

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
AUGUST 24, 2015

COUNTY OF COLLIN

On Monday, August 24, 2015, 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 Susan Fletcher, Precinct 1

Commissioner Cheryl Williams, Precinct 2

Commissioner Chris Hill, Precinct 3

Absent: Commissioner Duncan Webb, Precinct 4

Commissioner Fletcher 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 3:44 p.m. and adjourned the meeting at 3:44 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 3:44 p.m. and adjourned the meeting at 3:44 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-40312 Services: Offender Specimen Collection and Drug Testing (RFP No. 2015-200) to Treatment Assessment Screening, Adult Probation.

2. AI-40240 Amendment No. 4 to Services, Urinalysis Testing for Juvenile (RFP No. 2013-335) with Treatment Assessment Screening Center, Inc. to extend the contract for one (1) year through and including September 30, 2016, Juvenile Probation.

FYI NOTIFICATION

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

2. **AI-40298** Addendum No. 1 to Juvenile Detention Door Repairs (IFB No. 2015-234) to make various changes to the Invitation For Bid, Purchasing.

3. **AI-40281** Change Order No. 1 to Construction, Myers Park Pavilion (IFB No. 2014-341) with RKM General Contractors for mobilization to clean out grade beams due to excessive rain and replacement of specified stone cap (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

4. **AI-40290** P-Card Disbursements, Auditor.

2. Public Comments.

Ernest Myers, Chairman of LifePath Systems, came forward with Dr. Randy Routon, CEO of LifePath Systems, to present the members of the Court with plaques for their incredible support during the 84th Texas Legislative Session. Mr. Myers thanked the Court for its involvement in what he believes is one of the most important aspects of county government and services to the citizens of this county. (Time: 1:35 p.m.)

Lisa Ferguson, Celina, is a member of the Celina Library Board and came forward to speak on behalf of the libraries and urge the Court to reconsider its decision to not fund the libraries. Ms. Ferguson said the libraries should be the heart of the community where people of all ages can go to gain knowledge and access equipment and services they may not otherwise have readily available to them.

Linda Shaw, Director of Celina Public Library, came forward to ask the Court to reconsider its decision to end county funding for public libraries in Collin County. Ms. Shaw said while funding libraries is not a legal function of county government, the Court can and does choose to fund other programs that are not legal functions of county government. Public libraries contribute to the social fabric and economic well-being of our cities, county and state. This loss of funding will significantly impact the Celina Public Library and the Collin County citizens it serves as the library struggles to keep up with the exploding population and expected future growth. Items facing cuts are a position for a part-time staff member, purchase of books and materials, replacement of outdated computers, literacy programs and training classes that the director is required to complete in order to maintain state accreditation. Ms. Shaw thanked the Court for its past support of Collin County libraries and urged them to reconsider their support.

Judge Self asked Ms. Shaw if she has asked the city council to replace the county funding. Ms. Shaw said she did but they are unable to help for the next year because it is not in the budget.

Marc Rylander, Celina, addressed the Court asking them to do away with or reconsider the \$2 million lawyer fee in the County budget which the Dallas Morning News suggested was directly correlated to the case against the Attorney General. Mr. Rylander believes it is unprecedented and unlawful. Referring to the highly publicized case in Kaufman County involving the murder of a district attorney, a constable and his wife, Mr. Rylander said the legal bill totaled \$300,000. There are no dead bodies in this case and yet the cost is six and half times that of the two-year Kaufman County case. While Judge Scott Becker, 219th District Court, can determine who he wants to prosecute this case and can go outside of our county, Mr. Rylander does not see the reason to do so. The State Code allows Judge Becker to get a state attorney from a neighboring county or in Austin and try this case at no additional cost to Collin County. Judge Becker has chosen to have special prosecutors, and there is a law that covers that as well. This rule states that any special prosecutor that is brought in should be compensated in the same amount and manner as an attorney appointed to represent an indigent person. Therefore, that prosecutor can be compensated \$1,000 for pretrial work and \$500 per half day of the trial. Mr. Rylander asked the Court to not bow down to the bullying of any bench. Both the law and precedence are there and yet this judge has chosen to not appoint a state lawyer. Mr. Rylander said the Court does an amazing job as stewards of our county taxes, and he is asking the Court to do it yet again. (Time: 1:43 p.m.)

3. Presentation/Recognition:

a. Service Pins, Human Resources.

Monika Arris, Budget, presented Marie Chacon with her twenty-year service pin. Ms. Arris said Marie is a treasured employee and thanked her for her great work. (Time: 1:33 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Hearing none, a motion was made to approve the consent agenda. (Time: 1:43 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 4 - 0 Passed

a. AI-40310 Disbursements for the period ending August 18, 2015, Auditor.

COURT ORDER NO. 2015-553-08-24

b. Advertisement(s):

1. AI-40321 Detention Center Camera and Monitor Upgrades (IFB No. 2015-251), Construction & Projects.

COURT ORDER NO. 2015-554-08-24

c. Agreement(s):

1. **AI-40317** Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) for E9-1-1 Service, Equipment, Addressing and GIS/Database Maintenance through and including August 31, 2017, Information Technology.

COURT ORDER NO. 2015-555-08-24

2. **AI-40315** Interlocal Agreement with the City of Josephine for Child Abuse, Investigation Services and Law Enforcement Services for an annual amount of \$1,000, Sheriff.

COURT ORDER NO. 2015-556-08-24

d. Amendment(s):

1. **AI-40297** No. 1 to City of Frisco Teen Court Services (Contract No. 2014-140) with the Municipal Court, City of Frisco to extend the contract one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Administrative Services.

COURT ORDER NO. 2015-557-08-24

2. **AI-40309** No. 1 to Professional Services, Engineering, FM2551 from FM2514 to FM2170 (AGR No. 08345-12) with CP&Y, Inc. to add supplemental agreement No. 1 for environmental re-evaluation and new/additional topographic information, budget amendment in the amount of \$135,837 for same and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2015-558-08-24

3. **AI-40285** No. 1 to Services: GPS, Offender Monitoring (RFP No. 2014-135) with Icare Offender Solutions to extend the contract for one (1) year through and including August 31, 2016 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2015-559-08-24

4. **AI-40333** No. 2 to Agreement: Services, DWI Blood Draw (Contract No. 2013-362) with Donna Doolittle to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, District Attorney.

COURT ORDER NO. 2015-560-08-24

5. **AI-40334** No. 2 to Agreement: Services, DWI Blood Draw (Contract No. 2013-363) with Marvin Doolittle to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, District Attorney.

COURT ORDER NO. 2015-561-08-24

6. **AI-40322** No. 3 to the TechShare.Juvenile and Juvenile Case Management System (JCMS) - Basic 2013 Resource Sharing Addendum with the Texas Conference of Urban Counties (CUC) to extend the term through and including December 31, 2015, Information Technology.

COURT ORDER NO. 2015-562-08-24

7. **AI-40299** No. 5 to Physician Services (Contract No. 07335-10) with Dr. James Shupe to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, County Clerk.

COURT ORDER NO. 2015-563-08-24

e. Change Order(s):

1. **AI-40313** No. 1 to Supplies: Jail and Personal Inmate (IFB No. 2014-122) with Texas Correctional Industries to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2015-564-08-24

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

1. **AI-40222** Budget amendment in the amount of \$6,265 to purchase ACOM software license for Electronic Fund Transfer capabilities, Auditor.

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

COURT ORDER NO. 2015-565-08-24

1. **AI-40316** \$25,000 to reallocate funds from Food Supplies to Monitoring Services to cover PTR monitoring expenses, Sheriff.

COURT ORDER NO. 2015-566-08-24

h. Receive and File, Auditor:

1. **AI-40323** Monthly Financial Report for July 2015.

COURT ORDER NO. 2015-567-08-24

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

1. **AI-40307** August 3, 2015.

COURT ORDER NO. 2015-568-08-24

j. Miscellaneous

1. **AI-40387** Creation of positions for the 469th and 470th District Courts and budget amendment in the amount of \$44,957 to fund the salaries and benefits for September 2015, Budget.

COURT ORDER NO. 2015-569-08-24

2. **AI-40320** Update Construction Standards to add Bosch Surveillance Equipment as the preferred manufacturer for Surveillance Equipment (Cameras) for all Collin County Government Detention Facilities, Construction & Projects.

COURT ORDER NO. 2015-570-08-24

3. **AI-40385** Resolution supporting the passage of the legislation recommended by the Administrative Office of the US Courts to authorize and establish two (2) emergency judgeships for the Eastern District of Texas, County Judge.

COURT ORDER NO. 2015-571-08-24

4. **AI-40332** Acceptance of the FY 2016 DWI No-Refusal Mandatory Blood Draw Program Grant with the Texas Department of Transportation (TxDOT) to provide funding for healthcare professionals to assist law enforcement personnel in DWI enforcement, District Attorney.

COURT ORDER NO. 2015-572-08-24

5. **AI-40306** Trade-in one (1) UPS/Serial #YS0436121890 (trade in value \$424.65) toward the purchase of (1) APC Smart UPS x3000VA Rack/Tower LCD 100-127V; UPS Network Management Card 2 with Environmental Monitoring; APC Smart UPS x120V external battery pack rack/tower; APC temperature and humidity sensor, Facilities.

COURT ORDER NO. 2015-573-08-24

6. **AI-40305** Purchase a DVD-Recorder/VCR Combo with HD Upconversion utilizing the Justice Court Technology Fund and budget amendment in the amount of \$230 for same, Justice of the Peace, Precinct 1.

COURT ORDER NO. 2015-574-08-24

7. **AI-40342** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-575-08-24

8. **AI-40343** Personnel Changes, Human Resources.

COURT ORDER NO. 2015-576-08-24

GENERAL DISCUSSION

5. AI-40276 Public Hearing – FY 2016 Preservation, Restoration and Records Archive Five Year Plan, County Clerk.

Stacey Kemp, County Clerk, briefed the Court on the FY2016 Preservation Plan. The purpose of the plan is to define the restoration and preservation plans of the County Clerk's Office for the next five fiscal years. The 2015 preservation project included 20 volumes of Commissioners' Court Orders from 1846 to 1984, 4 volumes of Criminal Minutes, 28 volumes of Criminal and Probate Docket Transfers, and 65 volumes of Probate Birth Records. This totaled 117 volumes consisting of 74,000 pages that were cleaned, de-acidified and preserved.

This plan is mandated by Local Government Code Section 118.025 for preserving documents. With no further discussion, a motion was made to approve the plan. (Time: 1:47 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Cheryl Williams

Vote: 4 – 0 Passed

COURT ORDER NO. 2015-577-08-24

6. AI-40329 Public Hearing – Application for Junkyards, Automotive Wrecking and Salvage Yards for Arturo's Auto Repair located at 2468 County Road 337, McKinney, Texas, Development Services.

Misty Brown, Development Services, came forward and explained last July they responded to a complaint about junk vehicles being moved onto a property. When investigated, several dozen junk vehicles were found on the property without an application for a junkyard/salvage yard coming to Commissioners' Court first. Based on the Court Order, the tenants do not meet the requirements, and Ms. Brown recommends the application not be approved. A salvage yard must be at least 1,000 feet from waters of the United States and the proposed salvage yard is within 450 feet of a large tributary. The contours of the subject property show that any run off from this property will go into the tributary. Additionally, a business is required to be at least 50 feet off of a right-of-way and this business is only 27 feet from the right-of-way.

The business is owned by the Hernandezes who said it was an auto repair business only. When the property was inspected, there was a vehicle that reads Hernandez Auto Repair and Salvage. On the internet the business is listed as both repair and salvage. Judge Self asked for public comments.

Mike Phillips, McKinney, came forward to speak on behalf of his 93-year-old mother-in-law who is a third generation landowner of the land adjacent to the proposed salvage yard. She owns 120 acres which the tributary flows through. Traditionally we have had cows, sheep and goats on that property and are concerned about what they will be drinking. They are hoping to pass the land down to two sons and Mr. Phillips is concerned that they may not want to build a home there with a salvage yard next door.

Chris Clayton, President of the HOA for Owens Farm, came forward to speak on behalf of the other members of the association. They are against having a salvage yard in the area saying no one wants to live next to a junk yard, and it will lower the value of the homes and land. Mr. Clayton also has agriculture that abuts the creek.

Joe Patton, McKinney, has ten acres just north of the proposed salvage yard. Mr. Patton will inherit some of the land on the west side of the subject property which will be where the flow of the creek goes. He doesn't want a junkyard next to him because it's an eyesore and does affect resale value of the neighboring properties.

Evita Patton, McKinney, also came forward to speak against the proposed salvage yard. This was her grandfather's land and there are several generations of her family that currently live nearby. Ms. Patton is not against business, but this does flow into the creek and is an eyesore.

Jasmine Hernandez, one of the owners of the business, came forward to explain that they do not want to have a salvage yard. Ms. Hernandez said a majority of the cars on the property have been left there by customers. There is a company that will buy the cars but cannot pick up the cars until October. They will build a fence to make it look nicer and they have painted the building. The Hernandez Salvage tow truck belongs to a brother who does have a permit to have a salvage yard and they just used his truck. The two businesses are separate even though they are brothers. Ms. Hernandez said they plan to purchase the land and just want to have a mechanic's shop there.

Commissioner Williams asked Ms. Brown if the application for the salvage yard was not approved, could they still have the mechanic's shop. Ms. Brown said that they could. Commissioner Fletcher asked how long Ms. Hernandez would have to remove the cars on the property if the salvage permit was denied. Ms. Brown said it would be approximately 30 days. Judge Self said the Court could request a longer period of time provided no additional cars were moved on the property.

Commissioner Hill said one area that local government is adept in is making rules for other people to follow and he is thankful that in Collin County we can stand against that. We don't like to make rules and would prefer to pursue liberty. There are a few limited activities that we are allowed to regulate in the county and we tend to use those for the health, safety and welfare of our community. We've adopted this policy regarding salvage yards and we should stand by it. Commissioner Hill will not recommend granting this permit. As long as they act as a mechanic's shop, that is fine.

Judge Self asked for two amendments. The first is a time to meet the objective standards and the second would be a certainty that no more wrecked cars would be moved on the property. Ms. Hernandez agreed to the amendments. With no further discussion, there was a vote to deny the application with the two amendments added. (Time: 2:08 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2015-578-08-24

7. AI-40296 LifePath update, Commissioner, Precinct 2.

Randy Routon, Ph.D. and CEO of LifePath Systems, came forward to update the Court on LifePath's part of the transition process. Dr. Routon reviewed the goals which include: 1) meeting individuals' needs and reducing intense interventions; 2) supporting both physical and mental health; 3) having a choice of provider; 4) having a mental health and substance abuse program that is adequate for a growing county; 5) stakeholder involvement and 6) having a sustainable business model.

The final plan is due at the end of September in order to get it to HHSC/DSHS (Health and Human Services Commission/Department of State Health Services) by October, 2015. DSHS will contract directly with LifePath Systems. LifePath will be accountable for contract performance measures, specific outcomes and Texas Administrative Code requirements.

The first step was to look at priorities. Priority 1 projects are the new and complex priorities which will have a significant impact on LifePath's success as a County agency. Priority 2 projects are new and moderately complex and the building blocks for the system. Lastly, Priority 3 projects are those that are moderately complex and services that need enhancements. Dr. Routon showed a timeline of the priorities and a Gantt chart.

One of the main issues was to expand the provider network. Discussions have begun with local hospitals, crisis centers, hotline services, service authorization/utilization management entities and Medicaid services advisors. In the future, a PNAC (Provider Network Advisory Committee) is to be named.

The Communications Plan for the next 24 months includes: 1) Operational meetings every two weeks with DSHS and LifePath staff; 2) monthly provider communications; 3) client/family quarterly open meetings with input opportunities; 4) monthly updates to LPS Board and 5) quarterly updates to Commissioners' Court.

The next steps include having the final plan approved. LifePath is to take the lead in discussions/contract negotiations with HHSC/DSHS and implementation of the work plan. LifePath will also organize regular coordination activities with involved parties. The PIA (Public Information Associates) will take the lead in discussions/proposed agreements with NTBHA (North Texas Behavioral Health Authority) and develop responses to available RFPs (Request for Proposals).

Currently, there is a system in place for complex cases for children who have a variety of illnesses that touch multiple agencies. However, there is no system for adults with complex cases. On the children's side it is called CRCG (Community Resource Coordination Group) and LifePath would like to have one for adults so agencies could work together as a system. Judge Self said the PIA is taking the lead with the legal/law enforcement community which is absolutely necessary and asked if LifePath will take the lead with the legal/law enforcement community in the next steps. Dr. Routon said that will be an ongoing part and he is okay with either one taking the lead. The Judge asked for that to be settled quickly and would also like to see the Gantt charts for every update. (Time: 2:22 p.m.)

NO ACTION TAKEN

8. AI-40354 Thoroughfare and Transit Plan Modification for the Collin County Outer Loop from the Dallas North Tollway west to the Collin County – Denton County Line, Engineering.

Clarence Daugherty, Engineering, came forward and explained the Outer Loop was added to the Mobility Plan back in 2002 and was included in the updated plan in 2007. In both cases the western limit of the Outer Loop was to the county line. In the 2014 update to the plan, the western limit was made the DNT (Dallas North Tollway). There is a tremendous amount of development activity in Celina. One of the landowners between the DNT and the Denton County line is ready to develop and we want to discuss the alignment of the Outer Loop through their land and acquiring that ROW (Right of Way). Mr. Daugherty recommends approving the revised 2014 plan so the Outer Loop does go to the western county line and authorizing the staff to work with landowners and the City of Celina to finalize an alignment and begin ROW acquisition proceedings.

Judge Self asked Commissioner Fletcher if Denton County was ready to put this on their map. The Commissioner was in a meeting recently with Michael Morris and Commissioner Coleman from Denton County and they discussed the Outer Loop going west into Denton County. At this point it is her understanding that they are in favor of the Outer Loop but they do not want it tolled. That is their main concern and they are looking at options.

Judge Self asked if Denton County has any issues with where the alignment for the Outer Loop hits the county line. Mr. Daugherty said they have made no decision yet, but we are planning to work with the City of Celina which goes into Denton County. At this point we are planning to line up with FM428.

Judge Self suggested working with Denton County before purchasing ROW. Mr. Daugherty agreed and said the discussions so far sound like Denton County has no particular alignment. With no further discussion, a motion was made to modify the Mobility Plan to include the segment of the Outer Loop from DNT to the county line and authorize staff to have conversations about ROW acquisitions with landowners. (Time: 2:44 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2015-579-08-24

9. AI-40388 Presentation of Family Law Case Load Distribution, Commissioner, Precinct 3.

Andrea Stroh Thompson, District Clerk, came forward to explain the family law case load distribution in terms of the new courts. Commissioner Hill said this is on the agenda because the Court sponsored the Districts Judges' request for more courts and the Governor has made the new appointments so the courts are ready to come online. Since our taxpayers will pay for the expenses related to the new courts, the Commissioner wanted to hear how the resources will be used to make our court system more efficient.

Ms. Thompson said her piece of this is doing the work to transfer the cases. A Family Court covers divorces, modification or changes to that divorce and enforcements which would occur after the divorce is final. There is a wheel that determines the distribution of each case every year. The 469th and 470th are the two new district courts that will handle only family law cases and they will receive 22% of all family law cases filed in Collin County.

Commissioner Hill said this is first time Collin County has had specialized courts and he asked if Ms. Thompson is prepared to handle that as far as distributing cases. Ms. Thompson said Odyssey works completely off of the case percentage distribution. As long as they tell us what they want those percentages to be, we can enter the percentages or we can back into the percentages if we know how many cases they want that court to hear averaged over the year.

The other piece is that they needed to populate the new courts with some existing cases. Ms. Thompson briefly explained this process and said the actions and cases will populate to the new courts on September 1, 2015. There was a discussion regarding the length of time it takes for a temporary order to be heard and if those would be heard more quickly now. Ms. Thompson said that will depend on how many courts had pending hearings and then factoring in the new cases they will be started in September.

Commissioner Hill said shortening the time for the temporary orders to be heard was a key point in bringing on the new courts and he would like to keep revisiting this to make sure we are making a difference for our citizens. Ms. Thompson said one way to do that would be to look at the number of cases assigned versus the number of cases disposed of in a month or a year. That is a good way to measure the productivity of a court and how the OCA (Office of Court Administration) does it. (Time: 2:35 p.m.)

NO ACTION TAKEN

FY 2016 Budget

10. AI-40356 Continuation of FY2016 Budget Workshop, Budget.

Judge Self started with the Special Prosecutor. Commissioner Hill said his comments are similar to those of Mr. Rylander. During Budget Workshop the Court set aside and recommended adopting \$2 million for special prosecution. At the time that was done in good faith. Since that time the Commissioner has tried to decide the right amount to budget for the case. The most expensive cases to prosecute are capital murder and high profile cases. Kaufman County was a great example because it was both capital murder and high profile. That case lasted more than two years and cost Kaufman County \$285,000 which provides us with a benchmark of what to expect. The Commissioner would like the Court to entertain a motion to adjust the amount from the \$2 million set aside to \$285,000. Commissioner Fletcher concurred with Commissioner Hill saying she had also done some research and spoke with our attorneys at TAC (Texas Association of Counties) and asked for precedent and received the same information Mr. Rylander had presented regarding indigent defense and hourly rates. Commissioner Williams also agreed. Judge Self said the \$2 million was an attempt to protect the taxpayers by over budgeting. In the end it endangers our taxpayers because it opens the door to charges that could be exorbitant. With no further discussion, a motion was made to reduce the amount for the special prosecutor from \$2 million to \$285,000. (Time: 2:49 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2015-580-08-24

Commissioner Fletcher asked when the Court would address salary compression because she is very concerned about this issue and suggested having HR come up with some scenarios on how to handle this. The Commissioner then reviewed the inequities of moving the range and not moving the people on the range. She would like to discuss how the Court addresses raises in general and keeping employees whole and have a separate discussion about merit pay. Judge Self said during the Budget Workshop there was a discussion about addressing this issue after the first of the year. Commissioner Fletcher agreed to wait but would like to make sure it is addressed before next budget.

Commissioner Williams had a similar concern and is bothered by our dependence on a consultant that was brought in 15 years ago and feels it is an appropriate time to engage someone again to look at the issue of salary compression, benchmarking to jobs to the private sector, offering us options of how to deal with salary compression or the pros and cons of different methodologies. The Commissioner talked to Bill Bilyeu, County Administrator, about the cost and would like to make sure there are funds in contingency for this. The Commissioner would also be willing to wait until after the first of the year but would like something before the next budget session.

Judge Self asked Mr. Bilyeu how much should be budgeted if the Court chooses to go with a consultant. Mr. Bilyeu said it depends on the scope. If they are looking at individual job descriptions, the cost could be \$300,000 to \$500,000. Commissioner Fletcher asked if it would be beneficial to have a workshop with members of the Court coming up with plans to bring to court. According to HR, an employee should be able to move through their pay range in 15 years but range movement is causing regression for some employees. Mr. Bilyeu suggested anyone who wants to bid on the services should go back and watch the Court videos from the last month and then put in their RFQ (Request for Quote) response and then tell the Court what they can do.

Judge Self is not willing to go \$300,000 to \$500,000. Commissioner Williams would like to set aside \$150,000. There was a lengthy discussion regarding the private sector's handling of compression, merit pay, promotions, and flexibility. Judge Self said the private sector is profit driven and the County cannot be driven by how much revenue is brought in.

Commissioner Hill said if someone could come in and give us best practices for structuring salary ranges, he could see some value in that and it should not cost \$300,000. The Commissioner would also like us to match up internally as best we can with the taxpayers who fund government and who are the private sector. There was a discussion about employees and elected officials complaining that the County is not paying competitive salaries. Commissioner Williams said the County has started down the path of salary compression and needs to find a way to deal with that. Commissioner Hill said the Court identified approximately \$300,000 of compa ratio problems and he does not want to spend that same amount on the problem as he does on the solution. Judge Self does not feel there is a global problem and would like the scope so limited as to address only those few areas that may need to be adjusted.

Commissioner Fletcher read a quote from the Society for Human Resources Management, "When salary compression and the policies that enable it are sustained over several years, it can be demoralizing and lead to widespread dissatisfaction. Employers should be concerned because salary compression transforms the organization's single largest cost (i.e. compression) from a motivator to a de-motivator." The Commissioner said the de-motivator is the problem we are trying to fix. Judge Self said that is the problem this year, but it is not a problem every year. Mr. Bilyeu was asked to build a few sample scopes for a rough order of magnitude.

Commissioner Hill wanted to discuss a situation regarding a deputy in one of the Constables' Offices. The deputy will be leaving due to a reduction in force, and another Constable's Office has an opening coming soon. Since the positions don't overlap, that leaves us with a gap. In this case the employee at risk has significant experience, and the Constable who is losing the deputy would like to retain him. There is a difference in salaries such that the outgoing position draws a higher compensation than the open position. Commissioner Hill is asking to extend the gap by three months. This request was brought to the Commissioner by an elected official and he asked the Court to look at this in the future. Commissioners Williams and Fletcher both agreed and are in favor of this. This was added to the add/delete list.

Since the funds for the special prosecutor were reduced from \$2 million to \$285,000, Commission Fletcher would like the Court to consider finishing the furniture refresh with these funds.

Commissioner Hill wanted to discuss the 3 – 2 decision to not fund the libraries. While libraries are not a mandatory core function of county government, there are many other items that the county funds but does not have to fund. Judge Self asked the Commissioner if he is prepared to not do things that the County is not mandated to do such as economic development. The Commissioner said we put ourselves in that position when we turned down the library funding. The Judge said these are fast-growing areas and at some point the cities will have to pick this up.

Commissioner Williams said the libraries should be able to replace county funds with non-resident fees. Commissioner Fletcher said the County needs to transition into this so the libraries have time to respond. Many of the cities have already gone through their budget process for FY2016. Commissioner Williams would be willing to consider moving in that direction but still questions why the libraries will not charge non-resident fees. Judge Self is also willing to discuss the transition as long as the Court makes a clear statement.

11. AI-40357 FY2016 proposed Tax Rate discussion, Budget.

Judge Self recommended lowering the tax rate a full penny to \$0.225. When adding in all the unrestricted but committed reserves, there would be 278 days of fund balance. The next year there are \$26 million in one-time capital expenses and with this projected tax rate we would still have 282 days of fund balance. Every single year we put more money in the fund balance than we have projected. Jeff May, Auditor, said it has been that way for at least 20 years.

Commissioner Fletcher would like to know that we have a healthy balance so when we are ready to do US 380 or US 75, we are doing all we can to avoid tolling those roads. Judge Self explained Truth in Taxation which does not allow the county to spend the surplus but rather drives us toward debt. Commissioner Williams explained in a fast growth area this legislation really encourages that debt be used rather than savings. You can't access your savings and it forces us into debt.

Commissioner Williams is comfortable with the Judge's proposed tax rate and asked Monika Arris, Budget, about any potential penalty for lowering the tax rate.

Ms. Arris explained the way Truth in Taxation works on the effective tax rate. It takes properties that existed in both the previous and current tax years and how much the tax rate would need to be to raise the exact amount of revenue. It does not look at the rate, but rather it looks at the revenues brought in on those properties in both tax years. This year when our values went up our effective rate went down. Since we are projecting 10% growth again for next year, the values will continue to go up and the effective rate will continue to drop. The roll back rate is based off of the effective rate and by statute we are currently capped at 8% that we can grow off of those properties in both tax years. Commissioner Hill said it is the potential 10% growth that will throw us into the roll back situation, not whether the tax rate is lowered today. Most likely the tax rate will have to be lowered again next year. Ms. Arris said lowering the tax rate this year will impact the county next year because the effective rate is based off of the revenues brought in for M&O. Since we are lowering the rate to bring in less revenue, that will be the baseline for next year. A motion was made to lower the tax rate to \$0.225 as the FY2016 Total Tax Rate. With a record vote, the motion passed. (Time: 3:44 p.m.)

Motion by: Judge Self

Second by: Commissioner Cheryl Williams

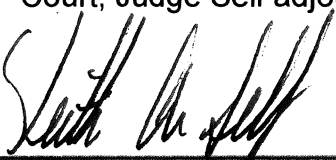
Vote: 4 – 0 Passed

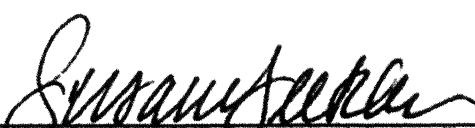
COURT ORDER NO. 2015-581-08-24

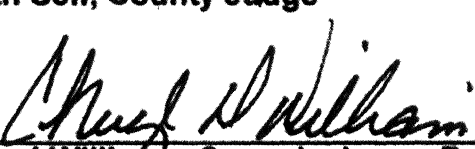
12. Possible future agenda items by Commissioners Court without discussion.

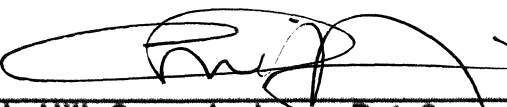
EXECUTIVE SESSION

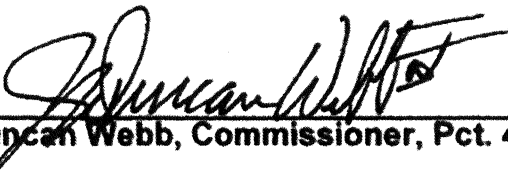
The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 3:44 p.m.


Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4


Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S

