

STATE OF TEXAS

COMMISSIONERS' COURT  
MEETING MINUTES  
JULY 25, 2016

COUNTY OF COLLIN

On Monday, July 25, 2016, 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  
Commissioner Cheryl Williams, Precinct 2  
Commissioner Chris Hill, Precinct 3  
Commissioner Duncan Webb, Precinct 4

Absent: Commissioner Susan Fletcher, Precinct 1

Judge Self led the Invocation.  
Commissioner Williams led the Pledge of Allegiance.  
Commissioner Hill 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.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:20 p.m. and adjourned the meeting at 2:21p.m.

#### FYI NOTIFICATION

1. AI-34688 Outstanding Agenda Items, Commissioners Court.
2. AI-41835 Addendum No. 1 and 2 to Services, Qualified Scheduling Entity (QSE) To Participate In ERCOT Program (RFP No. 2016-163) to make various changes to the Request for Proposal, Purchasing.
3. AI-41898 NTTA 2016 County Review Final Report Summary, County Judge.

## **2. Public Comments.**

Damon Rogers, Farmersville, came forward to express his concern with the way the County handles large animal control on roadways. Large animals are not often loose in this area of the County, but in the rural areas it is more frequent. These situations can be life threatening to motorists if the animals are not removed from roadways in an expedited manner. Mr. Rogers suggested enrolling the services of people who specialize in the removal of large animals on an on-call basis. Mr. Rogers left his business card for the Court to discuss this matter further. (Time: 1:35 p.m.)

## **3. Presentation/Recognition.**

**4. Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Commissioner Webb pulled the disbursement to the Blackmon Mooring Company under item 4a and items 4d1, 4f1a, 4f2a and 4g1. Judge Self pulled item 4g2. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:36 p.m.)

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

### **a. AI-41836 Disbursements for the period ending July 19, 2016, Auditor.**

Commissioner Webb pulled check number 440917 to the Blackmon Mooring Company in the amount of \$46,273.89 for clean-up following the flooding of the recently remodeled Health Care Services building. The Commissioner would like the Court to be made aware of these types of instances before a disbursement to pay for services is put on the agenda.

Commissioner Webb asked what is being done to prevent and resolve flooding in the building. Dan James, Facilities, said three inches of rain fell in one hour causing the flooding. Luckily this was at a time when the building was occupied. Facilities was able to get there immediately to remove the water with minimal damage to the building. The Blackmon Mooring Company was used for drying and testing of the building. Candy Blair, Health Care Services, thanked Facilities and Public Works for their hard work in resolving the issue.

Jon Kleinheksel, Public Works, said this is a City of McKinney issue and McKinney did a good job of alleviating the problem. They took out two old cement driveway culverts which were stopping up the drainage ditch, enlarged the ditch and tied a 15-inch drain pipe into the storm drain. This should alleviate the flooding until the City's drainage study is complete and an engineered solution is put in place. With no further discussion, a motion was made to approve the disbursement to the Blackmon Mooring Company. The remainder of the disbursements were approved with the consent agenda. (Time: 1:42 p.m.)

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

**COURT ORDER NO. 2016-513-07-25**

b. **AI-41778** Tax refunds totaling \$57,313.00, Tax Assessor/Collector.

**COURT ORDER NO. 2016-514-07-25**

**c. Advertisement(s):**

1. **AI-41842** Detention Center Slider Door Replacement (IFB No. 2016-267), Construction & Projects.

**COURT ORDER NO. 2016-515-07-25**

2. **AI-41849** Services: Fencing, Labor & Materials All Inclusive (IFB No. 2016-165), Public Works.

**COURT ORDER NO. 2016-516-07-25**

3. **AI-41850** Signs: Road, Parking and Custom (IFB No. 2016-166), Public Works.

**COURT ORDER NO. 2016-517-07-25**

**d. Agreement(s):**

1. **AI-41787** Interlocal Agreement with the City of Plano for the design and construction of Independence Parkway Corridor Intersection Improvements (Bond Project No. 07-058). County participation NTE \$1,030,000, Engineering.

Commissioner Webb pulled this item due to concerns of the ILA (Interlocal Agreement) being written prospectively after the work was completed on the project. The Commissioner wanted to make sure there was nothing lost in translation from an after-the-fact agreement. Tracy Homfeld, Engineering, said Plano drafts its own ILAs which are then sent to the County. In this case, Ms. Homfeld did not know the project was completed until the ILA was submitted. She attributes the after-the-fact agreement due to a lot of turnover in the City's engineering department. Plano is getting to projects faster than the documents are being sent to the County. Ms. Homfeld believes there may be a few more projects that Plano is playing catchup on so the Court will have similar ones to approve in the future.

Procedurally this is not typically done with ILAs, but Ms. Homfeld does not see anything that would cause an issue for the County. The City is assuming the risk by not submitting the ILA prior to the project completion. The County will not pay the City until stipulations in the ILA are met. In order for Plano to receive the first and last payment they will submit all the project receipts with their payment request after the ILA is approved by the Commissioners' Court. Moving forward Commissioner Webb would like the ILAs structured to show it is after-the-fact if the work has already been completed. With no further discussion, a motion was made to approve the item. (Time: 1:52 p.m.)

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

**COURT ORDER NO. 2016-518-07-25**

**e. Contract Renewal(s):**

1. **AI-41827** Supplies: Fleet Repair Parts (IFB No. 2015-144) with O'Reilly Auto Parts to extend the contract for one (1) year through and including September 30, 2017, Public Works.

**COURT ORDER NO. 2016-519-07-25**

**f. Receive and File, Auditor:**

**1. FY2015 Annual Inventory Audit:**

a. **AI-41854** Sheriff Office - Jail and Minimum Security Kitchen.

Commissioner Webb pulled this item to discuss the shortage of approximately \$28,000 out of \$94,000 in food inventory. The Auditor previously made recommendations which resulted in one termination, more auditing of inventory and a decrease in the shortage amount to \$13,000. The Commissioner wanted to make sure everything is being done to keep this from happening in future years. Jeff May, Auditor, said he is satisfied with what the Sheriff's Office has done. He is confident the issue will be resolved and the shortage amount will decrease with the next annual audit. Mr. May said part of the issue was software related, but the system can handle tracking the inventory coming in and going out. With no further discussion, a motion was made to approve the item. (Time: 1:56 p.m.)

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

**COURT ORDER NO. 2016-520-07-25**

## 2. Final Audit Result(s):

### a. AI-41852 Tax Assessor/Collector (2nd, 3rd & 4th Quarter FY2012).

Commissioner Webb called attention to two items in the audit. Regarding Texas Title Applications known as Form 31s, the Auditor's notes say that six out of ten automotive dealers are now in compliance. He asked about the remaining four dealers. Laura Boatwright, Chief Deputy for the Tax Assessor/Collector, said Form 31s are no longer used because the process is now paperless and filed online. Better controls are in place with the online system which has resolved the bond compliance issues. Each dealer is bonded appropriately to meet their sales. The dealers are issued license plates up to what their bond covers. The inventory of license plates is setup within the system so the dealers cannot get out of compliance.

The other item discussed were contracts with dealers and subcontractors. Ms. Boatwright said the contracts are currently being rewritten due to changes with webDEALER, the new online system for motor vehicle licensees. The Tax Office is working to get them all up to date and signed. With no further discussion, a motion was made to approve the item. (Time: 2:03 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 4 – 0 Passed

**COURT ORDER NO. 2016-521-07-25**

### b. AI-41857 District Clerk (3rd & 4th Quarter FY2014).

**COURT ORDER NO. 2016-522-07-25**

### c. AI-41856 Development Services (1st, 2nd, 3rd & 4th Quarter FY2015).

**COURT ORDER NO. 2016-523-07-25**

### d. AI-41858 Justice of the Peace, Precinct 3-2 (1st, 2nd & 3rd Quarter FY2015).

**COURT ORDER NO. 2016-524-07-25**

### g. Miscellaneous

#### 1. AI-41851 Petty cash fund for the Tax Assessor/Collector to pay off-duty law enforcement officers to provide security service per Section 130.909 of the Local Government Code, Auditor.

Commissioner Webb asked why the request is only for the Plano office. Laura Boatwright, Chief Deputy for the Tax Assessor/Collector, said this is to provide security for staff during the evening hours on Tuesdays in the Plano office. At that time there is no Sheriff's Deputy or Constable available. Plano Police are hired to provide security for the two late hours. The Frisco office is covered on Wednesday evenings by the security provided to the library.

The McKinney office is covered on Thursday evenings by the security guard for the Administration Building. With no further discussion, a motion was made to approve the item. (Time: 2:05 p.m.)

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

**COURT ORDER NO. 2016-525-07-25**

**2. AI-41840 Election Department Enhancements (Phase Three), Elections.**

Judge Self asked since the additional enhancements are so ubiquitous, could some items be budgeted on the new budget year. Bruce Sherbet, Elections, said 25% could be held off until the new budget, but the early voting room must be up and running by the middle of October. The original tables in the early voting room are insufficient for the equipment and cannot accommodate staff and voters. The tabulation room tables are also insufficient for the equipment used. The tables in those areas will be shifted over to the counting stations. Michalyn Rains, Purchasing, was concerned with the delivery time for some of the furniture if held off until the new budget year. Delivery could take up to six weeks which would not meet the deadline to be up and running. With no further discussion, a motion was made to approve the item. (Time: 2:08 p.m.)

Motion by: Judge Keith Self  
Second by: Commissioner Cheryl Williams  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2016-526-07-25**

**3. AI-41830 Acceptance of the Notice of Subrecipient Grant Award for the FY 2016 Emergency Management Performance Grant (EMPG) in the amount of \$51,387.50 with the Texas Division of Emergency Management, Texas Department of Public Safety, Homeland Security.**

**COURT ORDER NO. 2016-527-07-25**

**4. AI-41866 Personnel Appointments, Human Resources.**

**COURT ORDER NO. 2016-528-07-25**

**5. AI-41867 Personnel Changes, Human Resources.**

**COURT ORDER NO. 2016-529-07-25**

## **GENERAL DISCUSSION**

5. **AI-41853** Longevity paid to eligible employees terminated due to job elimination, County Judge.

Cynthia Jacobson, Human Resources, said there has been a request from a former employee, whose position was eliminated, to receive longevity pay. Currently longevity pay is only paid to employees who were employed prior to January 2008. It is paid once per year as a supplemental check. If an employee retires before the end of the year, they will receive the benefit at a prorated amount. If an employee leaves the County but does not retire, the employee will not receive the benefit. This is a policy put in place by a prior Commissioners' Court. In this case the employee did not submit the retirement paperwork before he left, but did submit it later. The question for the Court is would he be eligible for longevity pay because his job was eliminated? Human Resources does not have a policy from Commissioners' Court on this matter.

Typically when a job is eliminated the employee transfers to a different job keeping all their benefits. Essentially the former employee thought he would find employment but ended up taking retirement. Discussion continued regarding longevity being tied to retirement. Because the former employee was aware of the policy the Court did not move forward with the request. (Time: 2:19 p.m.)

**NO ACTION TAKEN**

## **6. Board/Committee Appointments, Commissioners Court:**

a. **AI-41839** Civil Service Commission.

A motion was made to reappoint Frank McElligott to the Civil Service Commission. (Time: 2:20 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 4 – 0 Passed

**COURT ORDER NO. 2016-530-07-25**

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

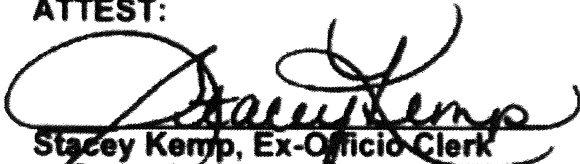
Judge Self would like the 911 Overlay District changes on a future agenda. Commissioner Webb was asked to take the lead on this item for the Commissioners' Court. (Time: 2:20 p.m.)

## **EXECUTIVE SESSION**

There Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:20 p.m.



ATTEST:

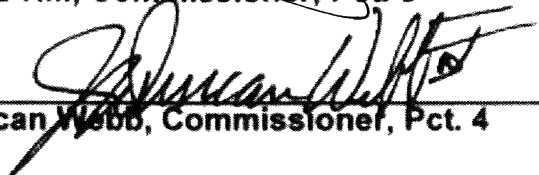
  
Stacey Kemp, Ex-Officio Clerk  
Commissioners Court  
Collin County, TEXAS

  
\_\_\_\_\_  
Keith Self, County Judge

  
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Susan Fletcher, Commissioner, Pct. 1

  
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Cheryl Williams, Commissioner, Pct. 2

  
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Chris Hill, Commissioner, Pct. 3

  
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Duncan Webb, Commissioner, Pct. 4