURT ORDER NO. 2011-638-09-12

4. AI-34194 Assist Snow Hill Cemetery (located on CR 621) Board with restoration efforts, Public Works.

Jon Kleinheksel, Public Works, came forward to answer questions from Commissioner Shaheen. The Commissioner said he has a problem with Public Works doing work like this and he would vote against it. Commissioner Webb wanted an estimate of the cost and he wanted to know whether a cap was needed as far as cost expenditure. Mr. Kleinheksel said he could do that. He said the repair was nominal; approximately $100. Public Works utilizes prisoners or CSCD to do the work. Commissioner Shaheen said cost isn't the issue. If these men weren't working on the cemetery, they would be working on the roads. Commissioner Jaynes agreed with Commissioners Webb and Shaheen. Commissioner Jaynes made a motion to approve and requested a policy be created. Commissioner Webb seconded, but added the caveat of a cap of $100 and two labor hours. (Time: 6:10 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Duncan Webb
Nay: Commissioner Matt Shaheen
Vote: 4 - 1 Passed

COURT ORDER NO. 2011-639-09-12

5. AI-34094 Data upgrade to Investigators' cell phones and budget amendment in the amount of $2,720 for same, Sheriff.

Commissioner Webb pulled this item because the court order did not match the backup. The court order implies that the Commissioners are approving a data upgrade for investigators' cell phones. The backup reads the county is buying $2,700 worth of new iPhones and one month of a data plan. The Commissioner said the court order needs

to be amended to authorize the purchase of ten iPhones. Sheriff Terry Box came forward. Sheriff Box said the investigators will be turning in old phones and receiving new phones. Judge Self asked Ms. Arris if we have the funds in FY 2012. Ms. Arris replied yes. Commissioner Webb made a motion to amend the court order to read: "by majority vote of the Court, upgrade ten investigators' cell phones and approve a data upgrade in accordance with attached documentation". (Time: 6:12 p.m.)

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

COURT ORDER NO. 2011-640-09-12

6. AI-34119 Rescind Court Order 2010-128-02-08 and retain seized flatbed trailer (VIN No. TR200065) to be used by the Sheriff's Office, Sheriff.

COURT ORDER NO. 2011-641-09-12

7. AI-34106 Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-642-09-12

8. AI-34226 Personnel Changes, Human Resources.

COURT ORDER NO. 2011-643-09-12

GENERAL DISCUSSION

5. AI-34136 Public Hearing – Fiscal year 2012 Preservation and Restoration Plan for the County Clerk's Records Archive, County Clerk.

Stacey Kemp, County Clerk, was present to answer any questions. Judge Self asked Ms. Kemp to come forward. Ms. Kemp said this item is for the County Clerk's preservation project. The County Clerk's office is implementing this project to become more modernized and to go paperless. Ms. Kemp stated her office is getting the old books digitized and getting the images out on the web. Commissioner Williams noted there has been media recently about the sad state of affairs of records. The Commissioner stated Collin County is way ahead of the game. Ms. Kemp invited anyone to come to her office to see the records. She stated her office is state of the art. Books are being archived and digitized so they can be put on the web. As a result, the old books aren't being touched. Commissioner Jaynes asked if there was a privacy issue. Ms. Kemp replied these are all public records.

Judge Self opened the public hearing and asked for any speakers. Hearing none, Judge Self closed the public hearing.

Commissioner Webb made a motion to approve the County Clerk's preservation and restoration plan. (Time: 6:15 p.m.)

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

COURT ORDER NO. 2011-644-09-12

6. AI-34072 Public Hearing – Placement of regulatory signs on various County Roads, Public Works.

Jon Kleinheksel, Public Works, came forward to request a public hearing for the placement of regulatory signs on county roads for new construction.

Judge Self opened the public hearing and asked for any speakers. Hearing none, Judge Self closed the public hearing.

Commissioner Jaynes made a motion to approve. (Time: 6:17 p.m.)

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

COURT ORDER NO. 2011-645-09-12

7. AI-34178 Public Hearing – Proposed Fiscal Year 2012 Tax Rate, Budget.

Monika Arris, Budget Director, came forward for the second Public Hearing on the FY 2012 tax rate. The current tax rate is $0.2400 per $100 valuation. Collin County has had no tax rate increase for the past 18 years. There has been a 5% homestead exemption in place for three years. The 2011 certified adjusted taxable value is $72 million. This equates to a 1.2% increase over the 2010 tax year. The average home in Collin County for tax year 2011 is valued at $230,944. With the tax rate and the homestead exemption, the average homeowner will pay $526.55 in county taxes for the 2011 tax year. That is a decrease of .57 from last year.

Ms. Arris showed a slide of planned bond sales, noting they were subject to change. Ms. Arris said bond sales were being reviewed by the County Engineering Department. She also presented an estimated projected debt service and M&O rate going forward should the county sell those bonds at those rates.

The effective tax rate is $0.241295. It is a calculated rate that would provide Collin County the same amount of revenue it received the year before on properties that were

taxed in both years. The effective operating rate is $0.185577 and the debt service rate, which is required to pay the county's obligations, is $0.063954. The rollback rate provides Collin County with the same amount of tax revenue it spent last year for the day to day operations, plus an additional 8% increase for those operations. The total rollback tax rate is $0.264377. Ms. Arris said they are proposing a tax rate for FY 2012 of $0.240000 which is less than both the effective and rollback tax rates.

Ms. Arris stated the proposed budget was filed this afternoon. Going forward, there will be a public hearing on the proposed budget on Monday, September 19th, at 1:30 in the Commissioners' Courtroom. Following that public hearing, the Court will also adopt the FY 2012 fee schedule, FY 2012 tax rate, FY 2012 budget and elected officials' salaries.

Judge Self opened the public hearing and asked for any speakers. Hearing none, Judge Self closed the public hearing. (Time: 6:20 p.m.)

NO ACTION TAKEN

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

As the Court's RTC representative, Commissioner Webb presented the court with an update from the last RTC monthly meeting. Items of interest mentioned by Commissioner Webb were the RTC would be recognizing Commissioner Jaynes in October for his years of service to the RTC and $53 million would again be allocated to Collin County from Prop 12 funds. (Time: 6:27 p.m.)

NO ACTION TAKEN

9. FY2012 Budget Updates:

Constable Chuck Presley, Constable 3, came forward. Due to cutbacks, his office has had to eliminate two deputy constable positions and one clerical position. The Constable stated a major part of his operation is supporting the truancy program in his precinct. He was worried about how this reduction in staff would impact the truancy program. He asked if he could return before the court on September 19th with a proposal identifying the impact on the truancy program. The Constable would like to reinstate one deputy either for the budget year or at least through the school year. The numbers could be evaluated after that. Commissioner Shaheen asked if this is a temporary fix. Constable Presley said no. He stated he was speaking for himself and his precinct, not for the other constables. (Time: 6:31 p.m.)

a. AI-34137 City library systems.

Beth Scudder, Director of the McKinney Public Library System, was present to speak on this issue. Judge Self stated he received a letter from the City of Melissa asking that their funding be continued. Ms. Scudder thanked the Court for their past support of public libraries. Following approval of funding for public libraries in Budget Workshop held in August, the Plano Public Library System has asked to withdraw from the Collin

County funding assistance to public libraries. The City of Plano will begin charging non-resident fees for library services. Ms. Scudder was requesting that the funding approved by Commissioners Court not be reduced due to Plano's withdrawal, but rather be reallocated among the nine remaining libraries to help them with increased demand due to Plano's withdrawal. Commissioner Webb was not supportive of reallocation. He stated he does not see a direct correlation to additional services due to Plano's withdrawal. Libraries currently receive .38 per capita. Ms. Scudder said by pulling Plano's money out, it reduces the per capita amount by .10. The nine remaining libraries still have an obligation to service all the citizens of Collin County. She said they will bear the brunt of Plano's decision. Judge Self stated the court has funded $299,000 to the libraries for the past two years. By removing Plano's allocation, that does not reduce the allocation to the other nine libraries. Discussion followed between court members and Ms. Scudder.

Commissioner Williams said her issue was with the county participating in library funding at all. The county doesn't charge a tax rate that is intended to provide that level of service. Commissioner Shaheen stated we have a model where we don't build libraries, but we support the city libraries. The Commissioner anticipates an increase in demand and he thinks reallocation makes sense. Following further discussion, Commissioner Shaheen made a motion to reallocate funds based on Plano's exit from Collin County's funding assistance. Commissioner Jaynes seconded with the caveat that the unincorporated areas be tracked. (Time: 6:47 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Joe Jaynes
Nay: Commissioner Duncan Webb
Nay: Commissioner Cheryl Williams
Vote: 3 - 2 Passed

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b. AI-34176 Jury Pay.

Currently jurors are paid $6 for the first day of service and $40 for each subsequent day. The county is reimbursed by the state $34 a day for the subsequent days of service. Ms. Arris stated counties were notified at the TAC (Texas Association of Counties) conference that effective September 28, 2011, the state would be reducing what it reimbursed counties from $34 a day to $28 a day for subsequent days of jury duty. Ms. Arris presented three options for the Court to consider:

1. Maintain the current $40 pay for subsequent days of jury service and claim the $28 reimbursement, which will increase the total daily cost to the county from $6 to $12.
2. Reduce the subsequent day jury pay to $34 and claim the $28 reimbursement to maintain the current county/state cost sharing.

3. Reduce the subsequent day jury duty pay to $28 as permitted by SB 1 and claim the $28 reimbursement from the state.

Commissioners Jaynes and Webb said they were leaning towards option number 3. Commissioner Webb made that in the form of a motion. (Time: 6:50 p.m.)

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

COURT ORDER NO. 2011-647-09-12

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

Commissioner Shaheen reiterated his request for the analysis of the fusion center benefits in two weeks. (Time: 6:51 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 6:51 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