

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
DECEMBER 13, 2010

On Monday, December 13, 2010, the Commissioners Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell 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 Jerry Hoagland
Precinct 3 Commissioner Joe Jaynes
Precinct 4 Commissioner Kathy Ward

Commissioner Shaheen led the Invocation.
Commissioner Hoagland 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 9:30 a.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 9:36 a.m. and adjourned the meeting at 9:42 a.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 9:42 a.m. and recessed into the meeting of the Collin County Commissioners' Court at 9:43 a.m.

President Self reconvened the meeting of the Collin County Toll Road Authority at 10:04 a.m. and adjourned the meeting at 10:11 a.m.

Judge Self reconvened the meeting of the Collin County Commissioners' Court at 10:11 a.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

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

a. **AI-32968** \$2,316 to transfer funds from the Seizure Account to pay for internet capable telephones and data packages for four (4) Field Operations Lieutenants, Sheriff.

b. **AI-33029** \$199,000 to transfer from the District Attorney's Drug Forfeiture Fund to the General Fund, District Attorney.

FYI NOTIFICATION

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

Judge Self gave comments regarding county fleet and the mileage on each vehicle. A lot of the vehicles have very low mileage; a mileage report has been requested. He thinks the county should definitely move forward with the contract.
(Time: 9:45 a.m.)

2. **AI-32599** FY2010 3rd Quarter RTR Financial Report, Auditor.

Judge Self gave comments on the extensive balance the county has for transportation funding and commended Jeff May, County Auditor, for the charts he created for the report. Commissioner Jaynes commented that the State Legislators should be informed that these funds are from the pockets of the county's citizens and not from state funding. A brief discussion followed. (Time: 9:46 a.m.)

3. **AI-32943** Utilization of the TXMAS contract with Sirius Computer Solutions (TXMAS-4-70080) to purchase IBM Hardware/Software Maintenance, Information Technology.

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

a. **AI-32988** \$18,000 to establish the budget for the Urban Area Security Initiative (UASI) Grant Program for the Thetus – Professional Services project.

b. **AI-32987** \$216,000 to establish the budget for the 2009 Urban Area Security Initiative Grant Program.

c. **AI-33000** \$230,000 to establish the FY2011 budget for the State Criminal Alien Assistance Program (SCAAP) fund.

2. Public Comments.
3. **Presentation/Recognition**

- a. **Retirement Plaque(s):**

1. **AI-33069** John Roach, District Attorney.

Judge Self presented a retirement plaque to John Roach, Collin County District Attorney, in recognition of more than 24 years of service to the citizens of Collin County.
(Time: 9:33 a.m.)

2. **AI-33070** John Barry, Judge, County Court at Law 3.

Judge Self presented a retirement plaque to Judge John Barry, County Court at Law 3, in recognition of his 23 years of service to the citizens of Collin County.
(Time: 9:35 a.m.)

4. Consent agenda to approve: Judge Self asked for any comments on the consent agenda. Commissioner Shaheen requested items 4d1 and 4d6 be pulled for discussion. Judge Self requested FYI Notification items 1 and 2 be pulled for discussion. There being no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 9:43 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

- a. **AI-33037** Disbursements for the period ending December 7, 2010, Auditor.
COURT ORDER NO. 2010-1002-12-13
- b. **AI-32978** Tax refunds totaling \$95,676.56, Tax Assessor Collector.
COURT ORDER NO. 2010-1003-12-13
- c. **Advertisement(s):**
 1. **AI-33006** Vehicles: Dump Trucks (IFB No. 11032-11), Public Works.
COURT ORDER NO. 2010-1004-12-13

d. Award(s):

1. **AI-33011** Software & Implementation Services for ERP Financial Software (RFP No. 01134-10) and further authorize the Purchasing Agent to finalize and execute all agreements associated with the RFP, Information Technology.

Commissioner Shaheen gave comments with thanks to the Auditor's office for outlining the software's benefits to his department. Because other departments such as purchasing and budget, will be affected by the implementation he would like to hear from them as well. Monika Arris, Budget, came forward to comment on the benefits her department will receive from the software, many of which are the same as outlined by the County Auditor. A brief discussion followed.

Commissioner Shaheen questioned an allowance of \$300,000 for travel. Caren Skipworth, Information Technology, addressed the questions saying the vendor was located in Florida, so the teams will be flying back and forth. They are going to schedule them for three days here and two back at home; similar to the CIJS (County Integrated Justice System) project. This will be an 18 month implementation project. Commissioner Shaheen suggested looking in the Dallas area for I.T. professionals that can help with the implementation rather than allocate so much to travel.

Commissioner Shaheen questioned the cost of the implementation and the need for consultants. Ms. Skipworth explained the consultants were needed to configure the system. Additional discussion by Commissioner Shaheen with recommendations for requiring electronic invoicing in the future. Motion to approve implementation.
(Time 9:51 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Jerry Hoagland
Vote: 5 - 0 Passed

COURT ORDER NO. 2010-1005-12-13

e. 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.

COURT ORDER NO. 2010-1006-12-13

2. **AI-32990** Interlocal Cooperative Purchasing Agreement with Dallas County to utilize various contracts for goods and services per Texas Local Government Code 262.023 and further authorize the County Judge to finalize and execute same, Purchasing.

COURT ORDER NO. 2010-1007-12-13

3. **AI-33020** Engineering Services Contract with Lockwood, Andrews & Newnam, Inc. (LAN) for the Design of FM 1378 from North of Farmstead Road to South of Stacy Road in the Town of Fairview (Bond Project No. 99-00-22) County's portion NTE \$63,735.49 and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-1008-12-13

4. **AI-32974** Interlocal Agreement with the City of Wylie for the Engineering of FM 1378 from South of Parker Road to North of Parker Road (Bond Project No. 99-00-21), budget amendment in the amount of \$100,000 (County's participation NTE \$100,000) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-1009-12-13

5. **AI-33021** Local Project Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the Design of FM 1378 from North of Farmstead Road to South of Stacy Road in the Town of Fairview (Bond Project No. 99-00-22) County's portion NTE \$63,735.49 and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2010-1010-12-13

6. **AI-32967** Agreement with Thetus Corporation to upgrade the software for the North Central Texas Fusion Center (NCTFC), further authorize the County Judge to finalize and execute same, Homeland Security.

Commissioner Shaheen asked for an explanation of why the Thetus Corporation was being exempted from the bid process. Kelley Stone, Homeland Security, came forward saying the agreement was for an upgrade to software that was purchased four years ago from this company. The product has already been paid for; this is to upgrade the system. Commissioner Shaheen suggested that anytime a vendor is exempted from the bid process, it should be explained to the public. Motion to approve agreement. (Time: 9:53 a.m.)

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

COURT ORDER NO. 2010-1011-12-13

7. Interlocal Agreement(s) for Library Services in equal quarterly installment payments and further authorize the County Judge to finalize and execute same, Budget:

- a. **AI-32992** Allen Public Library in the amount of \$8,577.50 (totaling \$34,309.99).
COURT ORDER NO. 2010-1012-12-13

- b. **AI-32994** Celina Public Library in the amount of \$4,038.99 (totaling \$16,155.95).
COURT ORDER NO. 2010-1013-12-13

- c. **AI-32996** Charles J. Rike Memorial Library (City of Farmersville) in the amount of \$3,932.71 (totaling \$15,730.82).
COURT ORDER NO. 2010-1014-12-13

- d. **AI-32998** Frisco Public library in the amount of \$9,890.22 (totaling \$39,560.88).
COURT ORDER NO. 2010-1015-12-13

- e. **AI-32999** McKinney Public Library System in the amount of \$11,030.59 (totaling \$44,122.37).
COURT ORDER NO. 2010-1016-12-13

- f. **AI-33002** Melissa Public Library in the amount of \$4,004.52 (totaling \$16,018.07).
COURT ORDER NO. 2010-1017-12-13

- g. **AI-32997** Plano Public Library in the amount of \$18,964.37 (totaling \$75,857.47).
COURT ORDER NO. 2010-1018-12-13

- h. **AI-33003** Princeton Community Library in the amount of \$4,107.93 (totaling \$16,431.71).
COURT ORDER NO. 2010-1019-12-13

- i. **AI-33004** Prosper Community Library in the amount of \$4,277.40 (totaling \$17,109.61).
COURT ORDER NO. 2010-1020-12-13

- j. **AI-33005** Rita & Truett Smith Public Library in the amount of \$5,980.78 (totaling \$23,923.12).
COURT ORDER NO. 2010-1021-12-13

f. Amendment(s):

1. **AI-32995** Amendment to the contract with the Department of State Health Services (DSHS) for Program Attachment No. 001B to Contract No. 2009-031670, Amendment No. 001C: CPS/CRI Cities Readiness for the provision of prophylactic medication, Homeland Security.

COURT ORDER NO. 2010-1022-12-13

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

1. **AI-33016** Budget amendment in the amount of \$25,505,281 for the encumbrance rollover from FY2010 to FY2011, Auditor.

COURT ORDER NO. 2010-1023-12-13

h. Miscellaneous

1. **AI-33023** Adoption of the FY2011 Investment Policy and further appoint Jeff May, County Auditor and Monika Arris, Budget Director as the Investment Officers, Auditor.

COURT ORDER NO. 2010-1024-12-13

2. **AI-33031** Amendment to the FY2011 Fee Schedule to remove the Cremation Permit Fee, Budget.

COURT ORDER NO. 2010-1025-12-13

3. **AI-32989** Adoption of a resolution to recommend excess funds from the SH 121 Subaccount for FM 1378 from FM 544 to Brown Street be allocated for the construction of FM 1378 from South Parker Road to North Parker Road, Engineering.

COURT ORDER NO. 2010-1026-12-13

4. **AI-33012** Re-designation of Private Road 5584 to Bluebonnet Trail (with address updates), GIS/Rural Addressing.

COURT ORDER NO. 2010-1027-12-13

5. **AI-33019** Acceptance of the STEP – IDM (Specific Traffic Enforcement Program – Impaired Driving Mobilization) in the amount of \$19,654 (plus or minus 5%) with the Texas Department of Transportation (TxDOT) for the reimbursement of overtime to provide increased DWI (Driving While Intoxicated) enforcement during specified Holiday periods and further authorize the County Judge to finalize and execute the Texas Traffic Safety Program Grant Agreement, Sheriff.

COURT ORDER NO. 2010-1028-12-13

GENERAL DISCUSSION

5. **AI-33018** Collin County Intermodal Hub Feasibility Study presented by the North Central Texas Council of Governments (NCTCOG), Commissioner, Precinct 2.

Commissioner Hoagland gave comments to the Court regarding the study. Ruben Delgado, Engineering, introduced Becky Karasko, Senior Transportation Planner, NCTCOG (North Central Texas Council of Governments) who presented the study. Ms. Karasko began with a brief background of the study which began in October 2009. Study partners included Collin County, NETEX (North Texas Rural Rail District) and the NCTCOG. The purpose of the study was to determine if a need existed for a third regional intermodal logistics hub.

Ms. Karasko explained the meaning of a logistics hub which is a freight facility that typically contains a Class I railroad hub, yard or terminal, manufacturing and distribution facilities, truck yard movements, office/retail development, a minimum of 2,500 acres and no less than 10,000 feet of track on a tangent within the site.

Five study areas were selected and included Celina, Melissa, Farmersville, the Outer Loop at NETEX and the Collin County Airport in McKinney. The study included a site selection matrix. The Farmersville site located at the intersection of the proposed Regional Outer Loop and the Kansas City Southern rail line was shown to have the best qualifications for the logistics hub and was determined to be the best choice. The study will be finalized at the end of 2010 and the publication of the study will be in January 2011. Discussion with Court members followed. Commissioner Hoagland gave comments to the Court saying there will be a need for this facility in the future and Collin County should have this under consideration; if Collin County doesn't do it, Hunt County will. (Time: 10:03 a.m.)

NO ACTION TAKEN

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

Cynthia Jacobson, Human Resources, presented the Court with options for plan year 2011 TCDRS (Texas County and District Retirement System) retiree increases. The options included a flat rate which gives an increase to all retirees, a CPI (Consumer Price Index) increase which gives increases only to those who retired within the last several years, or no increases for any retirees.

Individuals above the current CPI would not receive an increase. The CPI increase is three percent; the average retiree receives approximately \$22,000 per year. Insurance rates for the retirees were discussed by the Court. If an employee retires prior to the age 65, they will pay the full insurance rate.

Judge Self gave information on social security which has not given a cost of living raise for the past two years. Additional comments included an article written by Tim Pawlenty Governor of Minnesota who suggests bringing compensation for public employees more in line with the private sector and ending defined benefit plans for governments, which is what the county is already doing. Discussion with Court members regarding retiree increases followed. A motion was made to approve the 100% base CPI COLA (Cost of Living Allowance).

Commissioner Shaheen asked about a flat increase and commented that there are two CPIs, the CPI-U (Consumer Price Index for Urban consumers) and the CPI-W (Consumer Price Index for Wage Earners and Clerical Workers). He suggested a flat increase based on the CPI-W which appears to be a more accurate percentage. Ms. Jacobson explained that a flat increase would give an increase to every retiree across the board; a CPI percentage will give the increase to only those who have not received the higher increases in past years. Ms. Jacobson informed the Court that a decision must be made or last year's plan would be used for plan year 2011. Discussion with the Court followed.

Judge Self recessed the Court at 10:22 a.m. to allow Ms. Jacobson to obtain information on the CPI-W as requested by Commissioner Shaheen.

Judge Self reconvened the meeting at 10:31 a.m. and the Court continued with the discussion. Ms. Jacobson informed the Court the CPI-W is a negative point four. Commissioner Shaheen did not want to approve a negative.

Judge Self reminded the Court that there is a key difference between social security and TCDRS. Social Security has a federally mandated formula; a COLA is not in the TCDRS system. Additional discussion followed. (Time: 10:35 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Jerry Hoagland
Vote: 3 - 2 Passed
Nay: Judge Keith Self
Commissioner Matt Shaheen

COURT ORDER NO. 2010-1029-12-13

7. **AI-33044** Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, addressed the Court regarding the appointment of new employees. Ms. Jacobson informed the Court that there were several appointments on the agenda for the incoming District Attorney. Some of those salaries are not at the beginning of the pay range because of years of experience. There was a brief discussion with the Court regarding the determination of salaries. Motion to approve personnel appointments. (Time: 10:39 a.m.)

Motion by: Commissioner Joe Jayne
Second by: Commissioner Jerry Hoagland
Vote: 5 - 0 Passed

COURT ORDER NO. 2010-1030-12-13

8. **AI-33045** Personnel Changes, Human Resources.

Cynthia Jacobson, Human Resources, addressed the Court regarding personnel changes. Ms. Jacobson informed the Court all changes follow standard guidelines. There was brief discussion with the Court regarding salaries. Motion to approve personnel changes. (Time: 10:40 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Jerry Hoagland
Vote: 5 - 0 Passed

COURT ORDER NO. 2010-1031-12-13

9. **AI-33046** Board/Committee Appointments, Commissioners Court.

NO ACTION TAKEN

10. RTC monthly update, Commissioner, Precinct 3.

Commissioner Jaynes gave an update to the Court. The council met last week and will extend the time period for the NTTA (North Texas Tollway Authority) to get their TIFIA (Transportation Infrastructure Finance and Innovation Act) loan to February. Out of the S.H. (State Highway) 161 funding, Collin County will receive approximately \$19 million which may be needed on the U.S. 75 project. A brief discussion with Court members followed. Commissioner Jaynes informed the Court he requested an agenda item to have the RTC meetings streamed on the web. The council is looking at the cost and he will update the Court whether the request is approved. (Time: 10:43 a.m.)

NO ACTION TAKEN

11. Potential 82nd Legislative items, Commissioners Court:

a. AI-31816 Discussion of legislative priorities

NO ACTION TAKEN

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

Commissioner Shaheen requested an update from Elections on fraud prevention as well as an update on the 2010 General Elections and the new voting centers.

Commissioner Jaynes requested an invitation be extended to some of the election judges to attend a meeting for feedback on the last elections. (Time: 10:45 a.m.)

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session, in accordance with Chapter 551 of the Government Code at 10:45 a.m.

Real Estate (551.072)

AI-32964 Condemnation proceedings to acquire the right-of-way needed for the construction of a bridge on County Road 134, Special Projects.

Motion to move forward with condemnation proceedings acquire the right-of-way. (Time: 11:01 a.m.)

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Kathy Ward

Vote: 5 – 0 Passed

COURT ORDER NO. 2010-1032-12-13

There being no further business of the Court, Judge Self adjourned the meeting of the Commissioners' Court at 11:01 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