

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
OCTOBER 15, 2012

On Monday, October 15, 2012, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Collin County Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Judge Keith Self
Commissioner Matt Shaheen, Precinct 1
Commissioner Joe Jaynes, Precinct 3
Commissioner Duncan Webb, Precinct 4

Absent:
Commissioner Cheryl Williams, Precinct 2

Commissioner Shaheen led the Invocation.
Commissioner Webb led the Pledge of Allegiance.
Commissioner Jaynes 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.

The Judge then informed the court that Commissioner Williams is in attendance at the Public Health Hearing on the 1115 Waiver and therefore was absent from today's proceedings.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:09 p.m. and adjourned the meeting at 2:11 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:11 p.m. and adjourned the meeting at 2:11p.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 2:11 p.m. and adjourned the meeting at 2:11p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. **AI-35895** Budget amendment in the amount of \$46,348 to reallocate funds from the Out of County Sex Offender (Fund 045) to JJAEP (Fund 041) for the payment of teachers for the Juvenile Justice Alternative Education Program, Auditor.

Commissioner Webb questioned why this was not originally budgeted and whether it was in the FY 2013 budget. Bill Bilyeu, County Administrator, came forward with information for the Court. This is separate from JJAEP; it is additional staff the Juvenile Board determined they wanted supplied by the school district for the Juvenile Detention facility which is a McKinney campus. Teachers are paid by the school district, not by the county. The position is not normally budgeted by the county; it is one being provided by the school district. The Board has determined that they will not renew the contract; however the renewal period has passed so it will remain through the end of this fiscal year. It will not be renewed the following year. Commissioner Webb expressed concerns because enrollment is down and this is a large expense. Mr. Bilyeu explained that due to the transition in the Director's position, the renewal notice was missed. There should be enough money in the Out of County Sex Offender fund to pay the expense. This will be the last year for the position.

Judge Self asked that future items be made clearer; the amount of money budgeted is based on all funds and the expected expenditures from each of those funds. Mr. Bilyeu replied that the position will cease to exist at the end of the school year.
(Time: 1:42 p.m.)

2. **AI-35929** Personnel Changes, Human Resources.

FYI NOTIFICATION

1. **AI-35894** Transfer registry funds held in trust from Independent Bank to Texas Star Bank to avail a higher interest rate, District Clerk.

2. **AI-35890** Freese and Nichols is the engineering consulting firm selected to manage the construction of the Lake Texoma Pipeline, Public Works.

2. **Public Comments.** There were no public comments

3. **Presentation/Recognition:**

a. Service Pins, Human Resources.

Greg Willis, District Attorney, presented Lisa McCurdy with a service pin in recognition of 15 years of service; Keith Hensley was presented with a service pin in recognition of 10 years of service.

Jeff May, County Auditor, presented a service pin to Janice Nicolson in recognition of 10 years of service; Janet Graves was presented a service pin in recognition of 35 years of service.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb requested FYI item 1 be pulled for discussion. There being no additional comments, a motion was made to approve the consent agenda. (Time: 1:38 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 4 – 0 Passed

a. **AI-35927** Disbursements for the period ending October 9, 2012, Auditor.
COURT ORDER NO. 2012-754-10-15

b. **Advertisement(s):**

1. **AI-35861** Furniture, Benches for Courthouse (IFB No. 09406-12), Construction & Projects.
COURT ORDER NO. 2012-754-10-15

c. **Award(s):**

1. **AI-35846** Inmate Pay Telephones (RFP No. 03191-12), Sheriff.
COURT ORDER NO. 2012-756-10-15

d. **Agreement(s):**

1. **AI-35865** Renewal of the Service Agreement with Appriss for the Texas Statewide Automated Victim Notification Service (SAVNS) for the period beginning September 1, 2012 through and including August 31, 2013 in the amount of \$29,175 and further authorize the County Judge to finalize and execute the agreement, Auditor.
COURT ORDER NO. 2012-757-10-15

2. **AI-35853** ACH Processing Services Agreement and Service Provider Agreement with Certified Payments, Inc. for credit card and electronic check processing for Property Tax and Motor Vehicle payments and further authorize the Purchasing Agent to finalize and execute same, Tax Assessor Collector.
COURT ORDER NO. 2012-758-10-15

e. Amendment(s):

1. **AI-35874** No. 3 to the Interlocal Agreement for Recycling (Contract No. 05591-09) with the Branch VFD (Volunteer Fire Department) to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-759-10-15

2. **AI-35875** No. 3 to the Interlocal Agreement for Recycling (Contract No. 05593-09) with the City of Lucas to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-760-10-15

3. **AI-35896** No. 7 to the Interlocal Agreement with the North Texas Municipal Water District (NTMWD) for Participation in the County Monthly Clean-Up Program to extend the contract for one (1) year through and including September 30, 2013 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2012-761-10-15

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

1. **AI-35939** Lifting the Burn Ban, Fire Marshal.

COURT ORDER NO. 2012-762-10-15

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

1. **AI-35888** \$44,086 to move the salary and benefits of an approved position to the correct department, Development Services.

COURT ORDER NO. 2012-763-10-15

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

1 **AI-35884** September 24, 2012.

COURT ORDER NO. 2012-764-10-15

i. Miscellaneous

1. **AI-35924** Sale of Struck Off property in McKinney Outlots Addition, McKinney, Texas as described in the Warranty Deed of the Collin County Land Records (Lot 385, McKinney Outlots Addition, Volume 1331, Page 131) to Kendra Harrell and Bradford Scofield in the amount of \$7,850 and further authorize the County Judge to finalize and execute the associated documents, Administrative Services.

COURT ORDER NO. 2012-765-10-15

2. Sale of Struck Off Property to North Collin County Habitat for Humanity and further authorize the County Judge to finalize and execute the Special Warranty Deed, Administrative Services:

a. **AI-35916** 217 West Graham Street, McKinney, Texas in the amount of \$7,619.99.
COURT ORDER NO. 2012-766-10-15

b. **AI-35917** 1208 East Standifer Street, McKinney, Texas in the amount of \$3,142.38.
COURT ORDER NO. 2012-767-10-15

c. **AI-35918** 806 Throckmorton Corner, McKinney, Texas in the amount of \$11,191.11.
COURT ORDER NO. 2012-768-10-15

3. Sale of Struck Off Property to Ronald Lustig and further authorize the County Judge to finalize and execute the Special Warranty Deed, Administrative Services:

a. **AI-35919** 405 North Chestnut Street, McKinney, Texas in the amount of \$15,000.
COURT ORDER NO. 2012-769-10-15

b. **AI-35920** 407 South Kentucky Street, McKinney, Texas in the amount of \$10,000.
COURT ORDER NO. 2012-770-10-15

c. **AI-35921** 1302 Lela Street, McKinney, Texas in the amount of \$16,800.
COURT ORDER NO. 2012-771-10-15

d. **AI-35922** 1100 West Louisiana Street, McKinney, Texas in the amount of \$4,200.
COURT ORDER NO. 2012-772-10-15

4. **AI-35879** Amend the FY2013 Fee Schedule to include an Attorney Notification Fee for the County Clerk's Office, County Clerk.
COURT ORDER NO. 2012-773-10-15

5. **AI-35889** Amend the FY2013 Fee Schedule to include an Attorney Notification Fee for the District Clerk's Office, District Clerk.
COURT ORDER NO. 2012-774-10-15

6. **AI-35883** Amend the FY2013 Fee Schedule to include an Attorney Notification Fee for the Justice Courts, Justice of the Peace, Pct. 1.
COURT ORDER NO. 2012-775-10-15

7. **AI-35900** Declare property as surplus, authorize additions and/or deletions to the list as deemed necessary, authorize the Purchasing Agent to sell same via on-line auction and advertise for same, Purchasing.

COURT ORDER NO. 2012-776-10-15

8. **AI-35930** Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-777-10-15

9. **AI-35892** Personnel Changes, Human Resources.

COURT ORDER NO. 2012-778-10-15

GENERAL DISCUSSION

5. **AI-35831** **Public Hearing** – application for Junkyards, Automotive Wrecking and Salvage Yards submitted by Nevada Import Parts & Auto, Inc. to be located at 1500 W. FM 6, Nevada, Texas, Development Services.

HELD

6. **AI-35882** **Public Hearing** – Fiscal Year 2013 Preservation, Restoration and Records Archive Plan, District Clerk.

Andrea Thompson, District Clerk, came forward. Prior to the public hearing, Ms. Thompson informed the Court of the results of a federal audit of passports procedures. Of the 30 plus locations that were audited in the region, Collin County has the top two locations.

Ms. Thompson then requested a public hearing for the approval of the FY 2013 Preservation, Restoration and Records Archive Plan. A project was started in 2011 to preserve documents that have a permanent retention record. Previously 16 books, which are the final orders from District Courts dating 1846 to 1905, were restored and preserved; an additional 43 books are scheduled this year. Judge Self clarified that the plan has no county funding attached. Ms. Thompson replied the funding is generated through a specific fee that can only be used for the preservation of historic documents and is not funding that will come from the general fund. (Time: 1:45 p.m.)

There being no additional comments, Judge Self opened the Public Hearing at 1:45 p.m. and asked for public comments. Hearing none, the Public Hearing was closed at 1:45 p.m. A motion was made to approve the District Clerk FY 2013 Preservation, Restoration and Records Archive Plan. (Time: 1:46 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2012-779-10-15

7. AI-35936 Participation in purchase of NTTA loan held by TxDOT, Commissioner, Precinct 4.

Commissioner Webb opened the discussion with an overview of a previous court discussion. This is part of a loan that TxDOT (Texas Department of Transportation) gave to the NTTA (North Texas Tollway Authority) when 121 was being built.

They have had the note for a long time and there is approximately \$145 million and 17 years remaining on the loan at an interest earned of 4.2%. TxDOT approached the RTC (Regional Transportation Council) to see if there would be any interest in buying the note. They were looking for cash for other commitments they have made. Three counties Dallas, Denton and Collin expressed an interest. As a result of these counties buying the note, TxDOT agreed to stop charging the region's RTR (Regional Transportation Revenue) funds for in-house engineering and credit back to the RTR funds all the money they had previously charged for in-house engineering that had been charged over the past five years which totaled \$30 million. In addition, they would return funds back to the RTC which were charges made against their TIP (Transportation Improvement Program) funding.

The Commissioner originally presented the idea to see if the Court was interested in participating in a \$10 million portion of the note. Because Dallas County did not have sufficient RTR funds, Collin County and Denton County were each asked if they would be interested in participation of \$20 million and Dallas County take \$105 million.

Since then, an analysis was performed and the county would not have to pay this back to TxDOT in terms of RTR money; the county would only be required to keep a minimum of \$20 million in the RTR account, an amount that would decline to zero over the 17 year period. Based on the analysis, the county's participation in the loan would not delay any projects already scheduled and committed. After a brief discussion, a motion was made to accept participation in the purchase of the loan. (Time: 1:55 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed

COURT ORDER NO. 2012-780-10-15

8. AI-34688 Outstanding Agenda items, Commissioners Court.

Judge Self asked that this be added to the agenda to give the Court an update on the progress of the outstanding items. The oldest outstanding items include status updates on electronic fund transfers and the county cash handling policy as well as a financial and travel policy for outgoing elected officials. Jeff May, County Auditor, responded saying his office is working on the status updates. He was unaware that his office was assigned the financial and travel policy for outgoing elected officials; however, he will have one developed and bring it back to the Court for review. (Time: 1:57 p.m.)

NO ACTION TAKEN

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

Commissioner Webb presented an update on the RTC (Regional Transportation Council) to the Court. There was a meeting on Thursday at which there was discussion of Collin County's participation in the NTTA (North Texas Tollway Authority) loan.

In addition, Senator Florence Shapiro was recognized for her outstanding service to the region; specifically the RTC. Ms. Shapiro was heavily involved in the RTC while a Plano Council Member and served as President. Other agenda items at the meeting included the county's RTR (Regional Toll Revenue) priorities selection, item number 4, where undesignated RTR funds, earnings and savings were officially and formally designated for the county's RTR funding recommendation. The county's list included over 70 projects which were ranked by highest priority. Initially it was thought that only the top four (4) could be funded; however, due to being able to obtain federal funds, they can now provide RTR funding for the top 15 projects in Collin County. The RTC approved this unanimously. The projects affect nearly all of the municipalities in the county and the designated funding is approximately \$39 million. The hope is that the actual money will be available by the beginning of the year.

The biggest item of discussion was the legislative agenda; some general bullet points were approved. Judge Self asked for discussion on transit since it appears the transit funding received a lot of attention. Commissioner Webb responded there was a subcommittee meeting; since the Commissioner not on the committee he did not hear the entire discussion. An additional brief discussion followed. (Time: 2:05 p.m.)

NO ACTION TAKEN

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

Bill Bilyeu, County Administrator, came forward to update the court. Mr. Bilyeu reiterated Judge Self's comments regarding Commissioner Williams' attendance at today's Public Health Hearing on the 1115 waiver. Mr. Bilyeu had watched the hearing prior to this court meeting. Each person was being asked how many DSRIP (Delivery System Reform Incentive Payment) projects were being funded in their RHP (Regional Health Partnership). Parkland Hospital indicated they had 60 projects they would fund; however, when asked about their funding they were unable to answer the question because they were unsure as to how much was available. Travis County had a long discussion regarding increasing their tax rate to produce more IGT (Intergovernmental Transfer) funds in order to pay for a medical school.

Mr. Bilyeu informed the Court that a Public Hearing is on the schedule for Monday and will include the Community Health Assessment for the Court to adopt as well as the RHP protocols also for the Court to adopt.

County Officials and Public Information Associates met with THR (Texas Health Resources), Tenet Healthcare, HCA Healthcare and Baylor Hospital regarding DSRIP projects and proposals. As the deadline approached, all except THR declined to participate. THR is submitting a DSRIP proposal to take over Prima Care and possibly the grant program.

DISRIP projects specific to Collin County being proposed will be LifePath; it will be using its own money. Another that came up during discussions was UT Southwestern which has opened a clinic that makes them eligible to use their money as IGT for a match. They are a Medicare provider and offer OB/GYN, Primary Care and Sports Medicine. Grayson County is still finalizing and has resolved all of their questions and issues they had on the clinic they are jointly opening with two hospitals. In addition, mental health projects will come from all three counties.

Mr. Bilyeu reviewed the process of Pass I and Pass II. Public Information Associates, Dr. Cruser, Dr. Hornsby and their team will be here next week. Each county will have their Public Hearing around the same time and will be deciding DSRIP funding. Mr. Bilyeu will have more information for the Court on Monday. (Time: 2:09 p.m.)

NO ACTION TAKEN

11. **AI-34804** 83rd Legislative Agenda for 2013, Commissioners Court.

NO ACTION TAKEN

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

Judge Self recessed the Court into Executive Session at 2:11 p.m. in accordance with Chapter 551 of the Government Code, to discuss the following subjects:

Legal (551.071)

AI-35860 Pending or Contemplated Litigation and Attorney–Client Information.

NO ACTION TAKEN

Judge Self reconvened the Court at 2:33 p.m. There being no further business of the Court, Judge Self adjourned the meeting at 2:33 p.m.



ATTEST:



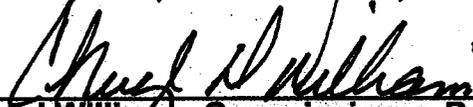
**Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S**



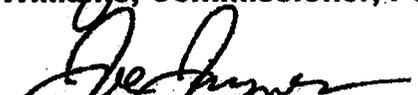
Keith Self, County Judge



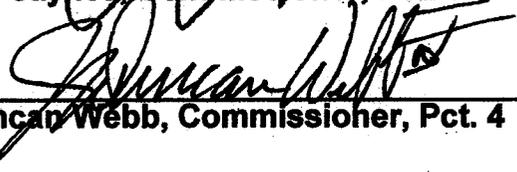
Matt Shaheen, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4