

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
MAY 13, 2013

COUNTY OF COLLIN

On Monday, May 13, 2013, 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 Cheryl Williams, Precinct 2

Commissioner Chris Hill, Precinct 3

Commissioner Duncan Webb, Precinct 4

Commissioner Shaheen led the Invocation.

Commissioner Williams led the Pledge of Allegiance.

Commissioner Hill 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 2:51 p.m. and adjourned the meeting at 2:51 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-36727 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

Judge Self noted that there are three outstanding agenda items from 2012. He asked Bill Bilyeu, County Administrator, to work on getting a court date set for the outstanding agenda items. (Time: 1:32 p.m.)

2. Addenda:

a. **AI-36722** No. 1 to Services, IT, PeopleSoft Production Support and Staff Augmentation (RFP No. 2013-154) to make changes to the Request for Proposal, Purchasing.

b. **AI-36721** No. 1 to Services, Digital Imaging (RFP No. 2013-155) to make various changes to the Request for Proposal, Purchasing.

2. Public Comments.

Roy Serpa, Fairview, came forward to inform the court of his tour of the Collin County Detention Center. After the tour, Mr. Serpa came to the conclusion that the county jail has disciplined, yet humane treatment of inmates, and Mr. Serpa is very impressed with both the staff and the facility. He commented that the staff was extremely professional, the facility was clean, and he was impressed with the medical and educational services provided to the inmates. He commented that if the county can maintain the standards that are already in place, it would speak very well for the county. (Time: 2:16 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self deleted items 4b1 and 4b2 from the consent agenda to be brought back at a later time. He then stated he had comments on FYI Notification 1. Commissioner Webb pulled item 4e2. With no further comments 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 Cheryl Williams
Vote: 5 – 0 Passed

a. **AI-36731** Disbursements for the period ending May 7, 2013, Auditor.

COURT ORDER NO. 2013-341-05-13

b. Advertisement(s):

1. **AI-36708** Services: Inmate Health Care (RFP No. 2013-153), Sheriff.

HELD

2. **AI-36631** Professional Services, Architect for Small County Projects (RFQ No. 2013-187), Construction & Projects.

HELD

3. **AI-36610** Services, IT Security Audit (RFP No. 2013-210), Information Technology.

COURT ORDER NO. 2013-342-05-13

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

1. **AI-36736** \$29,371 to fund the addition of two (2) Court Collection Clerk positions and equipment, District Clerk.

COURT ORDER NO. 2013-343-05-13

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

1. **AI-36717** April 22, 2013.

COURT ORDER NO. 2013-344-05-13

e. Miscellaneous

1. **AI-36724** Amend the FY2013 Fee Schedule to include Veteran's Court Fees for the County Clerk's Office, County Clerk.

COURT ORDER NO. 2013-345-05-13

2. **AI-36725** Resolution supporting a Truck Lane Restriction Initiative by the North Central Texas Council of Governments, Engineering.

Commissioner Webb stated he supported the resolution. In a recent meeting with the cities that border U.S. Highway 75, Commissioner Webb stated there is unanimous support for taking this exact resolution and extending it to Melissa. Because of this, Commissioner Webb asked if this resolution needed to be amended. Tracy Homfeld, Engineering, came forward and stated she spoke with COG (Council of Governments) this morning and was told that as the next round of restrictions come before us, COG will re-evaluate the added capacity roads and at that time will ask local governments to bring in another resolution. Ms. Homfeld stated she will keep tabs on this resolution as U.S. Highway 75 progresses.

A motion was made to approve the resolution with an amendment that states that as U.S. Highway 75 is completed north of 121 into six lanes, the restrictions will continue to extend into Anna to FM 455. (Time: 1:36 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-346-05-13

3. **AI-36728** Personnel Appointments, Human Resources.

COURT ORDER NO. 2013-347-05-13

4. **AI-36742** Personnel Changes, Human Resources.

COURT ORDER NO. 2013-348-05-13

GENERAL DISCUSSION

5. AI-36679 TCDRS presentation, Administrative Services.

Amy Bishop came forward with the TCDRS (Texas County and District Retirement Plan) Retirement Plan presentation. TCDRS serves more than 640 employers throughout the state, including 350 governmental districts. In 2011, TCDRS paid \$797 million in benefits back into the State of Texas which supported over 9,000 jobs and \$675 million in GDP (Gross Domestic Product). The benefits paid into Collin County in 2011 totaled about \$14.5 million.

TCDRS was created in 1967 by the State of Texas; however, it is not funded by the state but instead funded by members and investment earnings. Ms. Bishop stated TCDRS is one of the best funded pension plans and manages an estimated \$19.7 billion in assets as of December 31, 2012.

Collin County's plan is currently funded at just over 99% and is a savings based benefit plan. Savings based plans are more predictable in terms of cost to the county, because the benefits are based on savings over the employee's entire career. 7% of each Collin County employee's paycheck goes towards their own retirement fund. The 7% is placed into the TCDRS fund and earns 7% annually. At retirement an employer match, which is 2:1, is then added to the individual's total amount and becomes a lifetime benefit.

Ms. Bishop presented a brief overview of the county's plan. The employee deposit rate is 7%, the employer matching rate is 200%, and an employee is vested after eight years of service. To be eligible for retirement an employee must be 60 years old with eight years of service, the employee's age plus years of service must equal 75, or the employee must have 30 years of service at any age. The plan also provides for a partial lump-sum distribution and provides Group Term Life for active employees and retirees.

As of December 31, 2012, the average Collin County employee profile computed by TCDRS is 46 years old, has 13 years of service, and makes a little over \$51,000 in compensation annually. The average Collin County retirees are 62 years old, have 17 years of service at retirement, and make \$25,300 in TCDRS benefits annually.

TCDRS' long term investment return goal is 8% and is measured quarterly against established industry benchmarks. As of December 31, 2012, the investment return was 12.6%. Collin County's employer rate for 2014 has been calculated to be 8.06% of payroll. Currently there is an elected rate of 8.50% of payroll so the county is actually funding the plan at a quicker rate.

Ms. Bishop stated there are higher terminations and withdrawals in Collin County than TCDRS expected. County employees are also retiring as soon as they are eligible.

Ms. Bishop stated financial reporting for pension plans are about to change. Pension liabilities and assets will now show up on the County's balance sheet and pension liability will be impacted by the County's repeat COLAs (Cost of Living Adjustment). This may impact the funded ratio by about half. Ms. Bishop explained the pension expense (or income) will be volatile and may cause confusion with stakeholders and the press. TCDRS is implementing a trial run in 2013. Commissioner Williams commented that this may give an incentive to no longer give COLAs. (Time: 2:14 p.m.)

NO ACTION TAKEN

6. AI-36682 FY2012 Comprehensive Annual Financial Report (CAFR) presentation, Auditor.

Jeff May, County Auditor, came forward with the FY 2012 CAFR (Comprehensive Annual Financial Report) presentation. Mr. May stated there has been no major changes to the FY 2012 CAFR from FY 2011. The FY 2011 CAFR saw significant changes due to GASB (Governmental Accounting Standards Board) Statement 54. One of the changes included in the GASB 54 states that any Special Revenue Funds that cannot support themselves should be combined into the General Fund for CAFR reporting. The structure of the CAFR is made up of two sets of reports: government wide statements and governmental fund statements.

Some significant fiscal events in FY 2012 include expenditures of \$4.6 million for capital facilities projects which include the final payments of the courthouse expansion, expenditures in the amount of \$17.1 million for road projects, and new and refinanced debt in the amount of \$71.53 million. The general fund unassigned fund balance at year end was \$118.9 million, an increase of \$13.7 million from FY 2011. Taxes account for 62% of all revenue.

Chris Pruitt, auditor for Pattillo, Brown, & Hill, came forward and stated the county should receive a Certificate for Excellence in Financial Reporting for FY 2012 this fall. This would be the 34th year in a row that Collin County has received this award. After a brief discussion, Judge Self asked Mr. May to clarify that the new debt also includes refinanced debt. A motion was made to approve the audit and accept it into the record. (Time: 2:31 p.m.)

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

COURT ORDER NO. 2013-349-05-13

7. AI-36685 Juvenile Probation Department Financial and Compliance Audit Reports for the year ended August 31, 2012, Auditor.

Chris Pruitt, Pattillo, Brown, & Hill, performed this audit as required by state law. It has been filed with the state and he expects no comments. A motion was made to approve the audit and accept it into the record. (Time: 2:32 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Matt Shaheen

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-350-05-13

8. AI-36712 City of Frisco's Right of Way purchase of County Property for Bond Project No. 07-028; Rockhill Road from the Dallas Parkway to CR 26, budget amendment in the amount of \$94,000 and further authorize the County Judge to finalize and execute the Right of Way Warranty Deed, Engineering.

Tracy Homfeld, Engineering, came forward and stated this item refers to a request to sign a deed with the City of Frisco for a bond project for Rockhill Road. Ms. Homfeld asked the Court to accept Frisco's attached appraisal and execute the deed.

Commissioner Shaheen commented that the county acquired the right of way for \$15,000; however, it's appraised at \$94,000. The City of Frisco does not like the idea of having to pay market value for the county's right of way. Commissioner Shaheen continued that because the right of way will be guaranteed for public use and turned into a city road, he feels the county should be reimbursed for its expenses in the amount of \$15,000 versus trying to make a profit for the right of way at its appraised value of \$94,000.

Judge Self stated the Court needs to be careful with setting a precedent. The specific precedent to which Judge Self refers is land off Stacy Road that the City of Fairview is interested in; however, they do not wish to acquire the land at market value and thus have yet to acquire the land. Commissioner Shaheen stated he does not see the two scenarios as analogous and does not see the precedent conflicting.

Commissioner Shaheen made a motion to amend the agreement to sell the right of way to the City of Frisco at the purchase price of \$15,400 plus accrued interest. (Time: 2:39 p.m.)

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Cheryl Williams

Vote: 2 – 3 Failed

A motion was made to approve the item as presented on the agenda for \$94,000.
(Time: 2:39 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 4 – 1

Nay: Commissioner Matt Shaheen

COURT ORDER NO. 2013-351-05-13

9. AI-33858 RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb gave the RTC (Regional Transportation Council) monthly update. He wanted to make the Court aware of transportation development credits which can be bought and sold among regions for the use of federal projects. Our region has \$465 million in federal credits and there is the possibility that we could sell these credits. This would generate a significant amount of funds for the county. It was discussed among the Court that the credits could be used for transportation and transit; however, the credits are extremely valuable to the county in terms of selling if the county has no use for them.

RTC approved HB 3812, which refers to county inspection fees, and will allow 100 cents on the dollar to come back to the county.

Judge Self asked if the 2010 Adjusted Urban Area Boundary would change the boundaries of McKinney's urbanized areas. Commissioner Webb stated it has expanded the boundaries. (Time: 2:49 p.m.)

NO ACTION TAKEN

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

Bill Bilyeu, County Administrator, stated there was nothing new to present to the Court.
(Time: 2:49 p.m.)

NO ACTION TAKEN

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

Judge Self commented that HB2921 has been assigned to the Senate Transportation Committee. (Time: 2:50 p.m.)

NO ACTION TAKEN

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

Judge Self asked Tracy Homfeld, Engineering, to get the details of the NTTA (North Texas Tollway Authority) Waiver of Primary on State Highway 183.

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting of the Commissioners' Court at 2:51 p.m.



Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Chris Hill, 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