COURT ORDER NO. 2011- 208 -04-04

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
MARCH 14, 2011

On Monday, March 14, 2011, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Judge Keith Self
Precinct 1 Commissioner Matt Shaheen
Precinct 2 Commissioner Cheryl Williams
Precinct 3 Commissioner Joe Jaynes
Precinct 4 Commissioner Duncan Webb

Commissioner Williams led the Invocation.
Commissioner Jaynes led the Pledge of Allegiance.
Commissioner Webb led the Pledge of Allegiance to the Texas Flag.

Judge Self called to order the meeting of the **Collin County Commissioners' Court** at 1:30 p.m. and recessed into the **Collin County Health Care Foundation.**

President Self called to order the meeting of the **Collin County Health Care Foundation** at 1:49 p.m. and adjourned the meeting at 1:54 p.m.

Judge Self reconvened the meeting of **Collin County Commissioners' Court** at 1:54 p.m. and recessed into Executive Session at 2:06 p.m.

Judge Self reconvened the meeting of **Collin County Commissioners' Court** at 3:18 p.m. and immediately recessed into the meeting of the **Collin County Toll Road Authority.**

President Self called to order the meeting of the **Collin County Toll Road Authority** at 3:18 p.m. and adjourned the meeting at 3:19 p.m.

Judge Self reconvened the meeting of the **Collin County Commissioners' Court** at 3:19 p.m.

FYI NOTIFICATION

1. **AI-33348** Utilization of the BuyBoard Cooperative contract to purchase one (1) 2011 Ford Escape and one (1) 2011 Ford F250 Pickup from Philpott Motors to replace unit no. 41084 and 30408, Public Works.

2. **AI-33223** Budget amendment in the amount of $19,654 to establish a budget for the 2011 Specific Traffic Enforcement Program–Impaired Driving Mobilization (STEP–IDM) grant, Auditor.

2. Public Comments.

3. Presentation/Recognition.

Alex Smith, North Texas Behavioral Health Authority, presented a plaque to Pat Lawson in recognition of her years of dedication and service to the community. Ms. Lawson informed the court she will be joining the Child Protective Services Board.
(Time: 1:35 p.m.)

4. Consent agenda to approve: Judge Self asked if there were any comments on the consent agenda. Commissioner Webb requested items 4a, 4c1, 4c3, 4e1, 4f1a, 4f1b, 4f1d, 4f2a, 4h2 and 4h3 be pulled for discussion. Commissioner Shaheen requested item 4h4 be pulled for discussion. Judge Self requested item 4g1 be pulled for discussion. There being no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 3:27 p.m.)

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

a. AI-33350 Disbursements for the period ending March 8, 2011, Auditor.

Commissioner Webb asked for an explanation on five of the listed disbursements. The first check in question was to Bryant Recording and Video. Commissioner Webb asked what the payment was for and why the county was spending the money. Jeff May, County Auditor, responded to the questions saying the payment was an item out of Indigent Defense and was for a court reporter's transcript. Commissioner Webb clarified that the county is paying for court documents on both sides of an appeal. Mr. May said that was correct. Commissioner Webb asked how much was being spent on these types of items. Mr. May replied that last year the county spent $277,000 for court reporter records. These funds are outside of what the county pays in salaries to the court reporters.

Commissioner Webb pointed out that the county is paying for court reporters salaries and for the same reporter's transcripts. Commissioner Jaynes asked if this would take legislation to change; Mr. May said yes it would.

Commissioner Webb asked for information on a check in the amount of $19,000 payable to the District Clerk; it is unusual to see the county paying the District Clerk. Mr. May explained that the funds had been placed in the county's unclaimed holdings fund which is typically where the county deposits funds when they do not know who the money belongs to. In this case, the District Clerk placed money in this fund last June as part of the Odyssey conversion. The payee of the money has since been identified and the District Clerk has requested the funds be returned.

The next check in question was payable to Consolidated Sewing Machine Company. Sheriff Terry Box came forward to inform the court the Sheriff's Office started using sewing machines approximately 17 years ago in the jail. The equipment is used by inmates to repair their own jumpsuits, bed linens and mattress covers. Instead of buying new items when they get torn, they repair them using a commercial sewing machine. Inmate labor is trained to use the equipment and to repair torn items. This saves the county money in buying new items, especially the jumpsuits. Commissioner Webb commended Sheriff Box for implementing this process.

Commissioner Webb moved to the next item saying he did not have a question; however, when the vote was taken on the expenditures, let it be noted that he stepped down and did not vote on a disbursement to Schindler Corporation due to a conflict of interest. Schindler Corporation is a client of his and he does not want the perception of any impropriety; the required document will be completed.

The next item in question was for a check to Speedpress Tool Company. Commissioner Webb asked what the check was for and had additional questions regarding hand tools. Mr. May replied this was to purchase tools for Road and Bridge. Commissioner Webb asked if the county has a policy regarding hand tools. Mr. May replied the county has a Capitalization Policy, which is for item over $5,000. Most for these tools, however, are not that expensive. It is his understanding that some employees have an annual allowance of $300.00 to purchase tools.

Commissioner Webb asked what is done about items that cost less than $5,000. Mr. May said it is the responsibility of the department to keep track of those items. Commissioner Webb asked if an audit of the tools is performed. Mr. May has not audited the tools in Public Works since he has taken office. Commissioner Webb asked Jon Kleinheksel, Public Works, how his department tracked items that cost zero to $5,000. Mr. Kleinheksel came forward to address the question. His department has an inventory set of checks and balances. If a technician needs a tool, it has to be checked out of the warehouse.

Commissioner Webb continued to the next item in question which was an expenditure for $17,000 to TEX-21 (Transportation EXcellence for the 21st Century). Commissioner Webb asked what is TEX-21 and what is the county getting for the expense. Judge Self commented that was a great question and informed Commissioner Webb it is an item that comes up every budget year. The disbursement is to pay dues to an organization that lobbies for transportation. This is a budget issue. Commissioner Webb asked what the benefit is for the county. Judge Self replied that this is an issue that is a discussion for the budget; this is one of those organizations that doesn't have a deliverable. A brief discussion regarding the subject followed.

Commissioner Webb gave Bill Bilyeu, County Administrator, the direction to get more information on what the county is actually getting for the money and the county's extent of involvement before the next budget session; the court needs a better idea of what the county is getting. Mr. Bilyeu informed the Commissioner that as a part of the budget process each year, TEX-21 offers to give the court a presentation. Commissioner Jaynes thought it would be a good idea for the court to see the presentation. Motion to approve payment of disbursements ending March 8, 2011 with the exception of the payment to Schindler Corporation. (Time: 3:37 p.m.)

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

COURT ORDER NO. 2011-134-03-14

A separate motion was made to approve the disbursement to Schindler Corporation. (Time: 3:38 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Cheryl Williams
Vote: 4 - 0 Passed
Abstain: Commissioner Duncan Webb

COURT ORDER NO. 2011-135-03-14

b. **AI-33335** Tax refunds totaling $1,562,180.30, Tax Assessor Collector.
COURT ORDER NO. 2011-136-03-14

c. Advertisement(s):

1. **AI-33343** Services, Cost Allocation Plan Provider (RFP No. 12072-11), Auditor.

Commissioner Webb asked for an explanation of what the county is getting for the expense; what does it do and is the county required to do it. If the county is required to do this, then why has it not been done before.

Jeff May, County Auditor, replied this is a cost allocation program to pay a consultant to do an analysis of the county's data and propose an indirect cost, a direct cost and a shared cost rate to enable the county to apply for grants. This has been done before; however, it was related to a juvenile probation grant. At that time the services were provided for free in association with that grant. Because the county no longer receives the grant, we must go out for a bid for a consultant to provide the information.

The information is required by DSHS (Department of State Health Services) in order to be eligible to receive approximately two million dollars in health care grants. Additional discussion regarding the cost of services versus the benefits followed. Motion to approve the item as submitted. (Time: 3:43 p.m.)

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

COURT ORDER NO. 2011-137-03-14

2. AI-33338 Services: Historical Records Restoration and Preservation (RFP No. 02117-11), District Clerk.

COURT ORDER NO. 2011-138-03-14

3. AI-33291 Maintenance, UPS Repair and Parts Replacement (IFB No. 02119-11), Facilities.

Commissioner Webb asked if the county has had a maintenance contract like this in the past. Bill Bilyeu, County Administrator, came forward saying yes; this item is a request for go out for a solicitation. This is the most cost effective way to go about this because it allows competition. Motion to approve the item as submitted. (Time: 3:45 p.m.)

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

COURT ORDER NO. 2011-139-03-14

d. Agreement(s):

1. AI-33345 Lease Agreement with the City of Frisco for property located at 6101 Frisco Square Blvd., Suite 2000, Frisco, Texas in the amount of $107,474.28 per annum commencing on January 1, 2011 through and including December 31, 2011 and further authorize the County Judge to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2011-140-03-14

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

1. AI-33303 Accept and receive additional grant funds from the North Central Texas Council of Governments for the FY2010 Solid Waste Implementation Project, Public Works.

Commissioner Webb asked how big is the illegal dumping problem. Also, the Commissioner asked about the public announcements since he had not seen one yet. Jon Kleinheksel, Public Works, approached the court in response. The PSAs (Public Service Announcements) will begin March 28, 2011and will air on KTVT Channel 11. As for the illegal dumping, it used to be nearly epic. It was a very large issue. Working in conjunction with the Sheriff's Office, the county now has an Environmental Officer who addresses the issue full-time.

In the last year the illegal dump sites have gone from 1,506 to the high 800s. They are using inmate programs and CSCD (Community Supervision and Corrections Department) programs that address the dump sites six days a week. There are 24 spots for the PSA which will begin March 28, 2011 at 5:00 a.m. and run through prime time. They received $8,500 in funding from NCTCOG (North Central Texas Council of Governments); the total costs to run the ads are approximately $16,000. Mr. Kleinheksel informed the court the county is making headway. Commissioner Webb asked how much this program is saving the county in the costs of picking up the illegal trash. Mr. Kleinheksel replied last year, approximately $500,000 using inmate labor and CSCD labor. Mr. Kleinheksel estimates an additional $200,000 to $300,000 since that time. With the help of seven TCLEOSE (Texas Commissioner on Law Enforcement Officers Standards and Education) Certified Deputies who have been trained to take both male and female inmates to and from the jail, they are making a very big impact on the problem. Motion to approve acceptance of grant funds. (Time: 3:50 p.m.)

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

COURT ORDER NO. 2011-141-03-14

f. Receive and File, Auditor:

1. Final Audit Result(s):

a. AI-33332 CSCD (2nd, 3rd & 4th Quarter FY2010).

Commissioner Webb opened the discussion by saying it is his assumption that when he reads the final audit reports and does not find note of previous or repetitive occurrences, then it is a first or recent occurrence. Jeff May, County Auditor, said he would say it was a recent occurrence. Commissioner Webb voiced concerns that there appears to be a training issue. The staff at CSCD have said that they are processing their financials they way they were trained. The auditor's office disagrees. Commissioner Webb suggested finding a better way to properly train the staff, whether the training is conducted by the auditor's office or funded by the department. It is very important for the people who are handling funds to be properly trained to prevent this from being a continuous issue. Motion to approve audit results. (Time: 3:53 p.m.)

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

COURT ORDER NO. 2011-142-03-14

b. **AI-33324** Constable, Precinct 4 (3rd & 4th Quarter FY2010).

Commissioner Webb asked for more information on the findings of the audit in regards to how deposit slips are completed. Jeff May, County Auditor, responded saying this should not be an issue in the future due to Odyssey. Commissioner Webb then asked for an explanation of the finding on a commission that was charged incorrectly. The impact of the finding wasn't clear. Mr. May answered it is fairly common that when Constables have a sale of property, they receive a commission which varies by item. It is not uncommon for an adjustment to be needed, but that adjustment should be entered in the books. Shela Vinson, Auditor's Office, came forward to give additional information. Ms. Vinson said the end result is, they are paying the wrong amount initially. If there is an adjustment, that amount should be entered in the books to reflect the correct amount. Commissioner Webb asked how the county is settling up if the initial payment is incorrect. Ms. Vinson replied that is where the report comes in, they do not know the amount is incorrect until they have completed the audit.

Commissioner Webb responded that his understanding of what Ms. Vinson said was that an incorrect amount was being paid, so once you calculate the correct amount there should be an overpayment; there is not an overpayment stipulated in the audit results. Ms. Vinson said if there is an overpayment or an under payment, the department is notified of the results. Commissioner Webb asked if there is an overpayment of the commission, who pays the deficiency? Ms. Vinson replied the auditor's office has not recommended re-payment in the past. On this particular audit, there was not a recommendation to repay any funds. Commissioner Webb questioned why there is no accountability for an official who is responsible for an overpayment or an underpayment.

Ms. Vinson replied that there is and should be; however, on this audit the amount was not included in the results, so at this point she could not address the specific amount. Commissioner Webb asked if the issue will come back to court once the specific amount is known and what happens if it doesn't come back to court? Ms. Vinson replied they will follow up with the department during the next quarter audit to see if the issue was resolved.

Commissioner Williams asked if the auditor's office expected the Constable to find his own remedy. Mr. May replied in some cases, that could be the case.
Commissioner Shaheen asked how much money was being discussed. Ms. Vinson didn't think it was a large amount. Mr. May said he was not really sure, but it was not significant. Commissioner Webb said he was surprised that in an audit report, the amount of an overpayment or deficiency was not detailed. Ms. Vinson told the court that if the amount was significant, it would be in the report. Commissioner Jaynes recommended the item be held until all information was received. The court agreed.
(Time: 4:00 P.M.)

HELD

i. AI-33321 District Attorney (3rd & 4th Quarter FY2010).

COURT ORDER NO. 2011-143-03-14

d. AI-33333 Sheriff (3rd & 4th Quarter FY2010).

Commissioner Webb had only one concern regarding the audit results and that was the delay in deposits of civil fines of up to six business days. Sheriff Terry Box came forward to say there was a problem with an employee not depositing the checks within a certain amount of time. Two of them were after receiving the check, they were sick for the next day or two. The issue has been totally corrected with Odyssey. Before he had no way of knowing this until he received a report at a later time. Now they will know within a day; another division will know if they took in money and it was not deposited. Commissioner Webb asked if there is a policy that every department and Elected Official who handles funds has to have a backup in case they are out? Jeff May, County Auditor, replied the current policy just refers to the amount of time the deposit has to get to the bank, it does not address back-ups.

Sheriff Box commented that if the Auditor states this must be done on a daily basis, then they need to find a way to do so. Motion to approve audit results. (Time: 4:03 p.m.)

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

COURT ORDER NO. 2011-144-03-14

2. FY2010 Inventory Audit(s):

a. AI-33323 Fuel Inventory.

Commissioner Webb did not have any questions regarding the audit itself, but he voiced concerns that the fuel management system has been out of order for almost two months. This caused the need to manually track the use of all fuel; should the court have been moving forward with replacing the system? The report indicated the equipment was antiquated. The staff of Public Works are being put in a situation to receive a write up. Commissioner Webb doesn't want that to happen. In addition, the Commissioner wanted to know if the system was operational now and asked what is being done to replace the system if it is antiquated and unreliable. What does the court need to do to provide the tools so the department can properly account for fuel?

Jon Kleinheksel, Public Works, came forward to inform the court the system is operational now. There was a two month period where they struggled mildly; two lightning storms damaged the mother boards in the equipment located in Farmersville and McKinney. The department had to perform manual checks for two months and reconcile on a daily basis. Moving forward, Mr. Kleinheksel is budgeting for a new system in the upcoming year. They are in the process of upgrading the current system which is much more cost effective than buying a whole new one. Because this has to go through the budget process, it will take approximately 12 months to implement. Motion to approve fuel inventory audit report. (Time: 4:05 p.m.)

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

COURT ORDER NO. 2011-145-03-14

b. AI-33322 Public Works Stockpile - Physical Inventory.

Commissioner Shaheen went back to this item to give comments regarding a process improvement put into place by Public Works for tracking inventory. Previously, raw materials used in building roads were delivered to a county stockpile in order to keep an artificial inventory level which was required by the previous County Auditor. A truck would then pick up the materials and deliver them to the worksite. The new process takes approximately 90% of the materials directly to the project speeding up the asphalt work on the county roads and freeing up nearly a million dollars of cash on the balance sheets. Commissioner Shaheen wanted the court and citizens to know of the impact this has made and how much it is appreciated. Additionally, the audit report discusses a variance which resulted from a time span of when a vehicle left to deliver to a project and when the report was created.

Commissioner Shaheen stated that this is understandable and asked the Auditor if he was going to take this into account instead of asking Public Works to change their processes. Jeff May, County Auditor, responded yes, he would consider this; there will always be a variance in this area. It had to be noted in the report, but he understands there is no way around having a variance. (Time: 4:09 p.m.)

COURT ORDER NO. 2011-146-03-14

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

1. **AI-33298** February 7, 2011.

Judge Self informed the court the item is the minutes from February 7, 2011 Commissioners' Court and asked if the District Attorney Grant issue had been resolved. Jeff May, County Auditor, replied his department had received the required paper work and had submitted a reimbursement request, so the issue had been resolved. Motion to approve February 7, 2011 Commissioners' Court minutes. (Time: 4:06 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-147-03-14

2. **AI-33326** February 14, 2011.

COURT ORDER NO. 2011-148-03-14

3. **AI-33329** February 21, 2011.

COURT ORDER NO. 2011-149-03-14

h. Miscellaneous

1. **AI-33344** Re-designation of Private Road 5586 to Tiger Pride Circle (with associated updated), GIS/Rural Addressing.

COURT ORDER NO. 2011-150-03-14

2. **AI-33259** FY12 Criminal Justice Programs grant application with the North Central Texas Council of Governments (NCTCOG) for the purchase of capital equipment and further authorize the Count Judge to finalize and execute same, Medical Examiner.

Commissioner Webb pulled this item because he was concerned that the Medical Examiner was performing autopsies without sufficient lighting. In his grant application the Medical Examiner stated he had not had a light for performing autopsies for several years.

Commissioner Shaheen commented he had been to the Medical Examiner's office and there was a lot of light. Commissioner Webb agreed and then commented to the court and county staff that if there is a situation where employees do not have the equipment to do their jobs or if it needs repair, they need to inform the court. From his perspective that results in un-productivity in the highest order. Motion to approve grant application. (Time: 4:10 p.m.)

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

COURT ORDER NO. 2011-151-03-14

3. AI-33331 Acceptance of 48 Crape Myrtles donated to Myers Park and Event Center from Chambersville Tree Farms, Myers Park.

Commissioner Webb had two questions, who decides where the trees go and who provides labor. Judy Florence, Myers Park and Event Center, came forward in response. Ms. Florence informed the court that labor will be performed by the park staff. Ms. Florence and her staff are making a plan for placement of the trees. They are scheduled for delivery tomorrow and will be planted on Wednesday. Motion to approve acceptance of 48 Crepe Myrtles. (Time: 4:11 p.m.)

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

COURT ORDER NO. 2011-152-03-14

4. AI-33308 Reclassification of one (1) Equipment Operator position to a Traffic Maintenance Tech position, Public Works.

Commissioner Shaheen pulled this item to get clarification on the position. He wanted to be sure another position was not being added. Jon Kleinheksel, Public Works, addressed the concerns saying this is not creating a new position; this is taking the current position of an Equipment Operator and making it a Traffic Maintenance Technician. Commissioner Shaheen wanted to make sure there was not another position being added; the back-up was unclear. He also asked why this action was separated from the other personnel changes. Cynthia Jacobson, Human Resources, came forward to explain. This is a re-class. Typically the county only does re-classes once per year during the budget session; however, since this re-class is an equivalent position and the salary will not increase, they will allow the re-class. Re-classes are accepted outside the budget cycle if the position is equivalent or lower. The change to the actual employee's title is reflected on the personnel changes agenda.

Ms. Jacobson further clarified that this is a change to the position's title only; Mr. Kleinheksel is moving his positions around to meet his department's needs. They are only changing this position's job duties and title. This is one position number being re-titled. Judge Self informed the court that it is an unusual re-class simply because there is no change. (Time: 4:14 p.m.)

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

COURT ORDER NO. 2011-153-03-14

5. **AI-33339** Reimbursement of fencing materials in the amount of $6,648.60 to Mr. Gary Stewart for property along CR 572 and further authorize the County Judge to finalize and execute the Agreement for Release and Waiver of Liability, Public Works.

COURT ORDER NO. 2011-154-03-14

6. **AI-33302** Release of All Claims to funding granted by the North Central Texas Council of Governments (NCTCOG) for the Solid Waste Implementation Project (#11-04-G07) Solvent Recycler and further authorize the County Judge to finalize and execute same, Public Works.

COURT ORDER NO. 2011-155-03-14

7. **AI-33317** Acceptance of the Office Depot rebate check in the amount of $2,748.13 to be deposited in account no. 001-1001-411-4014 for the Going the Extra Mile (GEM) Employee Incentive Program and budget amendment for same, Purchasing.

COURT ORDER NO. 2011-156-03-14

8. **AI-33325** Submission of a letter requesting renewal of the License Agreement with the US Army Corp of Engineers for Hike and Bike Trails located on Corp property adjacent to Sister Grove Park and budget amendment in the amount $185, Special Projects.

COURT ORDER NO. 2011-157-03-14

9. **AI-33354** Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-158-03-14

10. **AI-33355** Personnel Changes, Human Resources.

COURT ORDER NO. 2011-159-03-14

GENERAL DISCUSSION

5. AI-33307 RTC monthly update, Commissioner, Precinct 3.

Michael Morris, Director of Transportation NCTCOG, came forward to give updated information on transportation legislation. One of the legislative items not on the county's list is SB (Senate Bill) 161 regarding formula funding. Collin County's Representative, Commissioner Joe Jaynes has fought for a long time to get formula funds back into the region; Senator Shapiro has introduced legislation to the Senate and Transportation Committee that would formally allocate Proposition 12 in Texas Mobility Funds. Senator Davis has introduced SB 814; Mr. Morris has had several conversations with Judge Self about getting the county's money back and this is the bill that will make that happen. It is very important for local Elected Officials to control regional toll revenue funds. Lastly, the county is working on their partnership with the North Texas Tollway Authority to create an MOU (Memorandum of Understanding); Mr. Morris encouraged the court to accomplish the MOU so they can deal with that issue within their region and not give any excuse to state colleagues to expand authority over selecting projects.

Judge Self asked for Mr. Morris' opinion on SB 19, which is Senator Nichols' statewide primacy bill. Mr. Morris replied there are some elements that they needed to discuss with regards to the duration of some of the terms. Mr. Morris asked the court for any questions.

Commissioner Shaheen pointed out that some pieces of the Outer Loop have been removed due to funding constraints and asked about the result of the discussion on removing some rail lines from future mobility plans. Mr. Morris replied the rail lines have not been removed, they think they can take some of work they are doing on innovative value capture to build some of the lines, but there is not the same promise on all of the road way sites. Since the Trans-Texas Corridor is dead, there are no feeder lines to the loop. One piece that is being kept is the line from the Dallas North Tollway to U.S. 75. Commissioner Shaheen asked if the Outer Loop is history without the Texas-Trans Corridor. Mr. Morris replied as a loop yes; the reality of the western side of the region is history due to the number of gas wells that were built. Looking at this strategically, they need to ensure the DNT (Dallas North Tollway) to U.S. 75 remains a valid corridor; find where U.S. 380 will not meet the county's needs in the future and make sure there is a parallel facility. Because of the financial crisis in Washington and in Austin, the notion of a 260 mile corridor around the region has passed. Eventually they may be able to connect the DNT to Interstate 30, which is something they still want to pursue.

Commissioner Jaynes gave comments that during the RTC (Regional Transportation Council) meeting, they took a vote on the pass through project that Collin County has on U.S. 75 from Telephone Road to Melissa Road; he asked Mr. Morris his opinion on that project being successful.

Mr. Morris replied that it ties back to SB 161. The NCTCOG is trying to get Collin County more money back; they believe that RTR funds (Regional Toll Revenue) are local because they come from local taxpayers. The TxDOT (Texas Department of Transportation) attorneys are saying the funds are not local because they are sitting in Fund 6; they are fighting that issue. Even if the legislation does not pass, they are still going to fight the issue. Everyone knows that Highway 121 RTR funds are local funds. They think they should be interpreted as local; therefore, the county would get eighty cents on the dollar back on the U.S. 75 that could be used for other projects in Collin County. Additional discussion regarding the bill followed.

Judge Self commented that a previous pass through financing project was turned down because RTR funds were not recognized as local dollars. He asked Mr. Morris what had fixed that in this latest round. Mr. Morris replied it is still being debated on Interstate 30; the only two projects the RTC is involved in are Interstate 30 in Dallas and 1171 in Denton. There is still $200 million in funds sitting locally, but those funds are being determined as statewide and not local. Mr. Morris doesn't think it will take legislation for the U.S. 75 project, with RTC's approval, eighty cents on the dollar will be going back into the RTR account; however, they still need to get the funds declared local in order to qualify. Judge Self asked there was a solution to fully fund U.S. 75 project which was signed on March 8, 2011. Mr. Morris replied that it is his understanding that it is being worked out. He will get more information but, the letting will go forward from their standpoint.

Commissioner Jaynes gave comments about new funds that may come in with Proposition 12 and asked if they would be authorized. Mr. Morris replied that the state has obligated $2 billion dollars out of the $5 billion dollars that has been authorized. They want the legislature to finish the fourth and fifth billion. Using the formula allocation in SB 161, the DFW region would get about $2 billion. (Time: 2:05 p.m.)

NO ACTION TAKEN

6. AI-33346 Board/Committee Appointments, Commissioners Court.

Commissioner Webb appointed Rutledge Haggard to the Myers Park Advisory Board. (Time: 1:35 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Judge Keith Self
Vote: 5 - 0 Passed

Commissioner Williams appointed Jill Crowe to the Child Protective Services Board. (Time: 1: 35 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Joe Jaynes
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-160-03-14

7. **AI-33369** Review of Collin County Day and NACo, Commissioners Court.

Judge Self opened discussion asking for comments from the court on their feedback from the recent meetings held in Austin and Washington. Commissioner Williams appeared before a hearing on one of the county's legislative items regarding providing indigent health care to legal aliens who have sponsors.

Commissioner Williams recommended the court give direction to Health Care to consider a legal alien's sponsor's income and resources as part of the eligibility process. Candy Blair, Health Care Services, approached to give comments and additional information. In September of 2010 the county found out that a resident alien's sponsor is responsible for any medical costs they incur, which is a federal law.

In 2010 approximately 23% of their budget may have been spent on health care bills for legal aliens with sponsors which comes to approximately $500,635; in 2009 the costs were approximately $600,108. Ms. Blair added that these amounts are reduced amounts as the county spends 30 to 40 percent of the normal bill. When looking at the market, the cost has been approximately $1.2 million dollars since 2008.

In 2010 there were approximately 158 resident aliens who sought indigent health care from the county instead of going to their sponsors. When the county became aware of the federal law, they started implementing procedures to hold the sponsor responsible. Since September 2010, the previous 158 was decreased to 11 with only three actually utilizing services. The county is asking for the ability to consider income and resources as part of eligibility. Discussion with the court followed regarding the county's ability to consider a sponsor's income and resources when determining eligibility. Judge Self asked for an opinion from the county attorney; Commissioner Webb asked for an Attorney General's opinion.

Commissioner Jaynes attended the NACO (National Association of Counties) meeting in Washington and updated the court on the transportation sessions. The transportation bill has been extended until September 2011. The House leadership wants a cut in everything across the board except defense and border security. One staff member discussed an idea which Commissioner Jaynes liked.

Many times it takes longer to get a road cleared than to actually build it. There is discussion on legislation to set guidelines with a timetable on getting the road cleared. For example, TxDOT would have a certain amount of time to clear a road, it they do not get back with the entity it will be assumed the road has been cleared so the entity can move forward. The Chairman of the Joint Chiefs of Staff spoke at another meeting and expects to see an increase in needs from our Veteran's Services.

Commissioner Shaheen gave comments on the the county's legislative item regarding TCDRS (Texas County and District Retirement System). Several items were discussed including creating a two tier system, the ability to pull out of the retirement system and more flexibility with the return rate. In order to get legislation passed it was decided that for now, they would focus just on a two tier system. TCDRS officials are a little apprehensive about having two tiers; however, the bill is in process. (Time: 1:49 p.m.)

NO ACTION TAKEN

8. Potential 82nd Legislative items, Commissioners Court:

Commissioner Jaynes asked the court if they were going to support SB 814. Judge Self stated he has looked at the language and he is happy with it as is Commissioner Jaynes. Motion to approve support of SB 814. (Time: 2:06 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-161-03-14

Commissioner Jaynes requested the court add SB (Senate Bill) 161 to the legislative items. Commissioner Williams recommended the county support the bill. Motion to approve support of SB 161. (Time: 2:06 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2011-162-03-14

Judge Self informed the court that Item 3, Local Initiatives, has now become HB (House Bill) 2030 which the county can now begin to follow.

a. AI-31816 Discussion and any action of legislative priorities

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

Commissioner Webb requested the Interlocal Agreement with the North Texas Tollway Authority be placed on the next scheduled court agenda. (Time: 4:15 p.m.)

EXECUTIVE SESSION

Judge Self recessed the meeting of the Commissioners' Court into Executive Session under Chapter 551 of the Government Code at 2:06 p.m.

Legal (551.071)

AI-33368 Discuss ILA involving NTTA, County Judge.

Judge Self reconvened the meeting at 3:18 p.m.

Commissioner Webb outlined his recommendations for changes to the Interlocal Agreement with the North Texas Toll Authority, which will be placed on the next scheduled court agenda for discussion and any action.

Commissioner Webb made a motion to strike Item 7 from the county's legislative items.

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

Commissioner Williams commented that the county has come a very long way in the agreement with the NTTA and with the minor changes as outlined by Commissioner Webb; she is comfortable in supporting the agreement.

There being no further business of the Commissioners' Court, Judge Self adjourned the meeting at 4:15p.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

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