

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES

COUNTY OF COLLIN

JUNE 27, 2011

On Monday, June 27, 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.

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:30 p.m. and recessed into the Collin County Health Care Foundation at 1:32 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 1:32 p.m. and adjourned the meeting at 1:35 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 1:35 p.m. and adjourned the meeting at 1:35 p.m.

FYI NOTIFICATION

1. AI-33767 Change Order No. 1 to Construction, Bridge: County Road 617 over Branch of Hickory Creek (IFB No. 07299-10) with Ashlar Contracting Company to adjust bid quantities to reflect the actual quantities used, Special Projects.

Commissioner Shaheen noted that Dannenbaum Engineering is managing the Hickory Creek project. He asked if the county has a lot of other projects that are being managed by outside consultants. Ruben Delgado, Engineering, said we have outside consultants for the bond projects that have engineering on them. On bridge projects we do have the engineering design firms inspect the critical points of construction because they're familiar with the project. It saves us a lot of money. Commissioner Shaheen asked if we have so many projects that we have to use outside consultants to manage, would it make sense to have internal

staff manage that. Mr. Delgado said we don't have outside consultants other than the engineers who designed the project. (Time: 1:37 p.m.)

2. **AI-33742** Budget amendment in the amount of \$120,400 to establish the budget for the 2011 SECO Stimulus American Recovery and Reinvestment Act grant, Auditor.

2. Public Comments.

Roy Serpa, Fairview, came forward with comments on the budget process. He asked the court, as they go through the budget process, to consider asking department heads and committee chairs to come in and present not only their budget but their accomplishments for the past year and their objectives for the new year. (Time: 1:32 p.m.)

Judge Self recessed the meeting of the Commissioners' Court and called to order the meeting of the Health Care Foundation. Commissioners' Court was reconvened at 1:35 p.m.

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Commissioner Webb pulled items 4b1, 2, and 3, d2, g1, h2, and h3 for discussion. Commissioner Shaheen pulled items FYI 1 and 4h4. Commissioner Webb made a motion to approve the remainder of the consent agenda. (Time: 1:35 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

a. **AI-33781** Disbursements for the period ending June 21, 2011, Auditor.

COURT ORDER NO. 2011-406-06-27

b. Advertisement(s):

1. **AI-33746** Tenant Representation (RFQ No. 06214-11), Administrative Services.

Commissioner Webb had a question of Bill Bilyeu, Administrative Services, concerning the tenant representation letter, under level 2 detailed proposal assessment. Of that, 40% is for services plan. He wanted to know what "a services plan" is and what it is the county is looking for. Mr. Bilyeu said he likes to have a contractor that will sit down and talk about what our current uses are, what are current needs are and how that extrapolates into the future to help us program out what a building would need to get the square footage needed and to

make sure that square footage is accurate. Commissioner Jaynes asked why we are doing this. Mr. Bilyeu said the person hired here will help us find a building in Frisco. The difference between a tenant representative and a normal broker is there is no cost to the county. If they find a building that we will acquire, the cost is paid by the seller. This is following a discussion by the Commissioners' Court to have a subcourthouse for eight departments, like the 920 Building in Plano, to possibly house juvenile, adult probation, a health care component, and WIC (Women, Infants and Children). Right now in Frisco there are physically three offices for four departments. Judge Self asked Mr. Bilyeu if he believes we can get into one building. He felt WIC should be in a different location than the Justice of the Peace. Mr. Bilyeu said we want to be somewhere central for the JP and constable in case boundary lines move. WIC wants to be closer to the community it serves. There is also a question of staffing. Adult probation and juvenile probation would relocate staff from another office instead of adding staff. WIC and Health Care would require additional staffing, which doesn't fit into the budget. Commissioner Jaynes had a concern with Women, Infants and Children being in the same building with adult probation. Mr. Bilyeu said it would be just like the 900 and 920 Buildings where they are in the same building but on different floors and with different entrances. Commissioner Webb made a motion to approve. (Time: 1:46 p.m.)

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

COURT ORDER NO. 2011-407-06-27

2. **AI-33705** Insurance, Medicare Supplemental Plans (RFP No. 06212-11), Human Resources.

Commissioner Webb stated he pulled this item because he has unresolved issues of whether or not the court can do this. He'd like to table this matter until they get an answer. Commissioner Williams asked if the court would be hearing from their attorney. Bill Bilyeu, Administrative Services, stated he had a couple options available: he has an attorney who can meet with the court in closed session and he had one of the vendors present in court. Commissioner Williams said she would not move forward with this until the court gets clear cut legal advice. Commissioner Jaynes and Judge Self agreed. (Time: 1:47 p.m.)

Item 4b2 was addressed at the conclusion of the general discussion items in Executive Session.

COURT ORDER NO. 2011-408-06-27

3. AI-33769 Professional Services, Engineering: Mobility Plan Update (RFQ No. 06207-11), Engineering.

Commissioner Webb asked Ruben Delgado, Engineering, if he knew how long the process for the mobility plan would take once we get someone to do it. Mr. Delgado said the last one took about two years. Commissioner Webb asked if a firm would devote staff for two years. Mr. Delgado said that is typically how it works; a consulting firm has people on board, professional engineers, planners, people who are transportation oriented, and they dedicate that team to the project. Commissioner Williams said this is really important for some of our emerging cities because some didn't have their own land use and thoroughfare plans in place. Commissioner Webb asked if this will look at funding alternatives and strategies. Mr. Delgado replied yes, and he provided the court with further explanation. Commissioner Shaheen felt the document should be updated. He said when he reads the scope of services, it sounds like we're starting from scratch. Mr. Delgado said it's more than an update but essentially you would be starting from scratch. Our methodologies for building roads have changed.

Judge Self stated we just finished a multi-modal study by the COG (Council of Governments). He agreed with Commissioner Shaheen that this needed to be limited to an update. He asked to see the TxDOT briefing. A power point was shown to court members itemizing projects under construction, final design and rehabilitation projects. Judge Self noted we are supposed to sell bonds through 2017 on our current program. His next slides showed mobility projects in planning and then showed all projects between now and 2015. Judge Self stated the difference is \$1 billion in RTR money that will be put on the roads as quickly as possible. Mr. Delgado said we're going to look at everything in place and everything that will be in place. Commissioner Webb said this will make a huge difference in our bond capacity. A discussion of bond sales followed. Judge Self said prudent planning would mean we have to look no later than 2018 to start selling bonds. Between now and 2017 we will exhaust \$117 million. Commissioner Williams said she has emerging cities that have no county match. It's critical for there to be a plan in place so they have the opportunity to get their plans in place. Commissioner Shaheen doesn't think we should wait to hire engineers; he thinks we should add them to the mobility plan now. Commissioner Jaynes agreed with Commissioner Williams. Following further discussion on long range planning, Commissioner Jaynes made a motion to approve. (Time: 2:07 p.m.)

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

COURT ORDER NO. 2011-409-06-27

c. Award(s):

1. **AI-33673** Cost Allocation Plan and Indirect Cost Proposal (RFP No. 12072-11) to MGT of America, Incorporated, Auditor.

COURT ORDER NO. 2011-410-06-27

d. Agreement(s):

1. **AI-33745** Health and Human Services Commission - Office of Inspector General Agreement with the Collin County District Attorney to establish the terms and conditions for the purpose of assisting to defray the cost of prosecutions and further authorize the County Judge to finalize and execute same, District Attorney.

COURT ORDER NO. 2011-411-06-27

2. **AI-33764** Memorandum of Understanding with the Texas Forest Service for Jason Lane, Collin County Assistant Emergency Manager to participate in Regional Incident Management Team (RIMT) operational readiness and further authorize the County Judge to finalize and execute same, Homeland Security.

Commissioner Webb pulled this item because he wanted to make sure there would be no cost to the county and he wanted to know what exposure the county would have by entering into this MOU. Kelley Stone, Homeland Security, said this MOU is something new; however, we participated in the training for the Texas Forest Service at this level. This will formalize compensation for Mr. Lane if he were called out. Commissioner Webb said he read in one spot that the Texas Forest Service will pay for training costs associated with this, and in another spot it said the individual training was not the responsibility of the Forest Service. Commissioner Webb again asked, other than workers' comp, is there anything else that the county is liable for? Mr. Stone said his understanding is when Mr. Lane is working for the Texas Forest Service that would limit liability to us. On the training issue, Mr. Lane's training has been paid training, not at his expense. Commissioner Webb asked about the benefit to Mr. Stone's department. Mr. Stone replied in the event that we needed that service, we have a member on that team. That would be a valuable resource to us. Commissioner Webb made a motion to approve. (Time: 2:11 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-412-06-27

e. Change Order(s):

1. **AI-33748** No. 2 to Vehicle Marking (IFB No. 07719-09) with Cooper's Copies & Printing to extend the contract for one (1) year through and including September 30, 2012 at the same terms and conditions and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2011-413-06-27

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

1. **AI-33747** \$2,036 to establish a budget utilizing the Justice Court Technology funds to purchase one (1) laptop, Justice of the Peace, Precinct 3-2.

COURT ORDER NO. 2011-414-06-27

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

1. **AI-33754** June 6, 2011.

Commissioner Webb noted a mistake in the June 6, 2011, minutes. The minutes read: "Commissioner Jaynes nominated Commissioner Webb to be the voting delegate and alternate". Commissioner Webb said he is the voting delegate and Commissioner Williams is the alternate. With that change, Commissioner Webb made a motion to approve the minutes. (Time: 2:11 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-415-06-27

h. Miscellaneous

1. **AI-33717** Re-designation of the portion of County Road 648 between the city limits of Farmersville and County Road 605 to Old Josephine Road (with address updates), GIS/Rural Addressing.

COURT ORDER NO. 2011-416-06-27

2. AI-33694 Installation of Infax Docket Call equipment at the Justice of the Peace 2, 3-1, 3-2 and 4 offices utilizing the JP Court Technology fund and budget amendment in the amount of \$16,850 for same, Information Technology.

Commissioner Webb said there was a discrepancy in the cover sheet in the amount; in one section it says the amount is \$66,850 but the amount available is \$16,850. Caren Skipworth, Information Technology, said it was a typo. The order has the correct amount. Commissioner Webb made a motion to approve. (Time: 2:12 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-417-06-27

3. AI-33765 Accept the donation of a 42" HDTV and wall mount from the Collin County Deputies Association, Sheriff.

Commissioner Webb pulled this item because he wanted to know the county's policy on accepting donations of equipment. Sheriff Terry Box came forward. He said 17 years ago the county purchased a 19" television for the employee dining room. It's worn out. Sheriff Box was recently approached by the Collin County Deputies Association. They would like to donate a 42" HDTV to the Sheriff's office, but any donation must be approved by the Commissioners' Court. Commissioner Webb made a motion to approve. (Time: 2:13 p.m.)

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

COURT ORDER NO. 2011-418-06-27

4. AI-33750 2012 Holiday Schedule, Human Resources.

Commissioner Shaheen said this item concerns voting on the holiday schedule, but included in the back-up is the payroll schedule. He wanted to know if the court was voting on both. Cynthia Jacobson, Human Resources, said the court is voting on just the holiday schedule; the payroll schedule rolls with the holiday schedule. Commissioner Shaheen made a motion to approve. (Time: 2:14 p.m.)

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

COURT ORDER NO. 2011-419-06-27

5. AI-33790 Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-420-06-27

6. AI-33791 Personnel Changes, Human Resources.

COURT ORDER NO. 2011-421-06-27

GENERAL DISCUSSION

5. AI-33738 Compensation analysis and benefits, Human Resources.

Cynthia Jacobson, Human Resources, came forward with a power point presentation entitled "Legal Presentation Compensation". Her presentation dealt with attorneys only and showed where our pay ranges fall. This shows if we are in sync with where we need to be with our jobs in comparison to others.

Ms. Jacobson's first slide presented the 2011 legal pay scale for positions in the District Attorneys' office ranging from misdemeanor prosecutors to the first assistant district attorney. The average service tenure for employees on the legal pay scale is 5.5 years. The turnover annualized for 2011 is 29% which is slightly higher due to the transition of a new elected official. Ms. Jacobson presented the county populations for the counties used for this comparison as well as the quartile rankings for the positions. A comparison was also done comparing previous pay versus Collin County Hire Pay to show whether employees got an increase or took a decrease in pay when hired. There is a fairly high rate of promotion for this group. Ms. Jacobson next presented the increases for the legal positions, noting that in 2009 this group received a 3.5% increase, as well as a 3% increase for an adjustment to their pay. Judge Self asked if it was correct that our average pay increases over the last three years have been 10% higher than the next highest comparison county. Ms. Jacobson said yes, that's correct. Moving on, Ms. Jacobson addressed pay for performance lump sum checks. If an employee is at the maximum of the pay range, they get a one time lump sum check. The employees in this group also get D.A. longevity pay which comes from the state, not the county. There is no cost to Collin County for this additional longevity compensation.

Ms. Jacobson presented slides showing the individual rates for the different positions in the District Attorneys' office. For misdemeanor prosecutor minimums, Collin County is the second highest of the comparison counties; for maximum Collin County is slightly above average. For chief misdemeanor prosecutors, Collin County is slightly above average for the minimum and maximum of the pay range. Ms. Jacobson stated it takes approximately ten years for an employee to go from the minimum of the pay range to the maximum. Moving onto felony/appellate prosecutor minimums, Collin County is slightly below the average for the comparison counties and in the lower quartile for the maximum.

Chief felony prosecutors are discussed next. There are no comparisons for minimum salaries because hiring for this position is generally internal and minimums are not applicable; however, for the maximum salary Collin County is again in the lower quartile. Ms. Jacobson stated the position of chief appellate attorney is compensated more than fairly. Collin County has a position of second assistant district attorney because Collin County separates out misdemeanors and felonies; therefore, there aren't any comparables with the comparison counties. The first assistant district attorney is a re-hire and is closer to the maximum of the pay range but just below average for the comparison counties.

Ms. Jacobson said we need to align our pay ranges prior to doing a regression analysis. Human Resources is recommending and asking the court to approve an expansion of salary ranges with the maximum of the pay range increasing by 3%. This does not change salaries but allows individuals to make more for the maximum of their pay. Regression analysis may also transition those pay ranges slightly. Judge Self said not every pay range will move by 3%. Ms. Jacobson said no; she was asking to move the end on everyone so they are aligned by 3%.

Judge Self did not want to move the maximums on positions that looked good. Ms. Jacobson continued to discuss pay ranges with court members. Commissioner Shaheen asked Ms. Jacobson what she was trying to avoid. She said the pay ranges, from beginning to ending, all have the same percentage differential. If you do one group by a certain percent and another group by another percent, you will have a big split. Ms. Jacobson said she can split groups, but she can't take individual ones.

Judge Self said the decision for the court is to go with the recommendation or split out the misdemeanor section. Commissioner Williams wanted to leave the misdemeanor section as is and increase the pay ranges. Commissioner Jaynes made a motion to go with H.R.'s recommendation to increase the pay ranges by 3%. (Time: 2:41 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-422-06-27

6. AI-33743 IT Strategic update, Information Technology.

Caren Skipworth, Information Technology, came forward with a quarterly update which was presented to the court via power point presentation. Her presentation included IT performance metrics, service desk; applications services; infrastructure update; FY11 project update; and FY12 plan projects. Ms. Skipworth spoke about the number of and types of service desk requests. Software is the biggest service desk request due to a large amount of software implementation over the past four years as well as new staff coming in. The

service desk receives an average of 1,800 calls per month. Ms. Skipworth addressed the high number of service desk requests from the District Attorney's office, explaining that was due to Odyssey go live and the transition of the new district attorney. They are required to keep their work tickets open for two weeks to make sure work is done satisfactorily. Moving to IT applications services, Ms. Skipworth explained a diagram with pillars which followed the budget cycle.

Infrastructure updates was next. A slide was shown outlining the Collin County DMZ Environment. A discussion of security measures followed. An external auditor comes in every three years to do a security assessment. Ms. Skipworth showed a slide depicting the old server environment and a slide showing the new server environment. They request that vendors and department heads move into their environment. She presented a list of infrastructure updates broken down by buildings and the Collin County fiber layout.

Ms. Skipworth had a list of accomplishments for 2011, noting they added five projects since the last quarterly update. Judge Self said we've made as much progress in IT as we have in transportation. A list of IT FY2011 Major Projects in Progress was presented next. Commissioner Jaynes said 15 years ago we didn't have email here. For FY2012 there are 21 major projects, with 103 in ad-hoc. Ms. Skipworth's agenda for the September 2011 update included FY11 project updates, FY12 budgeted projects and software survey results. Commissioner Shaheen complimented Ms. Skipworth and her staff. (Time: 3:01 p.m.)

NO ACTION TAKEN

7. AI-33810 County Showcase Program, County Judge.

Judge Self informed court members of an idea that NACo (National Association of Counties) is presenting to the counties. NACo wants to give counties a ten-page video link at no cost. Costs would be paid for by businesses in the county who would advertise on the video. As an example, the Judge played a video from Kane County, Illinois, which was produced by NACo. NACo will write the script and produce the video. People can go to the county website and there will be a link there. The video is not hosted on our website so it takes up no space on our site. It's updated every three years although we can do it more often. Additionally, we get five minutes of footage to add to our website every month. Judge Self asked if this was something the court wanted to pursue or not. Commissioner Shaheen was okay with the idea as long as the court has a say in who the advertisers are. Commissioners Williams and Jaynes agreed. Commissioner Shaheen noted the county's website gets approximately one million hits a month. Judge Self said with the court's permission he'll send the draft contract to our lawyer for review. (Time: 3:07 p.m.)

NO ACTION TAKEN

8. AI-33795 County Reserves and Tax Rate, Commissioner, Precinct 1.

Commissioner Shaheen presented court members with a document listing the reserve funds for the county which have been built up over the last 11 years. He drew the court's attention to the fund balance and operating days. In 2001, the county's fund balance was a little over \$39 million which equaled 176 operating days. That fund balance has been built up to be in excess of \$132 million which equals 315 operating days. The county needs somewhere between 90 and 120 days to maintain our triple A bond rating. Commissioner Shaheen said as we get to the budget session, he thinks it would be a mistake to apply any of these dollars to recurring expenses, but the court should consider some type of tax rate reduction to align the rate at which we collect tax dollars and also use these funds for debt reduction. Given this account balance the Commissioner thinks the county has the opportunity to do that. Commissioner Shaheen concluded by saying he is working with Budget on trying to come up with different scenarios. (Time: 3:09 p.m.)

NO ACTION TAKEN

9. AI-33758 Utilization of the 026 District Clerk Records Management & Preservation fund to purchase an iPad2 and budget amendment in the amount of \$1,282 for same, District Clerk.

NO ACTION TAKEN

10. AI-33710 82nd Legislature, First Special Session.

NO ACTION TAKEN

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

Judge Self asked the budget director for an analysis of the tax spreadsheet that was sent out on the state's budget impacts on the counties. The Judge wanted an idea of what our cuts may be out of the state. Commissioner Williams requested a joint workshop with the constables. (Time: 3:09 p.m.)

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session at 3:10 p.m. under paragraph 551.071 of the Government Code, Legal, to discuss the legal ramifications of number 4b2, Insurance, Medicare Supplemental Plans. Commissioners' Court was reconvened at 3:27 p.m.

Following Executive Session, Judge Self asked for a motion. Commissioner Jaynes made a motion to approve consent item 4b2, the RFP for the Medicare Supplement Plan. Commissioner Williams wanted clarification on the record. She stated we can offer a Medicare supplement type of product to retirees who have continuously been on health insurance with the county's health insurance, and

those who may choose to do so in the future as they retire, but we have some constraints as to who can actually use that product. Judge Self said we're looking for an RFP to verify that as well. (Time: 3:28 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

There being no further business of the Court, Judge Self adjourned the meeting at 3:28 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

ATTEST:

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