COURT ORDER NO. 2011- 851 -10-24

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
OCTOBER 3, 2011

On Monday, October 3, 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.

Judge Self called to order the meeting of the **Collin County Commissioners' Court** at 1:30 p.m. and adjourned the meeting at 2:00 p.m.

President Self called to order the meeting of the **Collin County Health Care Foundation** at 2:00 p.m. and adjourned the meeting at 2:00 p.m.

President Self called to order the meeting of the **Collin County Toll Road Authority** at 2:00 p.m. and adjourned the meeting at 2:00 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-34256 Award Services: Juvenile Sex Offender Counseling (RFP No. 07244-11) to Terri L. Bauer, Juvenile Probation.

2. AI-34225 Budget amendment in the amount of $10,000 to reallocate funds to the appropriate line items to purchase a projector system for the Juvenile Probation training room, Auditor.

FYI NOTIFICATION

1. AI-34338 Proposed Constitutional Amendments to be voted on November 8, 2011, Administrative Services.

2. AI-34237 Budget amendment in the amount of $36,010 to establish the budget for the FY2012 Shoap RN Program for the first six months, Auditor.

2. Public Comments.

Barbara Harless, Murphy, came forward to speak about Proposition 1 which is on the November ballot. Proposition 1 authorizes the legislature to provide the surviving spouse of a 100 percent or totally disabled veteran with an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead. Ms. Harless has a problem with it being a mandatory law rather than discretionary. Austin is mandating what counties can do with their funds.

Moving on to electronic voting systems, Ms. Harless noted the Court is taking bids to buy voting machines. She is totally against electronic voting machines because votes are counted in secret. Ms. Harless said paper ballots are the only way to ensure a totally transparent counting of the votes. The Court was urged to look into machines where a piece of paper is spit out, the voter looks at it and says yes, that is how I voted, and then the voter drops that paper into a ballot box. If there should be a recount, then someone could be assigned to the Recount Board and they can see the paper ballots and compare them to the electronic vote.

Commissioner Williams responded to Ms. Harless. She said she is correct that we are to provide a tax exemption to the spouse of a disabled vet. It would be impossible to determine if that spouse is remarried so we could have situations where an exemption is given to someone who is no longer entitled to that exemption. (Time: 1:39 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve:

Judge Self asked for comments on the consent agenda. He noted item 4c2 would be held for a future court and item 4f1a would be deleted. The Judge pulled item 4h1 for discussion. Frank Ybarbo, Purchasing Agent, pulled item 4b1 for discussion. Hearing no others, Commissioner Jaynes made a motion to approve the remainder of the consent agenda. (Time: 1:46 p.m.)

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

a. AI-34346 Disbursements for the period ending September 27, 2011, Auditor.

COURT ORDER NO. 2011-773-10-03

b. Advertisement(s):

1. AI-33706 Insurance: Medical, Dental, FSA and Cobra (RFP No. 09308-11), Human Resources.

Frank Ybarbo, Purchasing Agent, said this item is requesting permission to advertise the RFP (Request for Proposal) for medical, dental, FSA and Cobra. The specifications in the Court's packet are not correct. Following discussions, Mr. Ybarbo is recommending that the Court add alternative means for providing medical insurance coverage. He has revised the language in the RFP to allow providers to respond with alternative means and he will update the Court's packet. Judge Self noted the language is not targeted toward a particular company; it simply makes it more general for alternative proposals. Mr. Ybarbo said that's correct. Commissioner Williams thinks it's important that we not be restrictive. Medical coverage has been such a cost eater for the County. It's important to consider proposals that may help reduce those costs. Following further discussion, Commissioner Webb said the language is so broad, a proposal could ignore a whole outline of what the coverages are. You're opening yourself up to get completely different coverage responses that don't meet the rest of the RFP. Commissioner Williams made a motion to approve Mr. Ybarbo's request. (Time: 1:52 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 4 – 1 Passed
Nay: Commissioner Duncan Webb

COURT ORDER NO. 2011-774-10-03

2. AI-34315 Insurance, Prescription Drug Program (RFP No. 09326-11), Human Resources.

COURT ORDER NO. 2011-775-10-03

3. AI-34316 Insurance: Disability, Short and Long Term (RFP No. 09323-11), Human Resources.

COURT ORDER NO. 2011-776-10-03

c. Award(s):

1. AI-34295 Tenant Representative (RFP No. 06214-11), Administrative Services.

COURT ORDER NO. 2011-777-10-03

2. AI-34214 Striping, Roads and Parking Lots (IFB No. 07236-11) to various vendors, Public Works.

HELD

3. AI-34152 Services, Body Repair and Painting for Light, Medium and Heavy Duty Vehicles (IFB No. 06230-11) to various vendors, Public Works.

COURT ORDER NO. 2011-778-10-03

d. Agreement(s):

1. AI-34283 Interlocal Agreement with the City of Anna for the Relocation of Utilities for FM 455 from US 75 to .75 miles east of SH 5 (2007 Bond Project No. 07-00-12), budget amendment in the amount of $800,000 (County participation NTE $800,000) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2011-779-10-03

2. AI-34300 Vehicle Use Agreement with National Insurance Crime Bureau (NICB) to donate a flatbed trailer to be used for law enforcement purposes, Sheriff.

COURT ORDER NO. 2011-780-10-03

e. Change Order(s):

1. AI-34304 No. 2 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with Tabb Textiles to provide various changes to the contract, 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. 2011-781-10-03

2. AI-34313 No. 3 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with ICS 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. 2011-782-10-03

3. AI-34312 No. 10 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with Bob Barker Company, Inc. to add various items to the contract, 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. 2011-783-10-03

f. Receive and File, Auditor:

1. Final Audit Result(s):

a. AI-34305 Justice of the Peace, Precinct 4 (1st Quarter FY2011).

HELD

b. AI-34306 Medical Examiner (1st Quarter FY2011).

COURT ORDER NO. 2011-784-10-03

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

1. AI-34286 September 12, 2011.

COURT ORDER NO. 2011-785-10-03

h. Miscellaneous

1. AI-34086 Revised list of payables to be released outside of the normal process of accounts payable check runs and without an early release approval to avoid late charges and penalties, Auditor.

Jeff May, County Auditor, said the way the statute reads, all disbursements must be approved by Commissioners' Court before they are paid; however, if the County operated that way, we would have to close our doors because we couldn't get our payments out in time. There is a method to early release payments before Commissioners' Court. Mr. May had a list of transactions that wouldn't need an early release process because they are items that have a deadline; they are things the County is obligated to pay. He said this will allow us to eliminate some of the red tape and get these payments out quicker. Commissioner Shaheen asked about the timeframe on some of the payments. Randall Rice, Auditor's Office, came forward to answer questions on deadlines and accrual of late fees. Judge Self said all of these are reasonable because they're all approved and they will all be paid. Judge Self made a motion to approve. (Time: 1:59 p.m.)

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

COURT ORDER NO. 2011-786-10-03

2. AI-34355 Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-787-10-03

3. AI-34356 Personnel Changes, Human Resources.

COURT ORDER NO. 2011-788-10-03

GENERAL DISCUSSION

5. AI-34173 PUBLIC HEARING - Taxation of Personal Property in Transit, Administrative Services.

Bill Bilyeu, County Administrator, said during the last legislative session the definition was changed for goods in transit. In order to continue to tax goods in transit, the Court needs to have a public hearing, take a vote and bring a resolution to the Central Appraisal District. According to the Central Appraisal District, as of today, there has never been a business in Collin County that has submitted to say they have goods in transit. The Court's vote today would be to continue taxing those goods just as they would for any other business personal property. Commissioner Williams asked if the tax was in place in Collin County previously. Mr. Bilyeu replied yes and then added if the Court votes affirmatively to support this resolution, that will leave everything status quo.

Judge Self opened the public hearing at 1:40 p.m. and asked for comments. Hearing none, the public hearing was closed at 1:40 p.m.

Following discussion and explanation by Mr. Bilyeu on various options available to the Court, Commissioner Webb made a motion to adopt the first resolution in the Court's packet. (Time: 1:43 p.m.)

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

COURT ORDER NO. 2011-789-10-03

6. Board/Committee Appointments, Commissioners Court:

a. AI-34319 Civil Service Commission, Commissioners Court.

Mr. Bilyeu remained before the Court to address this item. The employees of the Sheriff's Office voted for the creation of a Civil Service Commission. The Commissioners' Court will appoint the three members of the Commission following nominations by the District Attorney, Sheriff and Commissioners' Court. Members of the Commission will serve two-year terms on a staggered basis. Mr. Bilyeu stated James McCarley is the appointee of the Sheriff and the D.A. appointed Joy Flavill. Commissioner Williams nominated Pat Gallagher from Plano. Mr. Gallagher is a current Council member from Plano and he served on the Plano Civil Service Commission.

Commissioner Webb agreed with Commissioner Williams and seconded the nomination. (Time: 1:45 p.m.)

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

COURT ORDER NO. 2011-790-10-03

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

Judge Self asked Mr. Bilyeu to bring back a discussion of the 381 agreement and an annual update from the North Texas Municipal Water District. Commissioner Shaheen asked about a dialogue on the benefits of the fusion center. The Commissioner said he's offered to review the presentation in advance. (Time: 2:00 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 2:00 p.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Not Present
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