

STATE OF TEXAS

COMMISSIONERS' COURT  
MEETING MINUTES  
JULY 17, 2017

COUNTY OF COLLIN

On Monday, July 17, 2017, 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 Duncan Webb, Precinct 4

Absent: Commissioner Chris Hill, Precinct 3

Commissioner Webb led the Invocation.

Judge Self led the Pledge of Allegiance.

Commissioner Fletcher 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 2:38 p.m. The meeting was reconvened at 2:39 p.m. and recessed into Executive Session at 2:40. The meeting was reconvened at 3:39 p.m. and adjourned at 3:42 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:38 p.m. and adjourned the meeting at 2:39 p.m.

**DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:**

1. AI-43388 Budget amendment in the amount of \$40,000 utilizing the District Attorney Federal Treasury Forfeiture Fund for FY 2017 training related expenses, District Attorney.
2. AI-43413 Personnel Appointments, Human Resources.

**FYI NOTIFICATION**

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

## **2. Public Comments.**

Phillip Young, McKinney, came forward to address the Court. Mr. Young is the CEO and sponsor of MedPro Treatment Centers which is the only outpatient opioid addiction treatment facility for Collin County. As of January 1, 2017, there has been no funding available for indigent opioid addicts who live in Collin County. Mr. Young wanted to make the Court and County aware of this situation. Judge Self said the Court would provide Mr. Young with some information. (Time: 1:40 p.m.)

## **3. Presentation/Recognition:**

a. **AI-43399** Proclamation honoring Loydell Seward, retiring from the Collin County Historical Commission after 15 years of service, Administrative Services.

The Court presented a proclamation honoring Ms. Loydell Seward for her many years of service on the Collin County Historical Commission. Ms. Seward has served in many roles and provided the leadership and motivation on groundbreaking projects such as the Historical Asset Survey which is the only one of its kind for a county in Texas.

Ms. Seward thanked the Commission and Commissioners' Court for their backing and support which has made the work easier and possible. (Time: 1:36 p.m.)

b. **AI-43398** Texas Historical Commission Distinguished Service Award for 2016 presented to the Collin County Historical Commission, Administrative Services.

The Court presented the Collin County Historical Commission with the 2016 Distinguished Service Award from the Texas Historical Commission in recognition of its active and well-balanced preservation program. This is the 14<sup>th</sup> straight year the Commission has earned this award. (Time: 1:33 p.m.)

**4. Consent agenda to approve:** Judge Self pulled item 4g2 and moved it to Executive Session. Commissioner Webb also pulled 4g2 and 4c2. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:41 p.m.)

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

a. **AI-43370** Disbursements for the period ending July 11, 2017, Auditor.

**COURT ORDER NO. 2017-496-07-17**

b. **AI-43371** Indigent Defense Disbursements, Auditor.

**COURT ORDER NO. 2017-497-07-17**

**c. Advertisement(s):**

1. **AI-43331** Uninterruptible Power Supply (UPS) Systems (IFB No. 2017-182), Facilities.  
**COURT ORDER NO. 2017-498-07-17**

2. **AI-43369** Insurance, Property and Boiler and Machinery (RFP No. 2017-271), Human Resources.

Commissioner Webb pulled this item and referenced coverages on page 192 of the Court packet. The Commissioner thought this coverage was corrected last year. Michalyn Rains, Purchasing, said the packet was updated and will be revised before it is released. With no further comments, a motion was made to approve the item with the correction made. (Time: 1:42 p.m.)

Motion by: Commissioner Duncan Webb  
Second by: Commissioner Susan Fletcher  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2017-499-07-17**

**d. Award(s):**

1. **AI-43386** Painting of Security Barriers at Justice Center (IFB No. 2017-184) to Myelyn Contractors, LLC, Facilities.

**COURT ORDER NO. 2017-500-07-17**

**e. Amendment(s):**

1. **AI-43354** No. 2 to the Personal Services Agreement with Jennifer Smith for a Program Manager to oversee and administer the Veterans Court Program to include various changes to the scope of services, increase the annual contract amount to \$73,000, extend the contract through and including June 30, 2018 and further authorize the Purchasing Agent to finalize and execute same, 296th District Court.

**COURT ORDER NO. 2017-501-07-17**

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

1. **AI-43387** Investment Report (2nd Quarter FY2017).

**COURT ORDER NO. 2017-502-07-17**

**g. Miscellaneous**

**1. AI-43397** Funding recommendations (totaling \$24,800) for the 2017 Historical Commission grant program recipients, Historical Commission.

Judge Self pulled this item and asked for comments or discussion. Hearing no comments, a motion was made to approve the item. (Time: 1:37 p.m.)

Motion by: Commissioner Duncan Webb  
Second by: Commissioner Cheryl Williams  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2017-503-07-17**

**2. AI-43385** Payment of an administrative penalty in the amount of \$3,000 to TCEQ and Agreed Order for same, Public Works.

Judge Self reconvened Commissioners' Court at 3:39 p.m. and asked for comments on item 4g2. Commissioner Webb moved to pay the penalty of \$3,000 with a revision to the proposed order that was attached to the letter from TCEQ dated June 7, 2017. The first revision is to Section III – Denials which should read, "The Respondent generally denies each allegation in Section II ("Allegations"), because Respondent's UST system is not a pressurized piping system and cannot be tested for annual piping tightness." The second revision is to Section IV - 2a which should read, "Within 30 days after the effective date of this Order, conduct release detection monitoring for the UST system's piping." With no further comments, a motion was made to approve the item with the revisions made. (Time: 3:42 p.m.)

Motion by: Commissioner Duncan Webb  
Second by: Commissioner Susan Fletcher  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2017-504-07-17**

**3. AI-43414** Personnel Appointments, Human Resources.

**COURT ORDER NO. 2017-505-07-17**

**4. AI-43415** Personnel Changes, Human Resources.

**COURT ORDER NO. 2017-506-07-17**

## **GENERAL DISCUSSION**

### **5. AI-43379 2017 TCDRS Presentation, Human Resources.**

Cynthia Jacobson, Human Resources, came forward with a PowerPoint presentation. The County's retirement benefits include a 7% deposit rate, 200% matching rate, eight-year vesting period and a guaranteed interest rate of 7%. Ms. Jacobson said if the plan does not make the required rate of return, the County has to make up the difference. Due to some GASB (Governmental Accounting Standards Board) rules, TCDRS (Texas County and District Retirement System) was required to make some changes to the fund structure. There is also a change in the annuity purchase rates. Since people are expected to live longer, benefits will be based on adjusted mortality tables. This change does not affect an employee's retirement eligibility and is based on member deposits on or after January 1, 2018. When compared to eleven other counties and six cities, Collin County's elected and required rates are the lowest due to the lump sum payments the County has made to reduce the unfunded actuarial liability. From TCDRS' standpoint, Collin County is 100% funded. As of December 2016, our plan has a reserve of just over \$4 million which is a funded ratio of 100.8%. The minimum required contribution rate for 2018 is 6.77%.

GASB Statement 68 requires Collin County to report TCDRS pension liability/assets on the CAFR (Comprehensive Annual Financial Report). This is effective for plan year beginning January 1, 2015. Automatic COLAs (Cost of Living Adjustment) increase the calculated rate of funding since they assume annual COLAs for all plan participants continuously into the future and require funding of this liability to be reported on the CAFR. This would be a huge cost factor. Any significant volatility experienced in pension liability will be reflected on the CAFR.

Electing a COLA is effective for one plan year and is reassessed on a year-to-year basis. Commissioners' Court determines the cost of living increase each year. There are three options: 1) a flat rate COLA which is a flat percentage increase applied to all retiree benefits; 2) CPI-based COLA which is based on how much inflation has occurred since each employee retired, and adjustments for one retiree could differ from that of another retiree if they retired at different times; 3) do nothing. There is no requirement to do a COLA. Last year, a COLA was not approved for plan year 2017. The last COLA elected was 60% of CPI for plan year 2013. Collin County is eligible to adopt a COLA for 2018 without incurring a repeating COLA designation.

Ms. Jacobson explained the COLA options and the estimated annual cost associated with the options for the 2018 plan year. The Court will need to determine if the employer contribution rate is to remain at 8% and whether there will be any type of retiree COLA. (Time: 2:01 p.m.)

**NO ACTION TAKEN**

## **6. AI-43380 Annual Ancillary Benefit Presentation, Human Resources.**

Cynthia Jacobson, Human Resources, presented a PowerPoint presentation on ancillary benefits. Voluntary benefits are optional benefits that employees may select and are responsible for the full cost of such benefits. These benefits include: health care and dependent day care flex spending accounts; pre-paid legal; supplemental employee/spouse/dependent life insurance policies; 457(b) deferred compensation retirement; dreaded disease, accident and universal life insurance and long term care. The County can provide group discounts and rates on these benefits so the employees get substantial savings on premiums.

The County offers many ancillary benefits that are paid for by the County. Some of these include paid leave, overtime, paid holidays, shift differential for qualified employees, auto allowance, jury duty pay, short and long term disability, basic life insurance, tuition assistance and workers' compensation.

With respect to PTO (Paid Time Off) which encompasses both vacation time and sick time, Collin County is on the lower end of the spectrum in what it offers when compared to other counties and cities within Collin County. CTO (Catastrophic Time Off) is no longer awarded as of August 2011. As of the end of 2016, 662 employees still carry a CTO balance which is down 7% from last year. In order to reduce this liability, CTO balances less than eight hours were converted to PTO or straight compensatory time.

Compensatory Time Off is accrued for hours worked in excess of 40 per week. There are two types of compensatory time off – straight which is awarded at a rate of one hour for each hour worked in excess of forty hours and premium which is awarded at a rate of 1.5 hours for each hour worked in excess of forty hours. The liability for straight compensatory time is \$113,335 which is down 28% from last year. The liability for premium compensatory time is \$692,913 which is down 26% from last year. Employees with a combined compensatory time balance over 100 hours as of January 1<sup>st</sup> each year must reduce compensatory time to 100 hours, or use 30% of their total compensatory time balance before PTO may be used for the year.

Ms. Jacobson gave a brief review on overtime pay, holiday pay, longevity pay, auto allowance, call-in pay, stipend pay, jury duty pay, and court reporter compensatory time. Court reporter compensatory time is state mandated, and there are only four employees from Juvenile Probation who receive stipend pay. Shift differential is a premium paid to employees who work the second and third shifts for the Sheriff's Office, Juvenile Detention, and Facilities as part of their regular schedule. Employees who regularly work the second shift are paid an additional \$0.50 per hour, and those who work the third shift are paid an additional \$1.00 per hour.

Collin County is one of the few entities that pay the entire cost of short term and long term disability benefits. Short term disability is self-funded, pays 67% salary replacement, has a fifteen-day waiting period, and runs for six months. Long term disability is fully insured, pays 67% salary replacement, and starts after six months.

Life insurance is paid by the County and provides regular, full-time employees with \$50,000 in life insurance and \$50,000 in accidental death and dismemberment insurance. Employees have the option to purchase supplemental life insurance. There is additional group term life provided through TCDRS (Texas County and District Retirement System) which amounts to one time the employees' annual salary and retirees are provided with \$5,000. Ms. Jacobson said this is an expensive policy but it does take into account retirees which are hard to track. Commissioner Fletcher asked Ms. Jacobson to look into a less expensive life insurance policy that might allow the County to then participate in some type of COLA for the retirees.

The County also offers three 457(b) deferred compensation plans. Participation increased by 23% last year. One of the best low-cost benefits offered by the County is long term care which provides nursing and custodial care benefits for assistance with daily life activities. This is low cost because the price has not increased since the plan was put in place. The employee is responsible for the full cost of this benefit if they have less than eight years of service. Those with eight to fourteen years of service, receive a basic plan paid by the County. Employees with fifteen or more years of service receive an enhanced plan paid by the County.

Workers' compensation insurance is mandated and provides for medical, surgical and hospital treatment as well as compensation for lost wages in the event an employee is injured on the job. Employees who are injured on the job are paid 100% of their salary for up to 12 weeks.

Elected officials are allowed to pay motivation pay and safety pay. In 2016 there was \$7,572 paid in motivation pay which was an increase of 47.2% from the prior year. There were no hours paid in 2016 for safety pay. There was a brief conversation regarding how this benefit came into effect.

Some ancillary benefits provided by other entities but not Collin County include education pay, certification pay, and language pay. (Time: 2:33 p.m.)

**NO ACTION TAKEN**

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

Commissioner Webb updated the Court on the last RTC (Regional Transportation Council) meeting. There were some additional modifications made to the TIP (Transportation Improvement Program). The City of Frisco received some additional money for traffic light synchronization. There were massive changes to COG (Council of Governments) funding from pulling out of LIP (Local Initiative Project) and LIRAP (Low-Income Repair Assistance Program). The \$2.1 million in the HOV (High Occupancy Vehicle) conversion on US 75 is progressing, and all the funding for the Cotton Belt is still in the plan.

The Legacy Transportation Management Association which was created for Legacy West and the Shops of Legacy employers is getting funding to look at congestion in that area.

Of the four main counties (Dallas, Tarrant, Denton and Collin), there are more citizens from Collin County that travel to DFW Airport than any of the other counties. Collin County citizens make 1.25 trips per person to the airport every month.

There was a regional safety performance report which showed the number of crashes in Collin County is up 7.54% and fatalities are up 38.89% for 2016. Even with these increases, Collin County's numbers are below average. Also, Collin County is the only county in the metroplex that has had zero hazmat incidents over the last three years. (Time: 2:38 p.m.)

**NO ACTION TAKEN**

**8. AI-42580 85th Legislative Agenda for 2017, Commissioners Court.**

**NO ACTION TAKEN**

**9. Possible future agenda items by Commissioners Court without discussion.**

**EXECUTIVE SESSION**

Judge Self recessed Commissioners' Court into Executive Session at 2:40 p.m. in accordance with Paragraph 551.071 of the Government Code, to discuss two items. The first is the U.S. Equal Employment Opportunity Commission Charge, and the second is a payment of an administrative penalty in the amount of \$3,000 to TCEQ (Texas Commission on Environmental Quality) which was item 4g2 on the consent agenda.

**Legal (551.071)**

**AI-43427 U.S. Equal Employment Opportunity Commission, Charge No. 846-2015-01054, Ronald Welch, Administrative Services.**

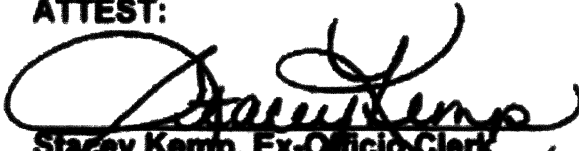
**NO ACTION TAKEN**



Judge Self reconvened Commissioners' Court at 3:39 p.m. There was a brief discussion on item 4g2. With no further business of the Court, Judge Self adjourned the meeting at 3:42 p.m.



ATTEST:

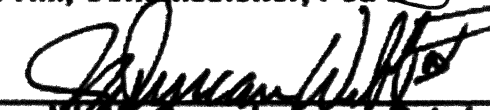
  
Stacey Kemp, Ex-Officio Clerk  
Commissioners Court  
Collin County, T E X A S

  
Keith Self, County Judge

  
Susan Fletcher, Commissioner, Pct. 1

  
Cheryl Williams, Commissioner, Pct. 2

  
Chris Hill, Commissioner, Pct. 3

  
Duncan Webb, Commissioner, Pct. 4