

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
SEPTEMBER 24, 2012

On Monday, September 24, 2012, 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 Matt Shaheen, Precinct 1
Commissioner Duncan Webb, Precinct 4

Absent:
Commissioner Cheryl Williams, Precinct 2
Commissioner Joe Jaynes, Precinct 3

Commissioner Shaheen led the Invocation.
Commissioner Webb led the Pledge of Allegiance.
Judge Self 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 1:51 p.m. and adjourned the meeting at 1:51 p.m.

President Self called to order the meeting of the Housing Finance Corporation at 1:51 p.m. and adjourned the meeting at 1:54 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

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

a. AI-35793 Affidavits and Agreements for supplemental salaries from the Pretrial Intervention Program (DIVERT) and DA Service Fee for FY2013, District Attorney.

b. AI-35794 Utilization of the Service Fee account in the amount of \$4,752 to supplement the salaries of the DA employees required to have a County cell phone to cover the \$15 (plus \$3 to cover the benefits associated with this deduction) per month payroll deduction for FY2013, District Attorney.

c. **AI-35754** \$14,350 to reallocate funds from Juvenile Out of County Sex Offender (Fund 45) to Juvenile Probation (Fund 18) to provide funding for Juvenile Probation lab services and for the purchase of a scanner for the court officer, Auditor.

d. **AI-35792** \$15,000 to reallocate funds from Out of County Sex Offender Program (Fund 45) to Juvenile Probation (Fund 18) to provide funding for Juvenile Probation psychological evaluations, Auditor.

FYI NOTIFICATION

1. **AI-34688** Outstanding Agenda items, Commissioners Court.

2. **AI-35750** Amendment No. 3 to Commissary Services: Jail (RFP No. 03149-09) with Aramark to extend the contract for one (1) year through and including September 30, 2013 with price changes that represent a 1% increase to various items, in accordance with Vernon's Texas Codes Annotated Subchapter C, Section 351.0415, Sheriff.

3. **AI-35748** Change Order No. 1 and 2 to Construction, Myers Park Amphitheater and Toilets (IFB No. 09298-11) with Schmoltdt Construction, Inc. to upgrade lavatory faucets to accommodate septic requirements and to add 200' of water line to make a 6" tap in new location required by the City of McKinney (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

4. **AI-35746** Budget amendment in the amount of \$160,278 (project code GT082F) to purchase laptops, scan guns, software and label printers from the Chapter 19 funds, Auditor.

2. **Public Comments.** There were no public comments.

3. **Presentation/Recognition:** There were no presentations/recognitions.

a. **Service Pins, Human Resources.** No service pins were presented.

4. **Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Commissioner Shaheen pulled item 4i8 for discussion. Commissioner Webb pulled the Schindler Elevator disbursement and asked for it to be held until the next court due to the number of Commissioners present. Commissioner Webb then pulled items 4c2, 4g2a, 4g2b, and item 4i7. A motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Duncan Webb

Vote: 3 – 0 Passed

a. **AI-35826** Disbursements for the period ending September 18, 2012, Auditor.
COURT ORDER NO. 2012-682-09-24

b. Award(s):

1. **AI-35731** Services, Armored Car (IFB No. 06293-12) to Dunbar Armored, Auditor.
COURT ORDER NO. 2012-683-09-24

2. **AI-35805** Insurance, General Liability & Workers Compensation (RFP No. 06309-12), Human Resources.
COURT ORDER NO. 2012-684-09-24

3. **AI-35806** Insurance, Excess General Liability and Excess Workers Compensation (RFP No. 06310-12), Human Resources.
COURT ORDER NO. 2012-685-09-24

c. Agreement(s):

1. **AI-35737** Statewide Automated Victim Notification Service (SAVNS) Maintenance Grant Contract with The Office of the Attorney General (OAG) for the period beginning September 1, 2012 through and including August 31, 2013 with a maximum liability of the Office of the Attorney General (OAG) NTE \$29,174 and further authorize the County Judge to finalize and execute same, Auditor.
COURT ORDER NO. 2012-686-09-24

2. **AI-35798** Interlocal Cooperation Agreement with the Allen Independent School District (ISD) for the use of space located within the Allen ISD (Allen High School) at 300 Rivercrest Blvd, Allen, Texas for Justice of the Peace proceedings conducted by a Justice of the Peace and other Collin County elected officials through and including September 30, 2013 and further authorize the County Judge to finalize and execute same, Construction & Projects.

Commissioner Webb stated that in the Interlocal Cooperation Agreement there was a reference to the times available for the facilities' use. Commissioner Webb stated that the times needed to be corrected to state that we have access from 8 a.m. to 5 p.m. and not 8 a.m. to 5 a.m. He also stated that if the county was going to have an Interlocal Agreement to use the facilities for the Justice Courts, then it should be made available to all of the justice courts and not just Precinct 3. With these corrections Commissioner Webb made a motion to approve the Interlocal Cooperation Agreement with Allen ISD.

Bill Bilyeu, County Administrator, approached the podium and stated that Allen ISD has a relationship with JP 3-2 and that is who they wanted to enter into the agreement with. Furthermore, the cases heard in the facilities will only be truancy cases.

Commissioner Webb said he is fine with this, but the times need to be corrected.
(Time: 1:34 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 3 – 0 Passed

COURT ORDER NO. 2012-687-09-24

3. **AI-35709** Amended Interlocal Agreement with the City of McKinney for the design and construction of Ridge Road from Creekside Drive to US 380 (2007 Bond Project No. 07-00-04), reallocate funds from Bond Project No. 07-041 and 07-044, budget amendment in the amount of \$980,000 (County participation NTE \$980,000) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2012-688-09-24

4. **AI-35736** Interlocal Agreement with the City of Frisco for the engineering and construction of Coit Road North of Eldorado Parkway to Panther Creek Parkway–Segment 2 (2007 Bond Project No. 07-023) (County participation NTE \$1,412,500) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2012-689-09-24

5. **AI-35809** Interlocal Agreement with the City of Frisco for the engineering and construction of Rockhill Road from Dallas Parkway to Preston Road (2007 Bond Project No. 07-027) (County participation NTE \$6,552,500) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2012-690-09-24

6. **AI-35812** Interlocal Agreement with the City of Frisco for the construction of Rockhill Road from County Road 26 to Dallas Parkway (2007 Bond Project No. 07-028) (County participation NTE \$1,351,500) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2012-691-09-24

7. **AI-35796** Interlocal Agreement with the Town of Prosper for land acquisition for funding through the 2nd Series - 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG33) and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2012-692-09-24

8. **AI-35411** Novation Agreement for Services, GPS Offender Monitoring (Contract No. 03204-10) to change the name from G4S Justice Services, LLP to Sentinel Offender Services, LLC and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2012-693-09-24

d. Amendment(s):

1. **AI-35807** No. 1 to Insurance, Property (RFP No. 07249-11) with Arthur J. Gallagher Risk Management Services to extend the contract for one (1) year through and including September 30, 2013 (5% increase due to the addition of new buildings at the Courthouse as well as standard industry increases) and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2012-694-09-24

2. **AI-35788** No. 1 to Engineering Services, GeoTech & Materials Testing for Roads and Building Construction (Contract No. 07248-11) with Alliance Geotechnical Group to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2012-695-09-24

3. **AI-35789** No. 2 to Emergency Alert Notification System (Contract No. 03221-10) with Everbridge to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Homeland Security.

COURT ORDER NO. 2012-696-09-24

4. **AI-35787** No. 4 to Professional Services, Appraisal Services (RFP No. 05553-08) with Pyles Whatley Corporation to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2012-697-09-24

e. Change Order(s):

1. **AI-35773** No. 1 to Road Materials, Asphaltic Concrete (IFB No. 09315-11) with APAC-Texas, Inc. to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-698-09-24

2. **AI-35669** No. 2 to Services, GPS Offender Monitoring (RFP No. 03204-10) with Sentinel Offender Services, LLC to extend the contract for the period of September 1, 2012 through and including August 31, 2013 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2012-699-09-24

3. **AI-35791** No. 3 to Services, Mowing (IFB No. 07723-09) with AMA Construction Services, LLC to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2012-700-09-24

4. **AI-35781** No. 3 to Services, Mowing (Contract No. 07723-09) with Tandem Mowing Service to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2012-701-09-24

5. **AI-35790** No. 3 to Supplies, Electrical, Parts and Materials (IFB No. 04559-09) with C&W Electric Supply to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2012-702-09-24

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

1. **AI-35725** Automatic renewal of the Title IV-E Child Welfare Services Contract (Contract No. 23939923) with the Texas Department of Family and Protective Services for reimbursement of foster care maintenance for the FY2013 CPS cases through and including September 30, 2013, Auditor.

COURT ORDER NO. 2012-703-09-24

2. **AI-35728** Automatic renewal of the Title IV-E County Legal Services Contract (Contract No. 23939924) with the Texas Department of Family and Protective Services for the reimbursement of county legal services for the FY2013 CPS cases through and including September 30, 2013, Auditor.

COURT ORDER NO. 2012-704-09-24

g. Receive and File, Auditor:

1. Final Audit Result(s):

a. **AI-35777** Engineering (1st, 2nd & 3rd Quarter FY2012).

COURT ORDER NO. 2012-705-09-24

b. **AI-35776** Myers Park (1st, 2nd & 3rd Quarter FY2012).

COURT ORDER NO. 2012-706-09-24

2. Monthly Financial Report(s):

a. **AI-35795** June 2012.

COURT ORDER NO. 2012-707-09-24

b. **AI-35801** July 2012.

Commissioner Webb stated that on the long-term debt schedule it shows that the interest rates go from 4.6 to 6.3 in regards to the Build America Bond. He stated that if he recalled correctly the reason the rates are so high is because the federal government gives Collin County subsidies. He further stated that he heard some rumors that this might not occur in the future and asked if there was a way that the bonds could be prepaid if we do not get subsidies in the future. Mr. Bilyeu stated that this would be a cost of about \$20,000 a year to the county and other provisions might allow for a lower interest rate. In the event the county is not given a subsidy from the federal government, there are still other options available. Commissioner Webb made a motion to approve items 4g2a and item 4g2b. (Time: 1:36 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 3 – 0 Passed

COURT ORDER NO. 2012-708-09-24

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

1. **AI-35782** August 27, 2012.

COURT ORDER NO. 2012-709-09-24

i. Miscellaneous

1. **AI-35815** Increase jury pay for partial or full days after the first day to \$30 per day in accordance with the reimbursable amounts from the State Comptroller's Office, Auditor.

COURT ORDER NO. 2012-710-09-24

2. **AI-35716** Designation of the FY2013 Commissioners Court regular term meeting dates and time, Commissioners Court.

COURT ORDER NO. 2012-711-09-24

3. **AI-35810** One change to the Temporary Early Voting location in Farmersville for the November 6, 2012, General Election, Elections.

COURT ORDER NO. 2012-712-09-24

4. **AI-35811** Purchase of 10 Early Voting Computer Cabinet Workstations and budget amendment in the amount of \$22,500 for same, Elections.

COURT ORDER NO. 2012-713-09-24

5. **AI-35633** Exemption from the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) further authorize the Human Resource Director to submit proper notice to authorities, Human Resources.

COURT ORDER NO. 2012-714-09-24

6. **AI-35744** FY2013 Pay for Performance increases, Human Resources.

Judge Self made a motion that the Court discuss Pay for Performance increases for Department Heads in Executive Session. (Time: 1:46 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Matt Shaheen

Vote: 3 – 0 Passed

COURT ORDER NO. 2012-715-09-24

7. **AI-35814** Acceptance of the 2013 Victim Assistance Grant with the City of Frisco for a shared full-time Victim Advocate position, grant period September 1, 2012 through and including August 31, 2013 and budget amendment in the amount of \$2,000 for County Match, Sheriff.

Commissioner Webb stated he pulled this item because there was a discussion at the beginning of this year about this grant. He believed that the amount of the grant was about \$70,000 and he noticed that the county match was only \$2,000. He asked for some explanation on exactly what was going on with this grant and why there was a reduction in the county match when in the presentation it stated the county match would be 10%. This implied the match should have been around \$7,000. Rick Allen, Chief Deputy in the Sheriff's Office, approached the podium and stated that when he addressed the Court in the spring, he was not sure what the numbers were going to be or what the County's responsibility would be. Mr. Allen stated that two weeks ago the grant was approved. When the numbers came up, the numbers were \$2,000 for this approved year. It will remain \$2,000 for the three year commitment. With no further comments, a motion was made to approve this item. (Time: 1:39 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Matt Shaheen

Vote: 3 – 0 Passed

COURT ORDER NO. 2012-716-09-24

8. AI-35726 Amended Facility Usage Agreement and Use Policies for Myers Park & Event Center, Special Projects.

This item involves an amendment to Myers Park policies in terms of cancellation and the associated fees. Commissioner Shaheen asked if there was a significant amount of cancellations to warrant this adjustment. Judy Florence, Parks Manager, stated there have been several incidents where cancellations have occurred 30 days prior to the scheduled event. When this happens, the park does not have a chance to book another event on such a short notice. This leads to an issue of lost revenues. Commissioner Shaheen stated he felt that the loss of a deposit when cancelling 60-90 days prior to the event seemed a little excessive. He wanted to know if other organizations used 60-90 days as their standard. Ms. Florence stated that this is based on recommendations because of experiences with cancellations that have occurred recently.

Commissioner Webb stated that he is fine with this amendment because of the loss of revenue. He further stated a correction should be made to state that any cancellations made less than 60 days from the scheduled event would result in a lost deposit, plus a charge for the full amount of the rental fee. Judge Self asked if charging the full rental amount plus the loss of the deposit would hurt future bookings. Ms. Florence said she does not foresee this being an issue, but she could not be sure. Ms. Florence said this amendment has been made to encourage individuals to cancel in advance and so another event can be booked for that date. Commissioner Shaheen asked Ms. Florence to see what other entities do in terms of cancellations. (Time: 1:46 p.m.)

HELD

9. AI-35832 Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-717-09-24

10. AI-35833 Personnel Changes, Human Resources.

COURT ORDER NO. 2012-718-09-24

GENERAL DISCUSSION

Presentation, discussion and any action regarding:

5. AI-35285 Medicaid 1115 Waiver, Regional Health Partnership, Administrative Services.

Mr. Bilyeu gave an update on the Medicaid 1115 Waiver. He said late Friday HHSC (Health and Human Services Commission) sent an email stating that they expect protocols to be approved and published today. Some informal meetings have taken place with one hospital, and more meetings are scheduled for the upcoming week to help polish up any applications before they come back to the Court. Mr. Bilyeu said he sent out the proposed schedule today and that this is still currently progressing along. He feels that we will meet the October 31, 2012 deadline.

This is a five year program and he clarified that we have just recently wrapped up year one and are now currently in year two. No money was spent in year one.
(Time: 1:47 p.m.)

NO ACTION TAKEN

6. AI-34804 83rd Legislative Agenda for 2013, Commissioners Court.

Judge Self asked Caren Skipworth, Chief Information Officer, if the \$15 deduction for cell phones is for private use. Ms. Skipworth said yes, the deduction was for personal voice and data use as well as personal use for those who have the iPhones. Judge Self asked Mr. Bilyeu to add this to the list. He wants a discussion for a service fee use because some employees are being treated differently on cell phone deductions. He stated we have no control over this but that he wishes to make the legislatures aware of this. (Time: 1:50 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session in accordance with Chapter 551.074, Personnel, and Chapter 551.072, Real Estate, of the Local Government Code at 1:53 p.m. The meeting was reconvened at 2:27 p.m.

Personnel (551.074)

AI-35802 FY2013 Salary increases for County Administrator, Department Heads and Election Administrator, Human Resources.

A motion was made to approve a 2% increase for the County Administrator and Election Administrator for FY2013. (Time: 2:27 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 3 – 0 Passed

COURT ORDER NO. 2012-719-09-24

Real Estate (551.072)

AI-35836 UDCF Building, Administrative Services.

NO ACTION TAKEN

There being no further business of the Court, Judge Self adjourned the meeting of the Commissioners' Court at 2:27 p.m.



ATTEST:

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

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Not Present

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4