

STATE OF TEXAS  
COUNTY OF COLLIN

COMMISSIONERS' COURT  
MEETING MINUTES  
SEPTEMBER 16, 2013

On Monday, September 16, 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 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 adjourned the meeting at 5:04 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 5:05 p.m. and adjourned the meeting at 5:05 p.m.

Judge Self introduced Jason Browning, Fire Marshal, who would be acting as bailiff.

#### FYI NOTIFICATION

1. AI-34688 Outstanding Agenda items, Commissioners Court.
2. AI-37329 Addendum No. 1 to Services: Urinalysis Testing for Juvenile Probation (RFP No. 2013-335) to add revised specifications to the Request for Proposal, Purchasing.
2. Public Comments.
3. **Presentation/Recognition:**

**a. Service Pins, Human Resources.**

Candy Blair, Healthcare Services, came forward with Barbara Beal, WIC (Women, Infants and Children) Director. Ms. Beal was recognized for her hard work and dedicated service to Collin County and was presented with her 20-year service pin.

Joe Wright, Constable Precinct 4, came forward with Tiffany Eaves, Administrative Secretary. Ms. Eaves was recognized for her hard work and dedication and presented with her 15-year service pin.

**4. Consent agenda to approve:** Judge Self pulled item 4i1 so Judge Becker could give his presentation and return to his courtroom.

Judge Self deleted item 4i5, which will be brought back by Mr. Kleinheksel at a later date, and pulled for discussion item 4b1. Commissioner Hill pulled item 4e5 (a-p) for discussion, and Commissioner Shaheen pulled item 4i1 for discussion. A motion was made to approve the remainder of the consent agenda. (Time: 4:20 p.m.)

Motion by: Commissioner Chris Hill

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

**a. AI-37328** Disbursements for the period ending September 10, 2013, Auditor.

**COURT ORDER NO. 2013-686-09-16**

**b. Advertisement(s):**

**1. AI-37257** Surveillance IP Based Camera System and Storage Solution (RFP No. 2013-296), Information Technology.

Caren Skipworth, CIO, and Kelley Stone, Homeland Security, came forward. Judge Self asked about back-end costs for the surveillance system. Ms. Skipworth said the back-end support cost would be an additional \$300,000 to \$350,000 if they go with the Blue Ray Technology Solution, and this amount is not included in the court order. One option for funding would be reducing the number of front-end cameras once the RFP proposals come back. Jon Kleinheksel, Public Works, said the 19 cameras for Public Works were scaled back to six – two for Farmersville and four for McKinney.

Mr. Stone said this court order is for approving the RFP to get an idea of the costs and is not the final list. Monika Arris, Budget, came forward to explain the funding would be a combination of bond funds and JP Technology Court Funds. Road and Bridge and CSCD (Community Supervision and Corrections Department) will have money in there as well. Ms. Skipworth stated there would have to be an agreement with the committee either with a MOU (Memo of Understanding) or a resolution that these departments would fund a portion of the back-end support. A motion was made to approve the item. (Time: 4:26 p.m.)

Motion by: Judge Keith Self  
Second by: Commissioner Cheryl Williams  
Vote: 5 – 0 Passed

**COURT ORDER NO. 2013-687-09-16**

**c. Award(s):**

1. **AI-37280** Services, Emergency Medical (Ambulance Service) (RFP No. 2013-016) and further authorize the Purchasing Agent to finalize and execute the agreement for same, Fire Marshal.

Judge Self pulled this item. Commissioner Webb stated the agreement had been modified and moved for approval. (Time: 4:18 pm.)

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

**COURT ORDER NO. 2013-688-09-16**

**d. Agreement(s):**

1. **AI-37332** Engagement Letter with Lloyd Gosselink Attorneys at Law for Legal Services, grant exemption from the bid process per VTCA Local Government Code 262.024 and further authorize the Purchasing Agent for finalize and execute same, Administrative Services.

**COURT ORDER NO. 2013-689-09-16**

2. **AI-37353** Acceptance of the FY2014 DWI No-Refusal Mandatory Blood Draw Program grant with the Texas Department of Transportation (TxDOT) in the amount of \$64,125 to provide funding for healthcare professionals to assist county law enforcement personnel in DWI enforcement, authorize the County Judge to finalize and execute the associated documents and establish the budget for same, District Attorney.

**COURT ORDER NO. 2013-690-09-16**

**3. AI-37368** Personal Services Agreement with Donna Doolittle (Agreement No. 2013-362) to perform blood draws, grant exemption from the bid process per Local Government Code 262.024(a)(4) Personal Services and further authorize the Purchasing Agent to finalize and execute the agreement, District Attorney.

**COURT ORDER NO. 2013-691-09-16**

**4. AI-37369** Personal Services Agreement with Marvin Doolittle (Agreement No. 2013-363) to perform blood draws, grant exemption from the bid process per Local Government Code 262.024(a)(4) Personal Services and further authorize the Purchasing Agent to finalize and execute the agreement, District Attorney.

**COURT ORDER NO. 2013-692-09-16**

**5. Interlocal Agreement(s) for Environmental Services through and including September 30, 2014 and further authorize the County Judge to finalize and execute same, Development Services:**

**a. AI-37297** City of Anna payable in quarterly installments for an annual amount of \$7,488.

**COURT ORDER NO. 2013-693-09-16**

**b. AI-37303** City of Melissa payable in quarterly installments for an annual amount of \$4,568.

**COURT ORDER NO. 2013-694-09-16**

**c. AI-37304** City of Princeton payable in quarterly installments for an annual amount of \$5,952.

**COURT ORDER NO. 2013-695-09-16**

**d. AI-37305** City of Wylie payable in quarterly installments for an annual amount of \$34,760.

**COURT ORDER NO. 2013-696-09-16**

**e. Amendment(s):**

**1. AI-37298** No. 1 to Agreement, Personal Services Plumbing Inspector (Contract No. 05228-12) with Denny Burnside to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

**COURT ORDER NO. 2013-697-09-16**

**2. AI-37301** No. 1 to Agreement, Personal Services Plumbing Inspector (Contract No. 09441-12) with Gary Machado to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

**COURT ORDER NO. 2013-698-09-16**

3. **AI-37345** No. 3 to CSCD/SCORE (Contract No. 09440-10) with Collin County Community Supervision and Corrections to extend the contract for one (1) year through and including August 31, 2014 and further authorize the County Judge to finalize and execute same, CSCD.

**COURT ORDER NO. 2013-699-09-16**

4. **AI-37306** No. 4 to Interlocal Agreement for Environmental Services with the City of Lowry Crossing to extend the contract for one (1) year through and including September 30, 2014. Payments will be made in quarterly installments for an annual amount of \$1,376 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

**COURT ORDER NO. 2013-700-09-16**

5. **Amendment(s) to the Jail Services Agreement to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Sheriff:**

a. **AI-37320** No. 6 with the Town of St. Paul (Agreement No. 12145-08).

**COURT ORDER NO. 2013-701-09-16**

b. **AI-37299** No. 7 with the City of Anna (Agreement No. 12104-08).

**COURT ORDER NO. 2013-702-09-16**

c. **AI-37302** No. 8 with the CCCC District Police Department (Agreement No. 12141-08).

**COURT ORDER NO. 2013-703-09-16**

d. **AI-37324** No. 8 with Dallas Area Rapid Transit (DART) (Agreement No. 12142-08).

**COURT ORDER NO. 2013-704-09-16**

e. **AI-37310** No. 8 with the City of Josephine (Agreement No. 12131-08).

**COURT ORDER NO. 2013-705-09-16**

f. **AI-37312** No. 8 with the City of Lucas (Agreement No. 12133-08).

**COURT ORDER NO. 2013-706-09-16**

g. **AI-37315** No. 8 with the City of Murphy (Agreement No. 12136-08).

**COURT ORDER NO. 2013-707-09-16**

h. **AI-37307** No. 9 with the City of Celina (Agreement No. 12128-08).

**COURT ORDER NO. 2013-708-09-16**

i. **AI-37308** No. 9 with the Town of Fairview (Agreement No. 12129-08).

**COURT ORDER NO. 2013-709-09-16**

- j. **AI-37309** No. 9 with the City of Farmersville (Agreement No. 12130-08).  
**COURT ORDER NO. 2013-710-09-16**
- k. **AI-37311** No. 9 with the City of Lavon (Agreement No. 12132-08).  
**COURT ORDER NO. 2013-711-09-16**
- l. **AI-37313** No. 9 with the City of McKinney (Agreement No. 12134-08).  
**COURT ORDER NO. 2013-712-09-16**
- m. **AI-37314** No. 9 with the City of Melissa (Agreement No. 12135-08).  
**COURT ORDER NO. 2013-713-09-16**
- n. **AI-37316** No. 9 with the City of Parker (Agreement No. 12137-08).  
**COURT ORDER NO. 2013-714-09-16**
- o. **AI-37317** No. 9 with the City of Princeton (Agreement No. 12138-08).  
**COURT ORDER NO. 2013-715-09-16**
- p. **AI-37319** No. 9 with the Town of Prosper (Agreement No. 12139-08).  
**COURT ORDER NO. 2013-716-09-16**

Commissioner Hill pulled these items due to different amounts referenced on the cover sheets and on some of the specific contracts. Michalyn Rains, Purchasing, came forward to explain the original agreements are quite old and have been amended to decrease the amount from \$70.92 to \$69.79. The cover sheets show the correct amount of \$69.79 for each contract. Only the original contract and the latest amendment were included in the packet. With no further discussion, a motion was made to approve the amendments. (Time: 4:28 p.m.)

Motion by: Commissioner Chris Hill  
Second by: Commissioner Matt Shaheen  
Vote: 5 – 0 Passed

**f. Change Order(s):**

1. **AI-37292** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with American Health and Safety to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-717-09-16**

2. **AI-37295** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Eagle Brush Chemical, Inc. to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-718-09-16**

3. **AI-37260** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Empire Paper Company to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-719-09-16**

4. **AI-37266** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Glazier Foods to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-720-09-16**

5. **AI-37267** No. 1 Supplies, Janitorial (IFB No. 05263-12) with Glove Planet to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-721-09-16**

6. **AI-37261** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Grainger to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-722-09-16**

7. **AI-37265** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Infinity Supply & Service, Inc. to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-723-09-16**

8. **AI-37264** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Janpak Supply Solutions to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-724-09-16**

9. **AI-37294** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Olmsted-Kirk Equipment Supply to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-725-09-16**

10. **AI-37290** No. 1 to Supplies, Janitorial (IFB No. 05263-12) with Pyramid School Products to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

**COURT ORDER NO. 2013-726-09-16**

11. **AI-37288** No. 1 to Road Materials, Emulsified Asphalt (IFB No. 08365-12) with Heartland Asphalt Materials to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

**COURT ORDER NO. 2013-727-09-16**

12. **AI-37289** No. 1 to Road Materials, Emulsified Asphalt (IFB No. 08365-12) with Martin Asphalt Company to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

**COURT ORDER NO. 2013-728-09-16**

13. **AI-37291** No. 1 to Road Materials, Emulsified Asphalt (IFB No. 08365-12) with TexOp Construction LP to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

**COURT ORDER NO. 2013-729-09-16**

14. **AI-37323** No. 2 to Herbicide Treatment of Roadside Right-of-Ways and Encroachments (IFB No. 06233-11) with Vegetative Management Specialist, Inc. to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

**COURT ORDER NO. 2013-730-09-16**

15. **AI-37250** No. 3 to Road Materials, Flexbase (IFB No. 08355-10) with TXI to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

**COURT ORDER NO. 2013-731-09-16**

**g. Ratification of the County Judge's prior approval:**

1. **AI-37404** Grant and exemption to the bid process per VTCA LGC 262.024 (a)(2) "an item necessary to preserve or protect the public health or safety of residents of the county" for window repair and resulting damage at the 900 East Park Boulevard Building, Construction & Projects.

**COURT ORDER NO. 2013-732-09-16**

**h. Receive and File, Auditor:**

1. AI-37282 Monthly Financial Report for July 2013.

COURT ORDER NO. 2013-733-09-16

**i. Miscellaneous**

1. AI-37333 Acceptance of the FY2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$21,840 through the Criminal Justice Division of the Office of the Governor for Mobile Tablet Devices for Warrants for grant period beginning October 1, 2013 through and including March 31, 2014, 296th District Court.

Judge Scott Becker, 219<sup>th</sup> District Court, came forward to explain the tablets would be very helpful to the judges since they will increase their availability to the citizens. Warrants can be signed more quickly and more remotely. He has also used the device to help select a jury.

Commissioner Hill asked Judge Becker if all of the judges are going to be available for signing warrants when they receive the devices. The Judge said he had heard those who have the device are signing warrants, and the other judges are planning to do so when they receive the device. There is a lot of interest at all levels. He does not represent the judges, but he doesn't know of one who wouldn't sign warrants with these devices.

Judge Becker suggested using a data plan instead of Wi-Fi for security reasons. The data plan allows for the devices to be remotely wiped clean if lost or stolen. It can also help in locating a lost device. There was a brief discussion regarding electronic signatures and the procedures involved in signing the warrants remotely. The Judge explained the electronic signature carries the same weight as a handwritten signature.

There was a brief discussion regarding the fact that the judges would now have three devices – the system on the bench which manages their case files in Odyssey and is not portable, the laptops for their chambers and the tablet. Commissioner Webb requested a status update on the usage and effectiveness of the program after the six-month period. Ms. Skipworth will provide that information. (Time: 2:00 p.m.)

The Court returned to this item for discussion. Commissioner Shaheen cannot support an individual having three separate devices. Judge Self asked about a rotating device to which Ms. Skipworth explained the tablet would be limited to the log on for that user. The tablets are a one-for-one basis and cannot be set up for multiple user use.

Commissioner Hill is not opposed to the judges having three work stations if it maximizes effectiveness and productivity. Commissioner Webb said since there is a grant to fund the tablets, we should try it and see if it works. Ms. Skipworth can provide log-in activity, data and plan usage and work with Pam DeVault on getting a status report showing how many warrants were signed after certain hours by certain judges.

After the six-month period covered by the grant, the plan is to use the Court Technology Fund for the service plan. A motion was made to accept the grant with the condition of looking at it again once the six-month grant period is over. (Time: 4:41 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 4 – 1 Passed

Nay: Commissioner Matt Shaheen

**COURT ORDER NO. 2013-734-09-16**

2. **AI-37336** Acceptance of the FY2014 Multi-year Continued Discretionary Grant in the amount of \$183,296 through the Texas Indigent Defense Commission for the Collin County Mental Health Managed Counsel Program for the grant period beginning October 1, 2013 through and including September 30, 2014 and further authorize the County Judge to finalize and execute same, 296th District Court.

**COURT ORDER NO. 2013-735-09-16**

3. **AI-37300** Eagle Scout Projects to be completed in various parts of Myers Park, Myers Park.

**COURT ORDER NO. 2013-736-09-16**

4. **AI-37346** Acceptance of the FY2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$46,585 through the Criminal Justice Division of the Office of the Governor for Radiological and Photographic Imaging Equipment for grant period beginning October 1, 2013 through and including March 31, 2014, Medical Examiner.

**COURT ORDER NO. 2013-737-09-16**

5. **AI-37318** Reimbursement of fencing materials in the amount of \$752.50 to Mr. James Ward for property along CR 444 and further authorize the County Judge to finalize and execute the Agreement for Release and Waiver of Liability, Public Works.

**HELD**

6. **AI-37370** Personnel Appointments, Human Resources.

**COURT ORDER NO. 2013-738-09-16**

7. **AI-37383** Personnel Changes, Human Resources.

**COURT ORDER NO. 2013-739-09-16**

## **GENERAL DISCUSSION**

### **5. AI-37243 NTTA Annual Update, NTTA.**

**PULLED**

**6. AI-37325 Public Hearing** - Consideration and any action for the issuance of a "Mass Gathering" permit for the Color Me Rad 5k Run on October 26, 2013 in accordance to the Health and Safety Code 751, Special Projects.

Judy Florence, Myers Park & Event Center, came forward to explain they have been requested to host a 5k run on October 26, 2013, by a group called Color Me Rad. Their mass gathering permit originally indicated 8,000 attendants but it should be closer to 6,000. She has met with the Fire Marshal, Sheriff's Department and Developmental Services and received approvals from each of them.

Judge Self opened the Public Hearing at 2:01 p.m. and asked for comments on the Color Me Rad 5k Run on October 26, 2013. Hearing none, Judge Self closed the Public Hearing. (Time: 2:02 p.m.)

After a brief discussion regarding public and private documents submitted for public hearings, a motion was made to approve the permit. (Time: 2:06 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Matt Shaheen

Vote: 5 – 0 Passed

**COURT ORDER NO. 2013-740-09-16**

### **7. AI-37373 Pension System Consultant Estimated cost, Commissioners Court.**

Judge Self presented the new Grayson County pension plan for comparative analysis. Grayson County has gone to a single investment plan for everyone which is 3% and the match stays the same with no guarantee. The proposed Collin County plan has TCDRS down to 4% and the investment plan at 3% with a guarantee. New employees will have a lower match with no guarantee. The Grayson County plan maintains a level match. Collin County elected officials said they would need a level match to attract and retain employees.

The TCDRS decision can be made in December before the RFP (Request for Price) is complete if the legal and practical issues have been addressed and satisfactory progress is made toward the ECP (Employee Choice Plan) design. Employee education would be conducted during the month of March, and April 1, 2014 would be the target date to "go live." The decision needed today is the amount to budget for the consultant to help work through this. There would be no change to the FY 2014 Budget other than the cost of the consultant. A definitive decision on TCDRS would need to be made at the December 9, 2013, Court.

Cynthia Jacobson, Human Resources, reported the initial phase estimates came in at \$30,000 to \$65,000. Complete implementation estimates range from \$150,000 to \$300,000 but do not include a legal review. Commissioner Williams expressed her concerns and wanted to make sure that Ms. Jacobson is budgeting for an adequate legal review of the proposal as well as a financial advisor who will suggest how the plan should be based. The Commissioner feels we will need to know all the costs, not just the plan design, and the consultant needs to be involved in reviewing vendor contracts and selecting a contract. Lastly, the Commissioner said there would need to be an actuarial analysis. This analysis will determine if the savings are there and what the savings should be.

Commissioner Williams also brought up the question of what to do with the 109 employees at CSCD (Community Supervision and Corrections Department) who will not be able to participate. The Commissioner went on to say it is important to have different options and compare them, including the option of doing nothing differently than we are doing today because there have to be comparisons made as to what will be most effective in the future.

Judge Self asked Ms. Jacobson and Ms. Arris if the \$60,000 for the initial phase is enough to address the issues brought up by Commissioner Williams. Ms. Jacobson explained the initial phase estimates did include an actuarial review of the plan as well as the baseline issues, but did not include a legal review.

Greg Willis, District Attorney, came forward to convey his concerns regarding the proposed plan and to recommend exercising caution and due diligence before making a decision. Judge Willis said the way to determine the effectiveness of a government agency is determining how effectively that government agency accomplishes its mission. The mission of the DA's Office is to pursue justice and to protect the community. A significant factor in how well he can do that is based on the quality of his people. He is concerned about keeping his senior people (career prosecutors) and about acquiring quality people in the future. The Judge feels in the long term he will have a lower caliber public servant to serve the citizens. He also questioned how salaries will be equalized going forward since the benefits package will be reduced for new hires.

Commissioner Shaheen said the long term liability is the reason for the reduction in the pension plan and it has nothing to do with the proposed tax cut. Judge Willis was asked to give some thought to a plan that left the match the same, lowered the guarantee to 4%, and the remaining 3% had potential for large returns or a loss. Judge Self asked the Judge which was more important – the match or the guarantee. Judge Willis said he could not answer that question for everyone.

His personal observation is people who have come to work for the county have done so in part because of the benefits package knowing they would not earn as much in salary. If these benefits are reduced for current employees, some will leave for another county. Collin County needs to be competitive. If we impact people's benefits, they will analyze whether they need to go somewhere else. Commissioner Williams asked what the impact would be if routinely there was a large turnover. Judge Willis explained newer people come with a higher rate of error and lower efficiency.

Commissioner Hill stated his desire to keep standards and services high and make very wise fiduciary decisions. Judge Willis said, while in the short term the County may save money by going forward with this plan, we need to be transparent and know that at some point the level of services will go down due to the caliber of people that we will have. In the long run, it is all about getting the best people whether you are running a business or a court. (Time: 2:44 p.m.)

Anthony Schuman, Dallas, came forward to address the Court regarding the new retirement plan. Mr. Schuman has been a resident of Collin County since 1983. He expressed his concerns about the plan's design and the selection of high-priced funds versus institutional funds. He also mentioned the 401(a) and 457 plans are in the top 5% for fees. Judge Self told Mr. Schuman he would welcome any questions or concerns he may have on the design of the plan and those concerns should be put in writing. (Time: 2:49 p.m.)

Judge Self stated Bill Bilyeu, County Administrator, recommended another \$10,000 to \$15,000 in fees for the initial phase bringing the cost to \$80,000. The Judge suggested increasing it to \$100,000 to make sure all of the issues are addressed. Ms. Jacobson stated the quote of \$65,000 came from a phone conversation and she has nothing in writing. The education is in the implementation cost and does cover some group meetings but does not include one-on-one financial.

Commissioner Williams feels the timeline is very aggressive and is concerned about the period of time from January to April where there is no participation. Commissioner Webb wanted to clarify what they were being asked to vote on. Judge Self explained TCDRS is budgeted for FY 2014 and this vote is for implementation costs. Commissioner Webb stated he has a lot of issues with the proposal and believes Grayson County will find out how ill-conceived their new plan is legally. He then presented an Attorney General opinion stating 401(a)'s are illegal for a government authority if they already have TCDRS. There is also the issue of vesting with 457 plans and, if there is no vesting, the county would lose the projected forfeitures each year which are \$2 to \$3 million. He does agree with eliminating the investment risk associated with the current plan and thought the original proposal was to eliminate the risk. The Commissioner also stated Grayson County is staying competitive by leaving their match at 2.25 to 1. He is very concerned with the competitive nature and legal aspect of this plan, and wants to make sure all of the analysis is done in an efficient manner.

Commissioner Webb also believes Grayson County is going to have some issues with their new plan and wondered why they were doing it. Currently they have smoothed unfunded liabilities of \$15 million. Collin County has zero unfunded liabilities. Also, Collin County has a fund balance of \$126 million while Grayson County has a fund balance of \$11 million which basically makes them insolvent. They have more liability than assets and their tax rate is twice that of Collin County. Commissioner Webb referenced Judge Willis' earlier comment about how to measure county government effectiveness is to look at their tax rate. Collin County's tax rate is the third lowest in the state. This county runs a very effective government and the Commissioner doesn't want to lose the best and brightest employees. He is interested in looking at this plan in terms of removing the \$50 million risk, but he doesn't want to put the County in a competitive disadvantage with our elected officials and department heads not being able to retain or recruit the best employees. The Commissioner feels customer service will also disappear. He does not want to make a decision that in the long term will ultimately impact the ability of this county to remain at the forefront in terms of what it is able to provide to its citizens for the lowest possible cost. (Time: 3:08 p.m.)

**NO ACTION TAKEN**

#### **8. AI-37271 Public Hearing - Proposed FY2014 Budget, Budget.**

Monika Arris, Budget, explained the proposed budget was filed on Monday, September 9, 2013 before the evening Court. It did not include the changes to the retirement plan. It also did not include the wireless for the iPads though there was talk of using the District Court Technology Fund for that item.

The Total Combined Budget for FY 2014 is \$278 million which includes the \$11.6 million one-time expenditure to TCDRS. Without that payment the budget would have increased by 2.8 % instead of 7.3%. Revenues, with the current \$0.24 tax rate, are \$271 million versus the Total Combined Budget of \$278 million. The Operating Budget, which consists of the General Fund, Road and Bridge Fund, and Permanent Improvement Fund, is \$194.4 million. Without the payment to TCDRS the growth would have been 5.2% instead of 11.8%. The Operating Funds have \$187.1 million in revenues versus \$194.4 million in expenditures.

The Road and Bridge Fund proposed budget is \$22.4 million which is an increase of 9.1%. Much of the growth is due to reducing the carry forwards. Now everything will be budgeted in the actual year that it will be spent. The General Fund proposed budget is \$170 million. Without the \$11.6 million payment to TCDRS, the General Fund proposed budget would have been \$158.4 million with a 4.2% increase instead of 11.9%. Maintaining the \$0.24 tax rate, the revenues are \$167 million versus the General Fund Budget of \$170 million.

Judge Self asked for comments on the budget. Commissioner Williams asked the Court to consider the Tax Assessor's position that he will not assist NTTA (North Texas Tollway Authority) in collections. In addition to that, the Court has asked repeatedly over the years for the Tax Assessor to assist the County in collecting fines and fees. A tremendous amount of money is being left on the table because we cannot get his assistance. The Commissioner does not want to provide a department with additional staff when that department repeatedly refuses to cooperate with other entities. Commissioner Williams recommended the three positions authorized for the Tax Assessor's Office be moved into contingency until and unless he begins to collect for both the NTTA and Collin County. Commissioners Shaheen and Webb agreed.

Commissioner Webb brought up transportation funding saying now is the best time to acquire right-of-way. With an estimated cost of \$36.5 million for all of segment three from US 75 to DNT (Dallas North Tollway), the Commissioner would like to put a minimum of \$10 million as a one-time payment towards that acquisition. Commissioner Williams also feels it's critical to add \$10 million for infrastructure and should be done when there is an excess fund balance especially if the state is not stepping up. A motion was made and seconded to add \$10 million to the budget as a one-time expenditure for right-of-way acquisition along segment three of the Outer Loop which includes the interchange at US 75. No vote was taken.

There was a lengthy discussion regarding bonds available for transportation. Commissioner Shaheen questioned the time involved in acquiring right-of-way and finding out how much of the land would be donated. Mr. Bilyeu said he could not give an educated guess regarding donations and added, for segment one, as soon as one dollar passed hands, every other piece was purchased and purchased at the same level. Commissioner Williams felt the alignment would make a difference in donations. She also stated this is a very effective tool in reducing fund balance and using it for clear and definite needs.

Rubin Delgado, Engineering, came forward to answer questions regarding the time frame and costs involved in acquiring right-of-way. Segment one took over two years to acquire right-of-way and segment three is three times as long. Mr. Delgado estimated five years for acquisition of segment three and suggested doing it in phases according to areas of growth. The portion of segment three from DNT to SH 289 excluding the intersection is currently underway with the engineering, environmental and construction costs already funded. Mr. Delgado suggested doing the engineering for the footprint to determine the right-of-way. Commissioner Webb asked how much would be needed to cover engineering of the grade-separated intersections of the Outer Loop at US 75, the Outer Loop at DNT and the Outer Loop at Preston Road. Mr. Delgado estimated \$5 million would cover right-of-way and the footprint for all three intersections.

Commissioner Webb reiterated the substantial savings to the taxpayers in acquiring the right-of-way now as opposed to waiting. There was a lengthy conversation regarding transportation funding and projects. (Time: 3:46 p.m.)

A motion was made to take the three positions previously authorized for the Tax Assessor's Office and place them in contingency until and unless he begins to participate with the NTTA collections and Collin County collections. (Time: 3:48 p.m.)

Motion by: Commissioner Cheryl Williams  
Second by: Commissioner Matt Shaheen  
Vote: 5 – 0 Passed

A motion was made to budget \$1.5 million for the footprint and right-of-way acquisition of the interchange at US 75 and segment three of the Outer Loop. (Time: 3:57 p.m.)

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

A motion was made to budget \$320,000 for the design, implementation and legal analysis of the proposed retirement plan. (Time: 3:58 p.m.)

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

Judge Self opened the Public Hearing at 3:59 p.m. and asked for comments.

Sheriff Terry Box came forward with two issues that affect law enforcement only. The first is he believes HR or the County should prepare a road map indicating the pay ranges in each category for his employees. When a Deputy Sheriff is hired, the Sheriff feels the County should be able to tell him what the pay range will be.

Secondly, the Sheriff was present during all of the budget hearings and questioned the availability of the \$500,000 that was put into contingency for Compa-ratio in order to keep the professional employees. He received a call stating the only person in his office that would qualify for any additional funds would be an administrative secretary, and her adjustment would be 2.2%. He does not believe there was an in depth look at differentiating between the pay grades of lieutenants and captains who have been with Collin County for a long time and are not yet at midrange. The Sheriff does not feel the allocating of the \$500,000 was done in a fair manner. (Time: 4:00 p.m.)

Judge Self asked for any other comments for the Public Hearing. Commissioner Hill wanted to clarify the Sheriff's issue regarding the \$500,000. Those funds are simply being set aside in contingency and have not been determined to be expended yet. The Judge asked Ms. Jacobson to come forward and address the Sheriff's concerns regarding the Compa-ratio. Ms. Jacobson said there were three reasons for this. The first was entry level positions were removed from eligibility, and most of the Sheriff's

positions are entry level. Secondly, he has the largest number of employees at the maximum of the pay range. And thirdly, there were increases in that department that were higher over a period of time than other individuals so they have shifted them past the range for the 15-year movement. At one point they were on a five year so they have moved a lot faster than the 15 year. (Time: 4:02 p.m.)

After a 15-minute break and further discussion on 4i1, Judge Self closed the Public Hearing at 4:45 p.m.

**NO ACTION TAKEN**

Judge Self recessed Commissioners' Court at 4:03 p.m. and reconvened Court at 4:17 p.m. The Judge then went back to item 4b1 on the consent agenda.

**9. AI-37272** Adoption of an order setting and approving the Fiscal year 2014 Elected Officials Compensation, Budget.

A motion was made to set and approve the FY 2014 Elected Officials' Salaries. (Time: 4:46 p.m.)

Motion by: Commissioner Chris Hill  
Second by: Commissioner Duncan Webb  
Vote: 5 – 0 Passed

**COURT ORDER NO. 2013-741-09-16**

**10. AI-37273** Adoption of an order setting and approving the Fiscal Year 2014 Budget, Budget.

A motion was made to adopt the FY 2014 Budget at \$279.9 million. (Time: 4:47 p.m.)

Motion by: Commissioner Matt Shaheen  
Second by: Commissioner Cheryl Williams  
Vote: 5 – 0 Passed

Since this vote should have been a record vote, Judge Self asked for a revote.

A motion was made to adopt the FY 2014 Budget at \$279.9 million. (Time: 4:53 p.m.)

Motion by: Commissioner Matt Shaheen  
Second by: Commissioner Cheryl Williams  
Vote: 5 – 0 Passed by show of hands

**COURT ORDER NO. 2013-742-09-16**

**11. AI-37275** Adoption of an order setting the debt service tax rate for Fiscal Year 2014, Budget.

A motion was made to adopt the debt service tax rate of \$0.057166. (Time: 4:53 p.m.)

Motion by: Commissioner Chris Hill  
Second by: Commissioner Duncan Webb  
Vote: 5 – 0 Passed by show of hands

**COURT ORDER NO. 2013-743-09-16**

**12. AI-37274** Adoption of an order setting the maintenance and operating tax rate for Fiscal Year 2014, Budget.

A motion was made to adopt the M & O tax rate of \$0.180334. (Time: 4:53 p.m.)

Motion by: Commissioner Cheryl Williams  
Seconded by: Commissioner Matt Shaheen  
Vote: 5 – 0 Passed by show of hands

**COURT ORDER NO. 2013-744-09-16**

**13. AI-37276** Adoption of an order setting the combined tax rate for Fiscal Year 2014, Budget.

Judge Self wanted to explain the required language and the difference between a tax rate and a tax levy. The tax rate is the rate that is paid on property value. A tax levy is the actual dollars that are paid. The required language states there is a tax increase when it is actually referring to the tax levy. Any increase is due to an increase in property value.

Commissioner Webb made a motion to set the combined tax rate for FY 2014 in the following statement: *"I move that the property tax rate be increased by the adoption of a tax rate of \$0.237500, which is effectively a 2.17% increase in the tax rate."* (Time: 4:52 p.m.)

Motion by: Commissioner Duncan Webb  
Second by: Commissioner Chris Hill  
Vote: 5 – 0 Passed by a show of hands

**COURT ORDER NO. 2013-745-09-16**

**14. AI-37278 Adoption of an order setting and approving the County Fee Schedule for Fiscal Year 2014, Budget.**

Commissioner Webb asked if this was shared with all elected officials and department heads. Ms. Arris explained this is a very involved process between the Law Library and the elected officials and department heads. There are meetings that the elected officials and department heads can come to where questions are answered and items explained. The Law Librarian also tracks legislation and contacts officials regarding any late changes. There was a brief discussion on having elected and appointed officials sign off on their fee schedules. A motion was made to set and approve the County Fee Schedule for FY 2014. (Time: 5:00 p.m.)

Motion by: Commissioner Cheryl Williams  
Second by: Commissioner Matt Shaheen  
Vote: 5 – 0 Passed

**COURT ORDER NO. 2013-746-09-16**

**15. AI-37277 Restrictions on funds in compliance with Government Accounting Standards Board (GASB) Statement Number 54 for FY 2014, Budget.**

A motion was made to strike the \$10 million in Disaster Recovery. (Time: 5:02 p.m.)

Motion by: Commissioner Matt Shaheen  
Second by: Commissioner Chris Hill  
Vote: 5 – 0 Passed

**COURT ORDER NO. 2013-747-09-16**

**16. Board/Committee Appointments, Commissioners Court:**

**a. AI-37364 North Texas Tollway Authority Board of Directors.**

A motion was made to approve the reappointment of Bill Moore to the NTTA Board of Directors. (Time: 5:03 p.m.)

Motion by: Commissioner Matt Shaheen  
Second by: Commissioner Cheryl Williams  
Vote: 5 – 0 Passed

**COURT ORDER NO. 2013-748-09-16**

**17. AI-33858 RTC monthly update, Commissioner, Precinct 4.**

Commissioner Webb presented an update on the RTC (Regional Transportation Council) meeting. The Commissioner reported the major issue was an action taken on the East West Funding Distribution. The West went up from 31 to 32 and the East went down from 69 to 68. Commissioner Webb did make a motion to look at it every few years given the county's growth. (Time: 5:04 p.m.)

**NO ACTION TAKEN**

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

**NO ACTION TAKEN**

**19. 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, Judge Self adjourned the meeting of the Commissioners' Court at 5:04 p.m.



Not Present

**Keith Self, County Judge**

**Matt Shaheen, Commissioner, Pct. 1**

Not Present

**Cheryl Williams, Commissioner, Pct. 2**

**Chris Hill, Commissioner, Pct. 3**

**Duncan Webb, Commissioner, Pct. 4**

**ATTEST:**

**Stacey Kemp, Ex-Officio Clerk  
Commissioners Court  
Collin County, TEXAS**