

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES

COUNTY OF COLLIN

JULY 11, 2011

On Monday, July 11, 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:

Present:

Precinct 1 Commissioner Matt Shaheen
Precinct 2 Commissioner Cheryl Williams
Precinct 3 Commissioner Joe Jaynes

Absent:

Judge Keith Self
Precinct 4 Commissioner Duncan Webb

Commissioner Shaheen led the Invocation.

Commissioner Williams led the Pledge of Allegiance.

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

1. Commissioner Jaynes called to order the meeting of the Collin County Commissioners' Court at 6:00 p.m. and recessed into the Collin County Health Care Foundation.

Trustee Jaynes called to order the meeting of the Collin County Health Care Foundation at 6:00 p.m. and adjourned the meeting at 6:06 p.m.

Director Jaynes called to order the meeting of the Collin County Toll Road Authority at 6:06 p.m. and adjourned the meeting at 6:07 p.m.

Commissioner Jaynes reconvened the meeting of the Collin County Commissioners' Court at 6:07 p.m.

FYI NOTIFICATION

1. **AI-33753** Change Order No. 1 for Collin County Jail with Appriss, Inc. for Booking System change to Odyssey, Purchasing.
2. **AI-33807** Utilization of the DIR contract to purchase Lexmark printers for the ERP (Enterprise Resource Planning) project and the Printer Consolidation program from Staples Technology Solutions, Information Technology.
3. **AI-33812** Budget amendment in the amount of \$(851,458) to reduce the original budget for the FY2011 Public Health Emergency Response Grant from the Department of State Health Services (DSHS), Auditor.
4. **AI-33797** Budget amendment(s)/adjustment(s) totaling \$23,600 (over \$5,000 per c/o 2005-589-08-01), Budget.

2. Public Comments.

3. Presentation/Recognition.

4. **Consent agenda to approve:** Commissioner Jaynes asked for comments on the consent agenda. Commissioner Shaheen requested items 4f1 and 4i2 and Commissioner Jaynes requested item 4a be pulled for discussion. There being no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 6:08 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 3 – 0 Passed

a. **AI-33802** Disbursements for the period ending July 5, 2011, Auditor.

Commissioner Jaynes pulled this item in order to step down from the vote on disbursements for Gregg Gibbs, Dale Rose and Mitch Nolte. A motion was made to approve disbursements with the exception of Gibbs, Rose and Nolte. (Time: 6:08 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Cheryl Williams
Vote: 3 - 0 Passed

COURT ORDER NO. 2011-424-07-11

A motion was made to approve disbursements to Gibbs, Rose and Nolte. Commissioner Jaynes did not participate in the vote. (Time: 6:08 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 2 - 0 Passed
Abstain: Commissioner Joe Jaynes

COURT ORDER NO. 2011-425-07-11

b. **AI-33813** Tax refunds totaling \$560,683.02, Tax Assessor Collector.

COURT ORDER NO. 2011-426-07-11

c. **Advertisement(s):**

1. **AI-33783** Construction, Myers Park Pump Station and Ground Storage Tank Project (IFB No. 04179-11), Facilities

COURT ORDER NO. 2011-427-07-11

2. **AI-33831** Services, Qualified Service Entity (QSE) to Participate in ERCOT Program (RFP No. 04175-11), Facilities.

COURT ORDER NO. 2011-428-07-11

3. **AI-33786** Services: IT Implementation of HR Help Desk, Peoplesoft (RFP No. 06217-11), Human Resources.

COURT ORDER NO. 2011-429-07-11

4. **AI-33798** Services: Morgue Transport (IFB No. 06221-11), Medical Examiner.

COURT ORDER NO. 2011-430-07-11

5. **AI-33815** Services, Body Repair & Painting for Light, Medium & Heavy Duty Vehicles (IFB No. 06230-11), Public Works.

COURT ORDER NO. 2011-431-07-11

6. **AI-33799** Services: On Site Grinding/Mulching and Removal of Debris (IFB No. 05187-11), Public Works.

COURT ORDER NO. 2011-432-07-11

d. Award(s):

1. **AI-33768** Waiving the technicality of a math error per section 1.9 of specification 00200, award Construction, Bridge: County Road 408 over Bomars Branch (IFB No. 04169-11) to Jeske Construction, approve a budget amendment in the amount of \$246,370 and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2011-433-07-11

e. Agreement(s):

1. **AI-33821** Agreement with TDIndustries to acquire the software and sub meters to participate in the ERCOT/EILS (Electric Reliability Council of Texas/Emergency Interruptible Load Service) program, budget amendment in the amount of \$28,740 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2011-434-07-11

2. **AI-33800** Interlocal Agreement with the Texas Department of Transportation (TxDOT) for access to the Crash Reporting and Analysis for Safer Highways (CRASH) System and further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2011-435-07-11

f. Amendment(s):

1. **AI-33672** Amendment to the FY 2011 Fee Schedule for Cattle Brands to allow the County Clerk to maximize fees for additional locations of marks, brands and tattoos on livestock located in Collin County, County Clerk.

Commissioner Shaheen pulled this item to clarify whether this was for new fees or changing the language. Bill Bilyeu, County Administrator, came forward in response. This is an only an update to the current fee and will be effective September 1, 2011.
(Time 6:09 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 3 - 0 Passed

COURT ORDER NO. 2011-436-07-11

g. Change Order(s):

1. **AI-33782** No. 1 to Services, Maintenance, HVAC Contractor (IFB No. 03225-10) with Gulf Energy Systems 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, Facilities.

COURT ORDER NO. 2011-437-07-11

2. **AI-33774** No. 1 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Ag Power to extend the contract for one (1) year through and including September 30, 2012, further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2011-438-07-11

3. **AI-33771** No. 1 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Ed's Lawn Equipment to extend the contract for one (1) year through and including September 30, 2012, further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2011-439-07-11

4. **AI-33770** No. 1 to Equipment, Grounds Maintenance (IFB No. 03212-10) with Richardson Saw and Lawnmower to extend the contract for one (1) year through and including September 30, 2012, further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2011-440-07-11

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

1. **AI-33784** June 13, 2011.

COURT ORDER NO. 2011-441-07-11

2. **AI-33808** June 20, 2011.

COURT ORDER NO. 2011-442-07-11

i. Miscellaneous

1. Sale of Struck Off Property to the North Collin County Habitat for Humanity, McKinney and further authorize the County Judge to finalize and execute the Special Warranty Deed, Administrative Services:

a. AI-33818 407 Wilson in the amount of \$2,500.

COURT ORDER NO. 2011-443-07-11

b. AI-33819 704 Rike Street in the amount of \$6,750.

COURT ORDER NO. 2011-444-07-11

c. AI-33820 1107 Fitzhugh Street in the amount of \$5,540.

COURT ORDER NO. 2011-445-07-11

2. AI-33829 Acknowledgment of the issuance of a loan from Simonton Education Facilities Corporation for the acquisition, construction, improving and equipping of the Dallas International School, further authorize the County Judge to finalize and execute associated documents, Administrative Services.

Commissioner Shaheen pulled this item to get clarification. Joe Ekert, McCall, Parkhurst & Horton L.L.P., came forward in response. In order for the Dallas International School to take advantage of tax exempt bonds, those bonds must be issued through a governmental entity. That entity is the Simonton Education Facilities Corporation; however, because the funds will be spent in Collin County the Federal Tax Code requires approval from the Commissioners' Court or the highest elected official which is the County Judge. The county shall have no obligation, responsibility or liability to the project, debt, or financing and none of the county's assets will be pledged.

After a brief discussion with the Court, a motion was made to approve the item as submitted. (Time: 6:13 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 3 - 0 Passed

COURT ORDER NO. 2011-446-07-11

3. **AI-33826** Mileage rate adjustment from \$0.51 to \$0.55.5 per mile effective July 1, 2011 per IRS, Auditor.

COURT ORDER NO. 2011-447-07-11

4. **AI-33780** Justice Center Detention Facility Roof Caps Repair and budget amendment in the amount of \$19,850 for same, Facilities.

COURT ORDER NO. 2011-448-07-11

5. **AI-33854** Grant application for the FY2012 Public Health Emergency Preparedness Grant from the Texas Department of State Health Services (DSHS) in the amount of \$543,716, Homeland Security.

COURT ORDER NO. 2011-449-07-11

6. **AI-33817** Purchase two (2) scanners for the County Clerk Bookkeepers for CIJS Odyssey and budget amendment in the amount of \$1,594 for same, Information Technology.

COURT ORDER NO. 2011-450-07-11

7. **AI-33816** Replacement of eight (8) laptops for the District Attorney's office and budget amendment in the amount of \$13,600 for same, Information Technology.

COURT ORDER NO. 2011-451-07-11

8. **AI-33822** Accept the donation of a Boat Canopy from the Collin County Citizen Sheriff's Academy Alumni Association (CCCSAAA), Sheriff.

COURT ORDER NO. 2011-452-07-11

9. **AI-33851** Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-453-07-11

10. **AI-33852** Personnel Changes, Human Resources.

COURT ORDER NO. 2011-454-07-11

GENERAL DISCUSSION

5. **AI-33779** UNT Phase 3 study finding regarding Mental Health, Administrative Services.

Bill Bilyeu, County Administrator, addressed the Court with information regarding the final phase of the University of North Texas study. Feedback received from a recently held public hearing was incorporated in this presentation.

Dr. des Anges Cruser, University of North Texas, Mental Health, came forward with a power point presentation on behavioral health services within Collin County. The purpose of the Phase III study was to bring together providers and constituents to obtain feedback on the information gathered during the first two phases.

Focus was placed on eligibility for NorthSTAR services. Dr. Cruser noted that Collin County had more citizens at or below 200% of the Federal Poverty Level (FPL) in 2009 and 2010 than in previous years. Statistics gathered over a three year period from 2007 through 2009 showed there were 140,000 encounters (visits) by 10,000 Collin County residents to the NorthSTAR program. NorthSTAR provides services to residents who are at or below 200% of the FPL which is approximately \$45,000 per year for a family of four.

In FY 2009 Collin County residents used approximately \$9,000,000 in NorthSTAR services which accounts for 6.65% of the annual expenditures. The majority of encounters were for major depression, bi-polar disorder and other affected disorders; developmental and behavioral disorders. Alcohol and drug issues represented almost 25% of all encounters. Collin County residents represent approximately 8% of all NorthSTAR clients.

Charts shown included expenditures by service category for each study year as well as residents served. Trends identified showed Collin County to have a 30% increase in residents who used services since 2006. Medicaid versus Indigent Care expenditures were shown for all study years. The study also looked at what percentage of the population was using which services and found that 10% of the clients for the NorthSTAR area have consumed 33% of the services and 53% of the expenditures.

A list of original concerns consisted of 129 areas. Commissioner Shaheen asked from where the statistics were drawn. Dr. Cruser replied from a community of people who want to provide services. A brief discussion followed. Dr. Cruser continued saying the original list was narrowed down to 13 items which were ranked by the individuals who participated in the public hearings. The biggest concern was accessibility to drug and alcohol rehabilitation.

The presentation also provided the study group's recommendations and vision statement which included incorporating a dedicated position for a Director of Behavioral Health Services within the existing Health Care Services department.

The Court thanked Dr. Cruser for the extensive work that was performed on the study. Commissioner Williams noted that the County had applied for a grant that would help in addressing mental health issues regarding individuals incarcerated in the jail. (Time: 6:57 p.m.)

Bill Baumbach, Wylie, came forward with comments on the study. Mr. Baumbach attended both of the public hearings and expressed his disappointment in the final report. The report was detailed and the data was interesting, but it makes no sense. The second public hearing did not have the public there; the attendees were providers. None of the Commissioners or the Health Department attended. Mr. Baumbach stressed how important mental health is and he is very disappointed in how it is being treated. (Time: 7:00 p.m.)

NO ACTION TAKEN

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

Cynthia Jacobson, Human Resources, came forward with a power point presentation on employee's medical benefits. The presentation began showing medical and prescription claims costs for FY 2010 in comparison to the established budget.

Ms. Jacobson next discussed claims information. Statistics show that 98.1% of members utilize their medical benefits. For every insured employee, the county also covers 1.15 dependants. High cost claims continue to be the biggest issue; 37% of net paid per member cost was due to high cost claimants. Ms. Jacobson informed the Court that while the numbers are still too high, they are actually better than in the past. The dollar amount of individual claims decreased.

Large loss claims were discussed next with comparisons from previous years. Circulatory disorders and cancer significantly decreased and digestive issues dropped from 13 in 2008 to zero in 2010. This is in large part due to the wellness program. Ms. Jacobson stressed the importance of wellness for the county versus private sector. Employees of the county tend to stay in their jobs longer than the private sector; it is very important to keep them healthy.

Top five diagnosis categories were discussed. For the first time in 10 years, cancer is not in the top five. Cancer was always first or second; it dropped to sixth mainly due to screenings and preventative care.

Musculoskeletal claims decreased by 2.9% and circulatory system claims decreased by 54%. The claims summary shows high cost claimants continue to be a cost driver. Preventive care and screenings are important in order to catch something early before it becomes a major issue.

Major cost drivers were discussed. Eight and a half percent of covered employees are diabetic and 17% of current insurance spend is related to diabetes. Chronic medical conditions account for 79% of total medical expenditures which is 52% of insurance subscribers.

Collin County ranks average regarding deductible amounts. Out of pocket maximum is also average for the peer group. Physician co-pays are lower than the peer group which was done intentionally; it helps to get employees to see their primary physician first rather than going directly to a specialist. Collin County also pays the lowest level of benefits at 75%; the average being 80% to 85%.

Ms. Jacobson briefly discussed dental benefits. Deductibles are consistent with peer group; plan maximum is lower than the majority at \$1,000. In 2010 221 members reached the plan maximum.

A comparison of employee type by salary was shown. The majority make less than \$50,000 annually. Cost comparisons of coverage type were discussed; Collin County ranks slightly below average.

Collin County offers two enrollment plans. A history of rates and programs was shown for both baseline and premium plans. Both plans offer a discount to monthly premiums for those who participate in the wellness program. Those who choose not to participate pay a surcharge. Plan rates increased significantly in plan year 2011 from \$10 to \$25 for the baseline plan and from \$35 to \$50 for the premium plan.

Plan demographics and employee contribution percentages were discussed. Additional information included prior plan year changes to reduce costs to the county. These changes included the addition of a deductible to the premium plan and an increased deductible to the base plan, elimination of most out of network benefits, elimination of emergency room accident benefits, special programs and rate increases.

The wellness discount program has been very successful. Once the surcharge versus the discount was added to plan rates there was significant increase in participation which went from 441 employees and 188 spouses to 1,083 employees and 427 spouses.

Ms. Jacobson informed the Court the fund used for the payment of claims would need to be discussed during the budget cycle because the balance had dropped. A brief discussion on the impact of the wellness program followed. Commissioner Williams gave comments on the high claims costs being an issue more of cost of service rather than just the claims; they need to take a look at how to contain the cost itself.

(Time: 7:28 p.m.)

NO ACTION TAKEN

7. AI-33806 Creation of Lakehaven Municipal Utility District, Administrative Services.

Bill Bilyeu, County Administrator, opened the discussion by informing the Court that the TCEQ (Texas Commission on Environmental Quality) is requesting feedback or objection from the Commissioners' Court regarding the application filed to create the Lakehaven MUD (Municipal Utility District). Chris Jordan, Crawford and Jordan, L.L.P., and Kyle Kruppa, IDEV Companies, addressed the Court. Mr. Jordan informed the Court they had applied to the TCEQ for approval to build a MUD in Collin County. Commissioner Jaynes expressed his concerns over public safety; it is the policy of the Court that the District contract with a local city for emergency services. Mr. Kruppa replied they had meetings with the City Manager of Farmersville and they are not opposed to being a part of the ETJ (Extraterritorial Jurisdiction). The area of land apportioned for the waste water treatment facility will most likely be in the ETJ; they are not opposed to expanding so that the entire property is within the ETJ. A lot of effort has gone into securing the permit for the waste water treatment facility and with that completed, the next step is to get approval for the MUD and continue to work on emergency services as well as schools.

Commissioner Shaheen expressed his dislike of utility districts because they create new taxing entities that tend to be a surprise to the citizens that move into the District. In addition, there is nothing in the agreement that would limit the amount of debt which would affect the rate that in turn would be passed on to the citizens. Mr. Jordan replied TCEQ rules limit the tax rate that can be levied on citizens to 1.2%; debt cannot be carried more than 30 years. Commissioner Shaheen asked how the county roads would be impacted. Mr. Kruppa responded their property is approximately one half mile from SH 78; CR 551 goes through the middle of their property.

They plan to extend CR 551 to a divided boulevard which will serve as the main entrance. It would be able to handle more than the development and would probably take traffic off the existing roads west of the property.

Commissioner Shaheen questioned whether there would be emergency services and when those services would be in place. Mr. Kappa replied hopefully within six to 12 months they would have an agreement; the first houses would not be ready for two or three years. When asked whether the District would be annexed, Mr. Kruppa replied that when there were discussions on the subject there were too many issues with the property to make annexation attractive to the City.

Commissioner Williams asked if it was the intent of the developer to dedicate the waste water treatment plant to the North Texas Municipal Water District (NTMWD). Mr. Kappa responded that a tri-party agreement is in place with the developer, the City of Farmersville and NTMWD. There are provisions for the NTMWD to take over the Regional Waste Water Plant at a future time. Commissioner Williams asked if that would be a dedication or a purchase. Mr. Kappa thinks that with the time, effort and considerable costs the developer has invested so far, the NTMWD would finance the Regional Waste Water Plant with bond funds.

Commissioner Williams asked if the plans had provided for locations for schools, police and fire services. Mr. Kappa told the Court that their land plans did provide for these locations; the plan submitted with the application does not show the locations, but they have been provided on all their other land plans. Commissioner Williams clarified that these locations would be provided for and stated that the land plan shown to the Court has only open spaces and home lots; for the record, she asked again if locations would be provided for a school and emergency services. Mr. Kappa replied yes, they have provided for these locations.

Commissioner Jaynes asked for comments from the City of Farmersville. John Moran, City Manager, City of Farmersville, addressed the Court. Mr. Moran is most familiar with the waste water treatment plant which is critical to the City; the current waste water treatment plant will soon have to be replaced. The City of Farmersville plans on utilizing the new plant. As for emergency services, that discussion took place prior to Mr. Moran being City Manager; he cannot answer any questions on that subject. Mr. Moran informed the Court that the City is interested in having dialogue regarding emergency services; the Chief of Police has no objections.

Commissioner Jaynes again expressed his concerns that the District has no emergency services and is not in the ETJ. He questioned whether this could go through if the Court did not take any action. Mr. Bilyeu responded saying if the Court does not file an objection, it will proceed.

Commissioner Jaynes commented to Mr. Jordan and Mr. Kappa that until the district is in the ETJ and there is an agreement for public safety he will support an objection. Mr. Kappa asked for one month to give them a chance to get an MOU (Memorandum of Understanding) with the City of Farmersville.

Commissioner Shaheen made a motion to file an objection with the TCEQ on the establishment of the Lakehaven Municipal Utility District. Commissioner Jaynes amended the motion to include pending an agreement with the City of Farmersville on whether the district will be in the ETJ and for public safety. (Time: 6:35 p.m.)

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Joe Jaynes

Vote: 3 - 0 Passed

COURT ORDER NO. 2011-455-07-11

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

There was a brief discussion regarding the verbiage in the agreement, after which the attending members of the Court made a unanimous decision to hold the item until all members were present for consideration and any action. (Time: 7:32 p.m.)

HELD

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

NO ACTION TAKEN

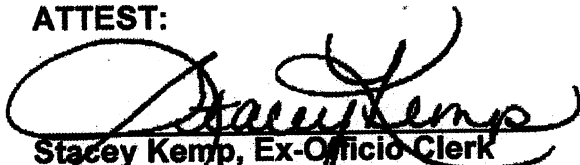
10. Possible future agenda items by Commissioners Court without discussion.

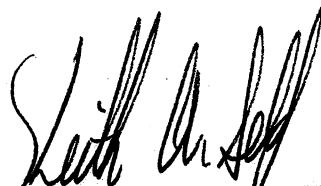
EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Commissioner Jaynes adjourned the meeting at 7:32 p.m.

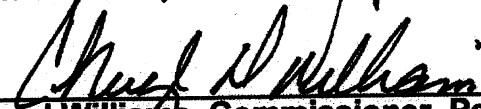


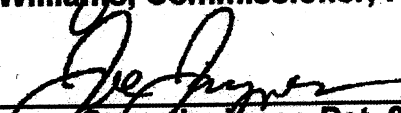
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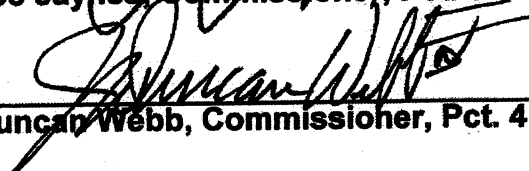

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S


Keith Self, County Judge


Matt Shaneen, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Joe Jaynes, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4