

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
APRIL 25, 2016

COUNTY OF COLLIN

On Monday, April 25, 2016, 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

Commissioner Duncan Webb, Precinct 4

Commissioner Hill led the Invocation.

Commissioner Webb led the Pledge of Allegiance.

Judge Self led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:30 p.m. and recessed the meeting at 2:52 p.m. The meeting was reconvened at 2:53 p.m. and recessed into Executive Session at 3:00 p.m. The meeting reconvened at 4:24 p.m. and adjourned at 4:44 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:52 p.m. and adjourned the meeting at 2:52 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:53 p.m. and adjourned the meeting at 2:53 p.m.

FYI NOTIFICATION

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

2. AI-41447 Addenda No. 7 - 9 to Access Control and Time Collection System (RFP No. 2016-044) to make various changes to the Request for Proposal, Purchasing.

2. Public Comments.

Jeff Blackard, McKinney, came forward to reiterate his opinion that Collin County not pay the expensive legal fees for the Ken Paxton case. Mr. Blackard does not believe the Court would have approved the payment of the first bill if it would have been \$20 million. Mr. Blackard questioned the disbursements under item 4a1 on the Court agenda. He said \$82,000 of taxpayer money was spent on another witch-hunt. The Court has the right and the obligation to protect the taxpayers of Collin County. (Time: 2:56 p.m.)

J.D. Lee, McKinney, came forward to speak on the expenses of the Paxton case. Mr. Lee gave a brief history of the oath of office the Commissioners' Court has taken. He said he moved his family from a place with rampant government corruption and hopes he did not move into a similar community. Mr. Lee urged the Court to be true to their word and be men and women of honor. (Time: 2:59 p.m.)

3. Presentation/Recognition:

a. Service Pins, Human Resources.

Jeff May, County Auditor, presented Janet Graves, Accounting/Audit Specialist, with a service pin and plaque for her 40 years of dedicated service to Collin County. (Time: 1:35 p.m.)

4. Consent agenda to approve: Judge Self pulled items 4a1 and 4d1 and asked for comments on the remainder of the consent agenda. Commissioner Hill pulled items 4c2 and 4g1. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:36 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

a. AI-41434 Disbursements for the period ending April 19, 2016, Auditor.

COURT ORDER NO. 2016-263-04-25

1. AI-41495 Paxton/Blackard Disbursements.

Following Executive Session, the Court returned to item AI-41495.

Judge Self said the Appeals Court has chosen not to issue anything today. He then read sections of the Mattox Opinion from 1987, Opinion No.JM-803: *This office has, on several occasions, considered the application of article 26.05. ...The law delegates to the judge in the case the power to decide what fee is reasonable, so long as the fee finally set equals at least the statutory minimum and otherwise complies with the statutes.*

...Both the courts and this office consistently have viewed determinations by judges about fees as "carrying with them a presumption of necessity and reasonableness." ...In disputes about the amount of compensation due, the burden rests with a Commissioners Court resisting payment to show that a judicial determination of a "reasonable" fee in a particular case is so arbitrary, unreasonable, and capricious as to amount to an abuse of discretion. Judge Self said the Court has received orders to pay these bills. This Commissioners' Court cannot show that anything happening in this case is so arbitrary, unreasonable and capricious as to amount to an abuse of discretion by the judge in this case.

Commissioner Fletcher understands what the law says but believes this same situation would have bankrupted Hays or San Jacinto Counties. Just because Collin County is a more affluent county, has an urban area and more taxpayers does not mean it is more liable to pay such bills. The Commissioner is concerned with what the law says and would like this to be put on the legislative agenda. She said it is her fiduciary duty to look after the taxpayers' money. Until she is compelled by a higher appellate court she will remain opposed.

Commissioner Webb agreed there is nothing showing the judge in this case acted arbitrarily or capriciously. Other than being held in contempt of court there is nothing the Commissioner can do so he is in support of paying the bills.

Commissioner Hill said the Attorney General's opinion makes it hard to resist a lawful order from a judge. He does not see any evidence the judge is required to use indigent defense guidelines in order to determine payment for the invoice. This means he is not bound by the schedule of fees or the interim payment requirement; therefore, the Commissioner cannot find the Feldman invoice to be arbitrary or capricious. The invoices for fees to special prosecutors on a prosecution matter are required to be applied against the indigent defense guidelines. It is a final payment of the invoice not an interim payment. A judge could find it to be a non-arbitrary and non-capricious fee schedule which has happened. Commissioner Hill has a longstanding problem with the manner in which that decision was made. The Commissioner is happy to hold off approving the second set of invoices until the Appeals Court has looked at them and provides guidance.

Commissioner Williams agreed with Commissioner Hill on the Feldman invoice and made a motion to approve payment of the Feldman invoice. (Time: 4:32 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 4 – 1 Passed

Nay: Commissioner Susan Fletcher

COURT ORDER NO. 2016-264-04-25

Commissioner Williams said unfortunately it is almost impossible for the Court to suggest the other invoices are arbitrary and capricious because the district judges have frequently exceeded the fee schedule and this Court has not challenged them. Because this is the routine way the County has operated, treating these invoices differently would be problematic. There is opportunity to tighten this up in the future, but in many ways the Court would be singling out this invoice which would send the wrong message. A motion was made to approve the Gill and Brissette bills as presented. The motion was seconded.

Discussion followed the motion.

Commissioner Fletcher said she appreciated Commissioner Williams' perspective on the invoices and agreed something needs to be done going forward regarding Court packets and the way they are received and the way disbursements are recommended in those packets. The Commissioner would like a future agenda item addressing how the Court is made aware of disbursements which are outside the normal fee schedule.

Commissioner Hill said historically the Court has often approved payments outside the Indigent Defense Act; however, he was not aware of those until this case. The Board of District Judges has moved to amend their policy regarding the payment schedule. The interim schedule is another issue. The Commissioner agreed with Commissioner Williams' perspective of treating one particular case differently because of the parties involved. Treating it differently because it was the first time the Court knew it was outside the boundaries is completely different. In that respect the Commissioner reiterated his feeling of holding payment until the Appeals Court has a decision. Commissioner Fletcher stated her position on this matter is not because of a person; it is because of the amount of money this is costing the taxpayers.

Judge Self said Commissioner Williams made a great point. The rule of law is clear. If we are going to have exceptions to the rule of law then the exceptions must be admitted. If the Court does not act on this like the Court has been acting there will be a perception of bias. This Court should never set itself up with a perception of bias.

Commissioner Webb does not believe the Court has violated any policy. The district judges submit their orders to the Auditor in compliance with their indigent defense policy. The Auditor certifies they are correct to submit to the Court. When put on the Court's list they are pursuant to the law which currently exists in Texas in terms of payment.

Discussion continued on whether or not the district judges violated their own policy which is something the Appeals Court will decide. With no further discussion, the motion to approve the payment of the Gill and Brissette bills as presented carried. (Time: 4:44 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 3 – 2 Passed

Nay: Commissioner Chris Hill and Commissioner Susan Fletcher

COURT ORDER NO. 2016-265-04-25

b. Advertisement(s):

1. **AI-41449** Tax Statement Preparation and Mailing Service (IFB No. 2016-184), Tax Assessor Collector.

COURT ORDER NO. 2016-266-04-25

c. Agreement(s):

1. **AI-41466** Interlocal Agreement with the City of McKinney for the widening of Lake Forest Drive from SH 121 to McKinney Ranch Parkway (Bond Project No. 07-00-62) and budget amendment in the amount of \$1,000,000 for same (County's participation NTE \$1,000,000), Engineering.

COURT ORDER NO. 2016-267-04-25

2. **AI-41455** Interlocal Agreement with the City of McKinney for the widening of Virginia Parkway from US 75 to Ridge Road (Bond Project No. 07-00-60) and budget amendment in the amount of \$6,325,251 for same (County's participation NTE \$6,396,770), Engineering.

Commissioner Hill asked for clarification of the memo from Engineering regarding the widening of Virginia Parkway from US 75 to Ridge Road. Clarence Daugherty, Engineering, said the memo lists projects for which McKinney and the County already have agreements. McKinney has received funding for one of the projects and is willing to reallocate those funds to this project with the consent of the Court. Funding for the remaining projects has yet to be sent to McKinney, but they have asked to reallocate the listed amounts to this project. With no further discussion, a motion was made to approve the item. (Time: 1:38 p.m.)

Motion by: Commissioner Chris Hill

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2016-268-04-25

3. **AI-41453** 2016 Lake Patrol Contract with the US Army Corps of Engineers Fort Worth to provide additional Patrol of Lake Lavon from May 20, 2016 through and including September 6, 2016, Sheriff.

COURT ORDER NO. 2016-269-04-25

d. Amendment(s):

1. **AI-41442** No. 2 to the Inter-Governmental Cooperative Reimbursement Agreement (Contract No. 582-14-40119) with the Texas Commission on Environmental Quality (TCEQ) for the Local Initiative Project (LIP) Program to decrease funding for Fiscal Years 2014, 2015 and 2016, thereby decreasing the Total Maximum TCEQ Obligation from \$667,744 to \$327,904, Special Projects.

Judge Self was concerned with the County giving up a large amount of funding which the Court previously decided to collect for the year. He asked if the CMAQ (Congestion Mitigation and Air Quality Improvement Program) funds have already been committed. Clarence Daugherty, Engineering, said the CMAQ funds are in the process phase as far as allocating to projects. There were several cities interested in this project, but some later decided not to move forward due to the extra steps required in the federal process. Engineering is looking at this again and will return to Court to request the use of the remainder of the first year funds to incorporate into projects already underway which qualify for the CMAQ funding. Judge Self asked if there was a deadline to relinquish the LIP (Local Initiative Project) funds and asked if the Court should relinquish those funds now before it is known if CMAQ money will replace it. Engineering does not see a problem relinquishing the LIP funding as far as being able to identify projects for use of the CMAQ funds.

Commissioner Webb believes there was an agreement with NCTCOG (North Central Texas Council of Governments) but was unsure if TCEQ (Texas Commission on Environmental Quality) was a part of it. Because there was a call for projects it seems likely the County was allocated CMAQ funds. Both will need to be confirmed. Mr. Daugherty was unsure of a deadline, but said the Court could hold the item so he could get the questions answered. With no further discussion, the item was held. (Time: 4:41 p.m.)

HELD

2. **AI-41457** No. 5 to the TechShare.Juvenile and Juvenile Case Management System (JCMS) – Basic 2013 Resource Sharing Addendum with Texas Conference of Urban Counties (CUC) to extend the term through and including December 31, 2016, Information Technology.

COURT ORDER NO. 2016-270-04-25

e. Receive and File, Auditor:

1. Final Audit Result(s):

- a. AI-41394 Sheriff's Officer (1st & 2nd Quarter FY2014).

COURT ORDER NO. 2016-271-04-25

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

1. AI-41450 April 4, 2016.

COURT ORDER NO. 2016-272-04-25

g. Miscellaneous

1. AI-41452 Additional funds in the amount of \$2,300 to add additional cash drawers and increase the dollar amount of various cash drawers in the Tax Assessor Collector's Office, Auditor.

Commissioner Hill said he has no issue with the recommendation by the County Auditor for the cash drawers in the Tax Assessor-Collector's Office. The Commissioner asked if enough information has been received from the Tax Assessor-Collector to move forward with approval or should the item be held until more information is received. Jeff May, County Auditor, said based on the last audit discussions, additional information is needed but he recommended the approval of the item in order for the office to operate properly. Mr. May said he will do his best to make sure the Court receives the additional information from the Tax Assessor-Collector. With no further discussion, a motion was made to approve the item. (Time: 1:44 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Susan Fletcher
Vote: 5 - 0 Passed

COURT ORDER NO. 2016-273-04-25

2. AI-41438 Reallocation of auto allowance for the County Extension Office and distribute equally among the four (4) agents, Budget.

COURT ORDER NO. 2016-274-04-25

3. AI-41316 Declare Xerox Government Systems, LLC as the sole source provider and grant an exemption from the competitive bid process per V.T.C.A. Local Government Code 262.024(a)(7)(A) for the Jury Management System, approve the Xerox Service Agreement for any services required throughout the term of the contract, approve Change Order No. 1 in the amount of \$2,500 and further authorize the Purchasing Agent to finalize and execute same, District Clerk.

COURT ORDER NO. 2016-275-04-25

4. AI-41454 Final Plat for South Gate Phase III, Engineering.

COURT ORDER NO. 2016-276-04-25

5. **AI-41476** Personnel Appointments, Human Resources.

COURT ORDER NO. 2016-277-04-25

6. **AI-41477** Personnel Changes, Human Resources.

COURT ORDER NO. 2016-278-04-25

GENERAL DISCUSSION

5. **AI-41480** Formation of a Rural Transit District for Collin County, Engineering.

Tracy Homfeld, Engineering, came forward to give a presentation on the formation of a Rural Transit District for Collin County. Funding for rural transit districts is available from the FTA (Federal Transit Administration) which is matched with state funding. The County must initiate the creation of a district by May 2016 to access the remainder of the FY2016 federal funding and/or initiate the creation of a district by June 2016 to gain access to FY2017 state funding. Funding is provided by TxDOT from the federal and state matching dollars. Allocations are made to the rural transit districts and are based on each district's proportional share of population, land area and performance.

The first step in the creation of a rural transit district under Chapter 458 of the Transportation Code is to hold a "conference" to establish need. A 30-day advance notice of the conference must be given to the public. The conference is to be attended by the Commissioners' Court and one member from each city council in the rural area. Every city in Collin County will be invited. The purpose of the conference will be to consider current rural districts versus the creation of a new district for Collin County. If need for a new district is established, conference attendees can open a Public Hearing. Commissioner Hill read from the statute: "An elected representative selected by the governing body of each municipality in each affected county and the Commissioners Court of each affected county *shall* attend a rural public transportation conference." Ms. Homfeld will look into this to make sure it is accurate. The second step will be to hold a Public Hearing to hear public input. After the hearing the conference determines if a new district is warranted. If warranted, a resolution will be made to create and establish boundaries of the rural transit district. The third step would be to select a board within 60 days after boundaries are established. Selection of the board will be made by members of the Commissioners' Court and one city council member of each municipality in the territory of the district.

DART (Dallas Area Rapid Transit) and DCTA (Denton County Transportation Authority) have been invited to give presentations to the Court on how they can provide services. DART will present on May 2, 2016, and DCTA on May 9, 2016. In order to contract with those agencies Collin County has to be a rural transit district.

There was discussion on whether the creation of a rural transit district is the way to move forward. Ms. Homfeld said in order to create a new district the previously mentioned steps must be taken; however, the County can choose to join an established district by resolution. Part of the conference will be determining if the County needs to create a new district or join one. Commissioner Webb asked if the County will have to take on more infrastructure once a district and board is established. Ms. Homfeld said the administration can be contracted to the transit authority. She added, the rural transit boundaries will remain the same as they have been, but the number of contracted agencies is up to the board. It is unclear if the state and federal funding would go directly to the authority or to the county for disbursement.

Discussion followed regarding the timeline to meet the deadlines for FY2016 federal funding and FY2017 state funding. The Court had a list of questions that need to be answered which include how large the board will be, what power the board will have, how the funding will be disbursed to the providers and where the authority lies once a conference date is set. Commissioner Hill would also like to know if the County will be an equal partner in forming a district or if they will be a required member. The consensus of the Court was to move forward in sending out a public notice of the conference, but to hold off on sending invitations until their questions are answered. With no further discussion, a motion was made to publish the public notice in the newspaper. (Time: 2:04 p.m.)

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

Following Executive Session, a motion was made to not publish the public notice in the newspaper and to table the item. (Time: 4:24 p.m.)

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

HELD

6. AI-41468 Award of Software and Implementation Services for an ERP Financial System (RFP No. 2015-192) and further authorize the Purchasing Agent to finalize and execute the License and Service Agreement.

Caren Skipworth, CIO, came forward with a presentation seeking the approval for the award and contract for an ERP (Enterprise Resource Planning) Financial System. The total cost for the project will be \$2.8 million. The new ERP will cost approximately \$2.6 million and \$120,000 will be used to convert data. The second year software maintenance will be approximately \$282,000. There will be a 19 month rollout if started in June 2016 which puts going live in January 2018. IT is recommending funding short-term debt financial of the 03FIN funds which were approved in 2003.

Part of the business functional requirements is to enhance what the County has currently. The new application will provide the following return on investment: improved work flow; ability to attach any type of electronic document; provide distributed processing, web presence, and email integration for notifications; have flexible report and form tools; internet base notification; advanced search ability; and empower the business unit. As part of the return on investment, IT wants to see an increase in accuracy and efficiency of information, easy transparency to public information, improved internal flow of information and increased productivity.

As IT went through the bid process they looked for key points in selecting a vendor. IT wanted to see positive site visits with Texas Clients. The selected vendor is established in Texas and scored high on technology solution and on the business functionality in most areas across all departments. There will be no third-party contract implementing the new system. IT will work directly with the vendor. Data conversion into the new system will be minimized to summary data except for a five-year detail of General Ledger data. There will be a different vendor who will move all the data from the AS/400 system into SQL (Structured Query Language) before the summary data is transferred into the new system. There are internal tools to access the SQL data not put into the new system. IT will look at retention for the data to see if it is required to maintain. The selected vendor's employees are well tenured with the company. The new system will be integrated with the County's GIS map system. The system will be navigation friendly. The vendor is open to customizations as part of their core system, meaning if they agree to a customization it will be implemented with all of their customers. The vendor also uses control points in the project schedule. They also do not require third-party program language to run reports. The vendor encourages the County to be self-supporting.

Ms. Skipworth reviewed contract highlights. The County will hold back payment of productive use of 10% which is approximately \$50,000 of the implementation services. The County can use vendor software no less than six years after the County ceases to use the vendor's software for electronic discovery. Invoice disputes will be handled within 30 days and re-invoiced after dispute is settled. Dispute resolution process is outlined and allows for elevation to senior review issues. In the event of termination, the vendor shall refund the pro-rata share of maintenance and support fees pre-paid by the County. Additional products and service rates will be locked in for 24 months starting at the effective date. License fees will be billed as follows: 50% will be paid on the contract effective date and 50% paid when the software is in early live production or 180 days after download. In the event of contract termination the County must submit in writing giving a 30-day notice to the vendor of their intent to terminate. Governing law requires all disputes to be heard in a federal or state court in Collin County. As for maintenance and support fees, the first year is waived following the effective date of production. For years two through ten the negotiated cap on fees will be as follows: 0% in year two; 3% in year three; 4% in years four and five; 5% in years six and seven; 6% in year eight; and 7% in years nine and ten. The percentage increase will be based on the previous year's fees.

The vendor can decide not to increase the fees at all. Peter Vogel, Outside Counsel, said vendors do not generally agree to a contract of more than five years so locking in this vendor is a plus for the County. Mr. Vogel said it is common for there not to be a rate increase. An increase generally relates to new upgrades being implemented. Discussion followed.

Judge Self asked if there are short-term debt dollars to cover fees for the ten years. Ms. Skipworth said after the first year Budget will roll fees into standard maintenance and not pull from short-term debt. This is standard for all software.

Jeff May, County Auditor, gave a summary of benefits he expects with the new ERP Financial System. It will greatly improve accuracy and timeliness of financial information. Eventually it will reduce workload pressure on staff and help ease the need to create new positions as the County grows and account requirements increase. It will dramatically improve financial data retrieval and reporting. Better customer service for public and county departments is expected because of the ease of data retrieval. The new system will also give improved financial transparency. Ms. Skipworth is 100% confident the new system will be a very good fit for the County technically and functionally. With no further discussion, a motion was made to approve the item. (Time: 2:29 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2016-279-04-25

7. AI-41418 Acceptance of the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2015, Auditor.

The following discussion includes General Discussion items 7, 8, 9 and 10.

Jeff May, County Auditor, said there was a typo in the report that needed to be changed. He asked the Court to include the following as part of the motion to accept: change the amount for the increase in health insurance premiums from \$301,812,129.00 to \$3,018,129.00. Mr. May introduced Todd Pruitt, CPA, with the auditing firm of Pattillo, Brown & Hill. Mr. Pruitt said his firm has issued an unmodified opinion, also known as a clean opinion, which is the highest form of opinion they can issue. This means the financial statements have been audited and are free of any material misstatements. The audit was performed in accordance with government auditing standards. There were no significant deficiencies in internal controls. There were also no instances of non-compliance identified with the County audit. In regards to the single audit report, there were no findings or questioned costs with the federal and state grant awards audited.

Mr. Pruitt explained a new pension standard went into effect this fiscal year for local governments. An actuary will determine the best estimate of what the future liabilities will be. The estimate will be compared to what the local government has set aside at the given time. The difference between the two numbers is now required to be reported on the face of the local government's financial statements. The vast majority of local governments are picking up significant liabilities they did not have to show in the past.

The actuarial estimate of liability for the County as of December 31, 2015 was \$421 million and the actuarial estimate of assets set aside was \$466 million. The County reported an asset of just over \$44.5 million. This is rare in Mr. Pruitt's experience with local governments.

The CSCD (Community Supervision and Corrections Department) was issued an unmodified opinion for their financial statements. There was one compliance finding in the fourth quarter report submitted to the state. An expenditure was reported on the wrong line item, but the expenditure was recorded correctly on the CSCD's general ledger. The fourth quarter report was amended and resubmitted to the state. There were no questioned costs associated with the finding.

The Juvenile Probation Department was issued an unmodified opinion for their financial statements. There was one questioned cost finding of \$190. In accordance with the Texas Juvenile Justice Department requirements, the department's actual expenditures, by category, may not exceed the final approved budget by more than 5%. The department exceeded the budget by \$190 in operating expenditures for Grant N which does not have a budget. Because there is not a budget, the \$190 exceeded the 5% threshold and had to be reported. Mr. May said the state amended their budget at year end and will cover the \$190. With no further discussion, a motion was made to approve items 7, 8, 9 and 10 with the correction to item 7 regarding the change of the cost for health insurance premiums from \$301,812,219.00 to \$3,018,291.00. (Time: 2:49 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2016-280-04-25

8. AI-41419 Acceptance of the Community Supervision and Corrections Department Financial Statements and Supplementary Information for the year ended August 31, 2015, Auditor.

COURT ORDER NO. 2016-281-04-25

9. AI-41420 Acceptance of the Juvenile Probation Department Financial and Compliance Audit Reports for the year ended August 31, 2015, Auditor.

COURT ORDER NO. 2016-282-04-25

10. **AI-41421** Acceptance of the Single Audit Report for year ended September 30, 2015, Auditor.

COURT ORDER NO. 2016-283-04-25

11. **AI-41494** Supplement pay for a County Clerk employee, Human Resources.

Cynthia Jacobson, Human Resources, said an employee is moving from the District Clerk's office to the County Clerk's office. The position in the District Clerk's Office is a Clerk II and the position in the County Clerk's office is a Clerk I. Typically with this type of move the employee would take a 5% pay decrease. The County Clerk is asking to fund the supplemental pay through the Records Management and Preservation Fund. The Auditor's office has expressed concern because this fund is controlled by the Commissioners' Court. Jeff May, County Auditor, said the employee will be paid 100% out of the fund. Mr. May had no issue with the supplemental pay but did want the Court to be aware they do have budgetary control over the fund. Ms. Jacobson said in the new budget year all the positions are set to be evaluated for reclassification. Reclassification does not add or subtract from salary so in order to keep this salary at a higher level it will still need to be funded that way. With no further discussion, a motion was made to approve the item. (Time: 2:52 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2016-284-04-25

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

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 3:00 p.m. in accordance with Chapter 551.071, Legal to discuss the Blackard v. Gallagher Case No. 380-05246-2015.

Legal (551.071)

AI-41493 Blackard v. Gallagher Case No. 380-05246-2015, Administrative Services.

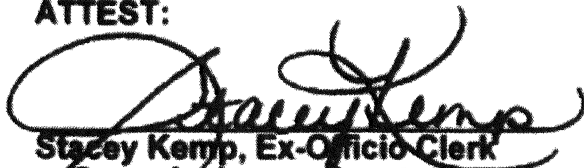
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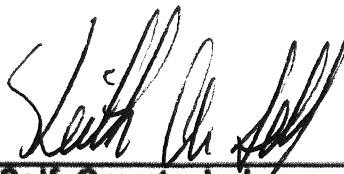
Judge Self reconvened the meeting at 4:25 p.m. Discussion was heard under item 4a1.

There being no further business of the Court, Judge Self adjourned the meeting at 4:44 p.m.



ATTEST:

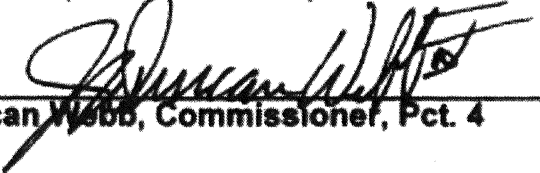

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, TEXAS


Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2

Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4