

STATE OF TEXAS

COMMISSIONERS COURT
MEETING MINUTES

COUNTY OF COLLIN

DECEMBER 6, 2010

On Monday, December 6, 2010, 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:

Present:

Judge Keith Self

Precinct 1 Commissioner Matt Shaheen

Precinct 2 Commissioner Jerry Hoagland

Precinct 3 Commissioner Joe Jaynes

Precinct 4 Commissioner Kathy Ward (absent)

Judge Self led the Invocation.

Commissioner Shaheen led the Pledge of Allegiance.

Commissioner Hoagland led the Pledge of Allegiance to the Texas Flag.

Judge Self called to order the meeting of the Collin County Commissioners Court at 9:30 a.m. and recessed into the Collin County Health Care Foundation at 9:33 a.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 9:33 a.m. and adjourned the meeting at 9:33 a.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 9:34 a.m. and adjourned the meeting at 9:34 a.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 9:34 a.m. and adjourned the meeting at 10:12 a.m.

FYI NOTIFICATION

1. AI-32966 Change Order No. 4 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to repair the existing water line (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

2. AI-32897 Utilization of the states Department of Information Resources (DIR) contract with INX, Inc. to purchase infrastructure equipment for the new JJAEP/Juvenile Probation building, Information Technology.

3. **AI-32986** Utilization of the BuyBoard Cooperative contract to purchase vehicles for various departments from Philpott Motor, Public Works.

Commissioner Shaheen wanted to hold this item until next week so he could look at the under utilized vehicles that the County has. He will be meeting with Public Works Director Jon Kleinheksel on Thursday. He invited the other Commissioners to attend the meeting. Commissioner Hoagland asked for input from Purchasing Agent Frank Ybarbo. Mr. Ybarbo said P.O.'s aren't issued until after this has gone through the Commissioners' process. (Time: 9:36 a.m.)

HELD

4. **AI-32920** Utilization of the Houston-Galveston Area Council (HGAC) and BuyBoard Cooperative contracts to purchase two (2) John Deere Tractors from John Deere (HGAC Contract No. GR01-10) and two (2) Tiger Boom Mowers from Tiger Mowers (BuyBoard Contract No. 292-08), Public Works.

5. **AI-32963** Budget amendment in the amount of \$38,139 to establish the budget for the 2010 Justice Assistance Grant, Auditor.

6. **AI-32919** Budget amendment(s)/adjustment(s) totaling \$421,451 (over \$5,000 per c/o 2005-589-08-01), Budget.

2. Public Comments.

Roy Serpa, Fairview, Texas, came forward to address all the Commissioners, but especially the Commissioner for Precinct 3, on the subject of cost of living increases. He said as a retired senior citizen he did not receive and does not expect to receive a cost of living increase. He wanted the Commissioners to keep that in mind with respect to their decision. (Time: 9:33 a.m.)

Judge Self recessed the meeting at 9:33 a.m. and called to order the meeting of the Health Care Foundation.

3. Presentation/Recognition.

4. Consent agenda to approve. Judge Self asked if any member of the Court or any member of the audience had an item they wanted pulled from the consent agenda for individual consideration. Commissioner Shaheen pulled item FYI 3 for discussion and Commissioner Jaynes pulled item 4d1. Commissioner Hoagland made a motion to approve the balance of the consent agenda. (Time: 9:35 a.m.)

Motion by: Commissioner Jerry Hoagland

Second by: Commissioner Matt Shaheen

Vote: 4 - 0 Passed

a. **AI-32954** Disbursements for the period ending November 30, 2010, Auditor.
COURT ORDER NO. 2010-971-12-06

b. **AI-32925** Tax refunds totaling \$72,874.83, Tax Assessor Collector.
COURT ORDER NO. 2010-972-12-06

c. **Award(s):**

1. **AI-32917** Equipment: Grounds Maintenance (IFB No. 03212-10) to various vendors, Public Works.
COURT ORDER NO. 2010-973-12-06

2. **AI-32952** Fencing, Labor and Materials All-Inclusive (IFB No. 07306-10) to Robinson Fencing, Public Works.
COURT ORDER NO. 2010-974-12-06

d. **Agreement(s):**

1. **AI-32918** Marketing Agreement with Financial Marketing Concepts, Inc. for a Discount Prescription Card Program to be made available to the general public, deposit rebate check(s) in the appropriate line item for the Health Care Trust Foundation and further authorize the County Judge to finalize and execute same, Administrative Services.

Commissioner Jaynes asked Bill Bilyeu, County Administrator, about the NACo drug program. Mr. Bilyeu said we are canceling the NACo drug card program because it doesn't allow for multiple contracts and it doesn't pay a commission. The new program should appear seamless to individuals. Commissioner Jaynes said he had gotten feedback from pharmacists regarding the NACo cards. When individuals would use the card, NACo would contact them and tell them to bypass the pharmacists and order from NACo directly. Commissioner Jaynes said he would vote against it or ask that it be held for another week. This affects mom and pop pharmacies. Mr. Bilyeu said this program operates in the same manner as the NACo/Caremark program. Candy Blair, Health Care Administrator, said this card is exactly like NACo. Commissioner Jaynes again said he would vote against it. Ms. Blair felt that people that use mail order pharmacies would continue to do so. This is good for individuals and their families. Mr. Bilyeu said this did not have to be decided this week. Commissioner Jaynes said he would like to visit with a couple local pharmacists. Commissioner Hoagland asked about the cost per prescription. Mr. Bilyeu said this will take some prescriptions down to the Wal-Mart price, approximately \$5. For more expensive prescriptions, it will take the price down to the cost of someone with insurance. Additionally it can be used for lab work and imaging. Commissioner Jaynes said he would probably support it but he would feel more comfortable being able to contact folks. (Time: 9:40 a.m.)

HELD

Judge Self recessed the meeting at 9:40 a.m. and reconvened the meeting of the Collin County Toll Road Authority.

2. **AI-32924** Equitable Sharing Agreement and Certification between the Federal Government, Collin County Sheriff's Office and Collin County for participation in the federal equitable sharing program and further authorize the County Judge to finalize and execute same, Auditor.

COURT ORDER NO. 2010-975-12-06

3. **AI-32973** Interlocal Agreement with the City of Wylie for the construction of McMillen Road from East of McCreary Road to FM 1378 (2007 Bond Project No. 07-091 – 2009 Funding) County's participation NTE \$500,000 and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-976-12-06

4. **AI-32927** Amendment to the contract with the Department of State Health Services (DSHS) for Program Attachment No. 001A to Contract No. 2009-031934, Amendment No. 001B: CPS-Bioterrorism Preparedness to reallocate funds to the appropriate line items, Homeland Security.

COURT ORDER NO. 2010-977-12-06

5. **AI-32868** Interlocal Cooperation Contract with North Central Texas Trauma Regional Advisory Council (NCTTRAC) for a video teleconferencing project, further authorize the County Judge to finalize and execute same, Homeland Security.

COURT ORDER NO. 2010-978-12-06

6. **AI-32985** Interlocal Cooperation Agreement with the City of Melissa for Road Improvements and further authorize the County Judge to finalize and execute same, Public Works.

COURT ORDER NO. 2010-979-12-06

e. Amendment(s):

1. **AI-32975** No. 9 to the Lease Agreement with Collin County Bio-Terrorism for property located at 825 N. McDonald Street, McKinney, Texas to extend the lease for five (5) years through and including December 31, 2016, add termination clause 2.05 effective January 1, 2011 and further authorize the County Judge to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2010-980-12-06

f. Change Order(s):

1. **AI-32950** No. 2 to Supplies: Janitorial Chemical (IFB No. 07718-09) with Eagle Brush Chemical, Inc. to add anti-bacterial hand soap and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2010-981-12-06

2 **AI-32980** No. 5 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company for a credit in the amount of \$261,442 and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2010-982-12-06

g. Ratification of the County Judge's prior approval:

1. **AI-32965** Personnel Appointments, Human Resources.

COURT ORDER NO. 2010-983-12-06

2. **AI-32959** Personnel Changes, Human Resources.

COURT ORDER NO. 2010-984-12-06

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

1. **AI-32939** September 7, 2010 Public Hearing.

COURT ORDER NO. 2010-985-12-06

2. **AI-32921** September 20, 2010.

COURT ORDER NO. 2010-986-12-06

3. **AI-32912** November 1, 2010.

COURT ORDER NO. 2010-987-12-06

4. **AI-32947** November 8, 2010.

COURT ORDER NO. 2010-988-12-06

5. **AI-32951** November 10, 2010.

COURT ORDER NO. 2010-989-12-06

6. **AI-32971** November 15, 2010.

COURT ORDER NO. 2010-990-12-06

i. Miscellaneous

1. **AI-32957** Adoption of amended Regulations for Secondary Metals Recyclers, Administrative Services.

COURT ORDER NO. 2010-991-12-06

2. **AI-32916** Acceptance of the FY2010 UASI-LEPTA (Urban Area Security Initiative-Law Enforcement Terrorism Prevention Activity) grant in the amount of \$81,112.94 from the Texas Division of Emergency Management and further authorize the County Judge to finalize and execute same, Auditor.

COURT ORDER NO. 2010-992-12-06

3. **AI-32984** Construction Standards, Construction & Projects.

COURT ORDER NO. 2010-993-12-06

4. **AI-32979** Re-plat of lots 66 and 67 of Waterstone Estates Phase 1 into one lot 66R, Engineering.

COURT ORDER NO. 2010-994-12-06

5. **AI-32944** Re-designation of Private Road 5582 to Valdasta Farm Lane (with address updates), GIS/Rural Addressing

COURT ORDER NO. 2010-995-12-06

6. **AI-32958** Amendment to the FY 2011 Fee Schedule to add a fee under the Justice of the Peace for reimbursement of Ankle Monitoring Services, Justice of the Peace, Precinct 3-2.

COURT ORDER NO. 2010-996-12-06

7. **AI-32953** Rescind Court Order No. 2010-818-10-11 for the award of Fencing, Labor and Materials All-Inclusive (IFB No. 07306-10) to Tectonic Construction and Destruction, Public Works.

COURT ORDER NO. 2010-997-12-06

8. **AI-32928** Acceptance of the Enforcing the Underage Drinking Laws Block Grant in the amount of \$10,000 from TABC (Texas Alcoholic Beverage Commission) and further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2010-998-12-06

9. **AI-32930** Acceptance of the Internet Crimes Against Children grant funds in an amount NTE \$7,500, approval of an Interlocal Agreement with the City of Dallas to participate with the Dallas Police Department and the Internet Crimes Against Children Task Force and further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2010-999-12-06

GENERAL DISCUSSION

5. AI-32833 2011 Texas County & District Retirement System (TCDRS) plan provisions, Human Resources.

Cynthia Jacobson, Human Resources, came forward. She said item no. 5 is approval of the 2011 TCERS plan provisions. Most of it has been established, but a cost of living adjustment (COLA) hasn't been discussed.

She said there are three options:

1. A CPI (consumer price index) based COLA, which is where they look at the cost of living. She noted they look at the cost of living as of 2009. The rate is at 3% which is not consistent with the current cost of living raise.
2. Next rate is a flat rate cost of living adjustment, which is just a flat percentage that is selected.
3. And the final option is no COLA.

Ms. Jacobson presented the history: she said going back to the early 1990's, they were doing CPI; in 2000 they did a 6% flat rate; from 2001 through 2006 they did flat rates of 8%; then there was a limit so for 2007, 2008 and 2009, they did a flat rate as allowed per TCERS at the max. In 2010 it was flipped to 100% of CPI, and CPI happened to be zero last year.

She said the only thing she needs is a decision on this and authorization for the Judge to approve the document. Commissioner Hoagland asked what the difference was between the CPI and the flat rate. Ms. Jacobson said a flat rate gives an increase to every single retiree. The CPI uses a calculation of what the CPI was when the employee retired to the current date and calculates where they should be to keep them consistent with CPI. If you choose to go CPI, 215 of our retirees will get no increase and 150 will get an increase. Commissioner Hoagland asked about retiree insurance premiums. Ms. Jacobson said the cost for a retiree under the age of 65 is \$730. The cost for employee plus spouse has increased since 2008 from \$895 to \$1,460. Ms. Jacobson answered questions from Court members.

Judge Self commented Social Security has not given a COLA for the last two years. Commissioner Hoagland thinks we should do a 100% CPI based on COLA because retirees didn't get anything last year, coupled with the increase in insurance. Commissioner Hoagland made that in the form of a motion. Ms. Jacobson again said 215 retirees will not get a raise and 150 will. Commissioner Jaynes seconded the motion. Judge Self said he wouldn't vote for that. State and local debt is too high. There is some discussion that in the future the County may be required to report unfunded liabilities when selling federally backed bonds. Commissioner Shaheen asked how to reconcile the difference between what Social Security is doing and TCERS. Ms. Jacobson said it's a timing issue. Discussion followed.

Ms. Jacobson said we have until next Court to do this. Commissioner Shaheen said he needs to reconcile Social Security at zero and TCDRS at 3%. Ms. Jacobson said she will look up Social Security and bring that and the TCDRS index to the next Court. (Time: 10:26 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Joe Jaynes
Nay: Judge Keith Self
Nay: Commissioner Matt Shaheen
Vote: 2 - 2 Failed

FAILED

6. AI-33013 Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, stated all personnel appointments were at the beginning of the pay range. Commissioner Jaynes made a motion to approve. (Time: 10:26 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2010-1000-12-06

7. AI-33014 Personnel Changes, Human Resources.

Cynthia Jacobson, Human Resources, stated all personnel changes met standard guidelines. Commissioner Hoagland made a motion to approve. (Time: 10:26 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2010-1001-12-06

8. AI-33015 Board/Committee Appointments, Commissioners Court.

Judge Self asked for Board/Committee appointments. Hearing none, he moved to item 9a. (Time: 10:27 a.m.)

NO ACTION TAKEN

9. Potential 82nd Legislative items, Commissioners Court:

a. AI-31816 Discussion of legislative priorities

Judge Self asked Mr. Bilyeu for any updates. Mr. Bilyeu said he added one from Judge Copeland having to do with Probate Court Reporting; he thinks

Representative Paxton will carry that item. It's something he's been using for a number of years and it's worked well for him. Judge Self asked if Judge Copeland had support from his association. Mr. Bilyeu replied not at this time. Commissioner Shaheen said he had asked for a court order asking for our support. He said he is in favor.

Judge Self asked Commissioner Shaheen for an update from CUC. Commissioner Shaheen said they supported the four major items that he put forth. (Time: 10:29 a.m.)

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

EXECUTIVE SESSION

There being no reason to recess into Executive Session and no further business of the Court the meeting was adjourned at 10:29 a.m.



Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Not Present

Duncan Webb, Commissioner, Pct. 4

ATTEST:

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