

COURT ORDER NO. 2019-189-03-11

**STATE OF TEXAS
COUNTY OF COLLIN**

**COMMISSIONERS COURT
MEETING MINUTES
FEBRUARY 18, 2019**

On Monday, February 18, 2019, 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 Chris Hill
Commissioner Susan Fletcher, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Darrell Hale, Precinct 3
Commissioner Duncan Webb, Precinct 4

Commissioner Webb led the Invocation.
Judge Hill led the Pledge of Allegiance.
Commissioner Fletcher led the Pledge of Allegiance to the Texas Flag.

1. Judge Hill called to order the meeting of the **Collin County Commissioners Court** at 1:30 p.m. and recessed into Executive Session at 1:32 p.m. The meeting was reconvened at 2:06 p.m. and recessed at 3:49 p.m. Judge Hill reconvened the meeting at 4:00 p.m. The meeting was adjourned at 4:13 p.m.

President Hill called to order the meeting of the **Collin County Health Care Foundation** at 4:13 p.m. and adjourned the meeting at 4:13 p.m.

President Hill called to order the meeting of the **Collin County Toll Road Authority** at 4:13 p.m. and adjourned the meeting at 4:13 p.m.

President Hill called to order the meeting of the **Collin County Housing Finance Corporation** at 4:13 p.m. and adjourned the meeting at 4:13 p.m.

FYI NOTIFICATION

1. **AI-34688** Outstanding Agenda Items, Commissioners Court.
2. **AI-46125** Addendum No. 1 to Services, Controls Integrator (RFP No. 2019-096) to make various changes to the Request for Proposal, Purchasing.
3. **AI-46139** Proposed Road Project Schedule for 2019, Public Works.
4. **AI-46132** P-Card Disbursements, Auditor.

2. Public Comments.

See item 8b under General Discussion for public comments.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Hill pulled check 486669 from item 4b and pulled item 4h1. The Judge then asked for comments on the consent agenda. Commissioner Williams pulled item 4e1, and Commissioner Webb pulled items 4f1 and 4j4. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

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

Judge Hill recessed Commissioners Court into Executive Session under Chapter 551.071, Legal, to consult with an attorney. (Time: 1:32 p.m.)

Judge Hill reconvened Commissioners Court at 2:06 p.m.

a. **AI-46106** Disbursements for the period ending February 12, 2019, Auditor.

COURT ORDER NO. 2019-129-02-18

b. **AI-46107** Indigent Defense Disbursements, Auditor.

Commissioners Court went into Executive Session to discuss several orders to pay attorney's fees on assigned counsel cases in Collin County. Four orders have been received which the Court has been ordered to pay by the regional presiding judge. There is another order coming from the regional presiding judge, three more coming shortly after that, and approximately twelve to thirteen on their way to the regional presiding judge. All four of the current orders are for the same attorney – Marc Fratter. Mr. Fratter requested over 400 payments from the County during FY2018 for a total of \$502,208.49. This included approximately 3,900 documented hours plus an additional 100 fixed rate cases and 121 detention hearings for indigent defense work. The 3,900 hours over a one-year period equates to 10.68 hours per day seven days a week. This does not include the fixed rate cases, detention hearings or private pay clients, and Mr. Fratter is a single practitioner. Judge Hill noted these are only the billable hours and does not include non-billable work that any attorney has to do.

The County Auditor's office has been following this and did a sample study of Mr. Fratter's pay sheets from October 1, 2017 through June 30, 2018. During this nine-month period, Mr. Fratter billed the County taxpayers on 269 of the 273 days. He billed the County on average for 11.5 cases every day of those 269 days. Judge Hill referenced an article written by the Dallas Morning News back in November 2018 about this. According to the

article, in addition to Mr. Fratter's court appointments in Collin County, he also accepts cases on retainer in at least three other counties.

As a court appointed attorney, Mr. Fratter is required to file a report with the Texas Indigent Defense Commission. In 2017, Mr. Fratter reported that he was paid \$197,317.50 for 146 assigned cases. He also reported that his assigned (indigent) cases comprised 55% of his practice's total caseload. In other words, 45% of his total caseload was private work for clients other than the county. In his 2018 report, he stated he was paid \$431,723.19 for 227 assigned cases but failed to report the percent of his total caseload derived from assigned cases. Judge Hill then showed a spreadsheet with over 100 pay sheets with hours billed before the date Mr. Fratter was even appointed to these cases or for work that he did after the case was closed. Included on these pay sheets are 9,025 days of billings outside the appointment period for a total of \$102,451.92 billed to the county taxpayers. The Judge said sometimes there is a bit of work to finish up a case after the case has been closed, and sometimes there might be a verbal appointment for a judge before it's actually written into the order which could mean the attorney might start a bit earlier. Of the 9,025 days billed outside of the appointment period, 5,358 days were billed before Mr. Fratter was assigned to the cases, and 3,667 days were billed after the cases were closed. The Judge is aware of at least one case in which Mr. Fratter billed the County for work that was performed before the date the alleged offense occurred.

The regional presiding judge for Collin County is a district judge in Collin County and has recused himself. Therefore, the regional presiding judge from Harris County is sitting in for him and has ordered the County to pay four more of Mr. Fratter's pay sheets, another three or four that will be coming and thirteen more that she will receive from Mr. Fratter since he has appealed those. Judge Hill referred to Cause No. 80447-16 in which the County has been ordered to pay Mr. Fratter \$3,500 for the work he did on this case. It is an appellate case, and Mr. Fratter was not the attorney assigned to defend the defendant during the actual case. Mr. Fratter took over during the appeal where the conviction and sentence were affirmed by the appellate court. For the appellate work Mr. Fratter performed, he billed the County taxpayers \$11,696.87. That is significantly greater than what is traditionally spent for appeals cases here in Collin County. His pay sheet for this included 3.9 hours to review the clerk's record and the court reporter's record of the appeal, but he was the attorney who filed the appeal in the first place and has already billed the County \$11,696.87 for that. But the \$3,500 is not for the first appeal. It is for Mr. Fratter to prepare a PDR (Petition for Discretionary Review) to make a second appeal on behalf of his client. He also billed the County for 13 hours to prepare the PDR. However, there is no definitive right to any client to have taxpayer-funded counsel for filing a PDR. In the Code of Criminal Procedure 1.051 there is a provision that provides the right to counsel in any other appellate proceeding if the court concludes that the interests of justice require representation. In essence, if Mr. Fratter feels it is in the interest of justice to file another appeal and it is granted, he can then prepare the PDR. But the client does not have the right to request taxpayers pay for this. In this case, there is no justification in the court record for granting the PDR and no records showing the request was granted. But the County is still ordered to pay the \$3,500.

The next pay sheet the Court has been ordered to pay is for Cause No, 82982-11 for \$3,379.71. In this case Mr. Fratter has already billed the taxpayers \$8,723.06. This case originated in 2011 and was appealed in 2013. In 2015 the Court of Appeals affirmed the conviction and sentence in this case. In 2018 Mr. Fratter decided he would prepare a writ of habeas corpus. The Code of Criminal Procedure provides the right to counsel in a habeas corpus proceeding exists if the court concludes that the interest of justice requires representation. In other words, the judge is certainly allowed to provide taxpayer-funded assigned counsel if the judge determines it is in the best interest of justice. In this case, however, there is no finding that this is the case or that the judge made that decision. In fact, after billing the County the \$8,723 and \$3,379, no writ of habeas corpus was ever filed in this case.

The County has been ordered to pay the four orders from the presiding judge. The Court has been told, if they do not pay these within 45 days, all five members of the Commissioners Court will be held in contempt of court with the threat of fines and incarceration attached to each member personally and officially. The Court has been told there is no avenue for recourse and there is no way to appeal because they are not a party to any of the cases. The Court has asked for a hearing or at least the opportunity to share the information with the presiding judge but was told the Court has no standing in the matter. An appeal for a pay sheet has only two parties - the attorney seeking compensation and the district judge who denied that compensation originally. The Court cannot get an appeal and is at the mercy of the presiding judge who only wants to hear from the district judges in these cases. In these four cases, they were all signed by one of Collin County's district judges. The judge determined these were valid pay sheets and signed them. Commissioners Court previously determined not to pay them. After 60 days had passed, Mr. Fratter appealed to the presiding judge and she ordered them to be paid.

The next three cases before the presiding judge came to her without a signature from a district judge. Mr. Fratter sought payment from the district judge who denied the payment. Mr. Fratter appealed to the regional presiding judge who then reached out to the district judge to ask why the pay sheets were not signed. Because the district judge did not respond, the presiding judge determined she must order the County to pay. The Court has asked if they could get a district judge involved she would reconsider. She will not do that at this time. Apparently, there are thirteen more cases going to the presiding judge which do not have a district judge's signature on them. The presiding judge has indicated she will follow the same procedure and reach out to the district judge or judges involved in the cases. These have not been signed by a district judge or certified for payment by the County Auditor.

Commissioners Court has discussed many options and none are good because the Court lacks standing in this situation. Therefore, the Court is appealing to the district judges of Collin County who are involved in these cases for their assistance. The Court is asking them to defend the taxpayers of Collin County and assist Commissioners Court in rejecting or defending these bills. The Court is asking them to reply to the presiding judge and explain why they have not signed the pay sheets.

Judge Hill asked Jeff May, Auditor, to assist and determine if the bills should or should not be certified and to explain that to the presiding judge. Judge Hill then asked Greg Willis, District Attorney, to assist in determining if there is anything improper in these cases. Lastly, the Judge asked the FBI (Federal Bureau of Investigation) for assistance since they are looking into this. The Court is at a loss for any avenue of recourse. Commissioner Hale is concerned that there were cases billed and paid without a judge's approval and would like to know what policies and procedures are in place in the courts to make sure that does not happen again.

COURT ORDER NO. 2019-130-02-18

There was no motion to approve check number 486669 which was pulled from the consent agenda. (Time: 2:32 p.m.)

c. Advertisement(s):

1. **AI-46145** Liquid Asphalt (IFB No. 2019-114), Public Works.

COURT ORDER NO. 2019-131-02-18

2. **AI-46146** Liquid Asphalt Application Services (IFB No. 2019-106), Public Works.

COURT ORDER NO. 2019-132-02-18

d. Award(s):

1. **AI-46110** Base Bid and Alternates 3 and 4 (Lines 4 & 5) for Construction, Myers Park Roof Replacements (IFB No. 2019-015) to Globus Management Group, LLC, budget amendment in the amount of \$21,770 and further authorize the Purchasing Agent to finalize and execute the Construction Agreement, Construction & Projects.

COURT ORDER NO. 2019-133-02-18

e. Agreement(s):

1. **AI-46112** Interlocal Agreement with the City of Plano for the design and construction of Arterial Concrete Pavement Maintenance Rehabilitation from 2013 to 2018 and budget amendment in the amount of \$9,043,075 for same, Engineering.

Commissioner Williams pulled this because there are some items the City of Plano moved from their 2007 Bond in order to place the money on other projects. Some of the projects are in the Commissioner's precinct, and she is curious about the City's plans for these projects. Clarence Daugherty, Engineering, said the main issue is the City has a rigorous criteria before they expend funds to widen thoroughfares. There must be an increase in traffic that meets their threshold. There were a number of projects in the bond program that have not met that threshold. Therefore, they have declined to ask for widening of the thoroughfares. Commissioner Williams asked to hold this item to find out what the future plans are. (Time: 3:47 p.m.)

HELD

2. **AI-46148** Interlocal Dispatch Services Agreement with the Farmersville ISD effective October 1, 2018 through and including September 30, 2019, Sheriff.

COURT ORDER NO. 2019-134-02-18

3. **AI-46142** Interlocal Dispatch Services Agreement with the Nevada Volunteer Fire Department effective October 1, 2018 through and including September 30, 2019, Sheriff.

COURT ORDER NO. 2019-135-02-18

4. **AI-46116** Interlocal Jail Services Agreement with the Farmersville ISD effective October 1, 2018 through and including September 30, 2019, Sheriff.

COURT ORDER NO. 2019-136-02-18

f. Amendment(s):

1. **AI-46123** No. 2 to Cellular Antenna Myers Park Show Barn (RFP No. 2016-207) with iBWireless Solutions LLC to renew the annual maintenance for the period February 1, 2019 through and including January 31, 2020 and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

Commissioner Webb pulled this item to add the word "contract" to the second line of the court order. It would read "Amendment No. 2 to Cellular Antenna Myers Park Show Barn Contract." With no further comments, a motion was made to approve the item with the change made. (Time: 2:33 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2019-137-02-18

g. Contract Renewal(s):

1. **AI-46135** Herbicide Treatment of Roadside Right-of-Way and Encroachments (IFB No. 2016-052) with Edko, LLC to extend the contract for one (1) year through and including February 28, 2020, Public Works.

COURT ORDER NO. 2019-138-02-18

h. Receive and File, Final Audit Result(s), Auditor:

1. **AI-46111** Justice of the Peace, Precinct 2 (1st, 2nd, 3rd and 4th Quarter FY2017).

Judge Hill pulled this and asked Jeff May, County Auditor, if he had any additional information. Mr. May said he sent an email to the judge but has not heard from him. Mr. May asked to hold the item until next week and he will call the judge. (Time: 4:06 p.m.)

HELD

2. **AI-46133** Justice of the Peace, Precinct 3–1 (1st, 2nd, 3rd and 4th Quarter FY2017).
COURT ORDER NO. 2019-139-02-18

3. **AI-46136** Sheriff's Convicted Offender Reentry Effort (SCORE) Program for FY2017.
COURT ORDER NO. 2019-140-02-18

4. **AI-46134** Myers Park (1st and 2nd Quarter FY2018).
COURT ORDER NO. 2019-141-02-18

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

1. **AI-46127** January 28, 2019.
COURT ORDER NO. 2019-142-02-18

j. Miscellaneous

1. **AI-46119** 2019 tax exemptions for historical structures and/or landmarks, Collin County Historical Commission.
COURT ORDER NO. 2019-143-02-18

2. **AI-46022** Final Plat for Laxmi Addition (Lots 1, 2 and 3, Block 1), Engineering.
COURT ORDER NO. 2019-144-02-18

3. **AI-46147** Resolve a drainage issue on the south side of CR 466 and the west side of CR 499, Public Works.
COURT ORDER NO. 2019-145-02-18

4. **AI-46141** Grant application and resolution for the FY 2020 Criminal Justice Program Grant through the Office of the Governor (OOG), Criminal Justice Division (CJD), Sheriff.

Commissioner Webb supports this item which will add two intelligence staff positions with the grant funding. However, if the grant runs out, the Commissioner will probably not support continuing to pay for those two positions. With no further comments a motion was made to approve the item. (Time: 2:34 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2019-146-02-18

5. **AI-46143** Grant application and resolution for the FY2020 Juvenile Justice and Delinquency Prevention (JJDP) Grant through the Office of the Governor (OOG), Criminal Justice division (CJD), Teen Court.

COURT ORDER NO. 2019-147-02-18

6. **AI-46156** Personnel Appointments, Human Resources.

COURT ORDER NO. 2019-148-02-18

7. **AI-46157** Personnel Changes, Human Resources.

COURT ORDER NO. 2019-149-02-18

GENERAL DISCUSSION

5. **AI-46140** Boards & Commissions Appointments, Commissioners Court:

a. Child Protective Services Board

Judge Hill reappointed John Myers and appointed Brook Fulks and Kelle Berry to the CPS Board.

b. Health Care Foundation Advisory Board

c. Historical Commission

Commissioner Fletcher appointed Linda Hess and reappointed Marianne Wells to the Historical Commission. Commissioner Hale, on behalf of Commissioner Webb, appointed Janet Thatcher to the Historical Commission.

d. LifePath Systems

e. Myers Park & Event Center Advisory Board

f. Park Foundation Advisory Board

g. Planning Board

Judge Hill appointed Derek Baker to the Planning Board.

A motion was made to accept all of the appointments. (Time: 3:49 p.m.)

Motion by: Judge Chris Hill

Second by: Commissioner Cheryl Williams

Vote: 4 – 0 Passed

COURT ORDER NO. 2019-150-02-18

Judge Hill recessed Commissioners Court at 3:49 p.m.

Judge Hill reconvened Commissioners Court at 4:00 p.m. and returned to item 8b under General Discussion. Commissioner Williams was not present.

6. AI-44358 Conference of Urban Counties Update, Commissioner, Precinct 1.

Commissioner Fletcher said there was a long discussion regarding HB2 and SB2, and the Court's resolution came up but there was not much discussion on it. There was a good discussion on appraisal reform, and everyone at the table was in favor of appraisal reform. There was a fair amount of discussion regarding who appoints members to these boards. Depending on the levy of those taxing entities determines how many votes they get and how few votes the counties actually get when it comes to who is appointed to the boards. There was a general consensus that everyone would like for it to be appointed in a different way. The citizens are not represented fairly and the ISDs (Independent School Districts) have all of the votes that control those boards. There was disagreement on the caps, but the Commissioner was encouraged that there was support for the transparency part of the bill.

Representative Shine was interested in HB490-493, and the Commissioner will look into those.

New election equipment was discussed regarding a resolution that the State would fund a portion of it up to 50%. A resolution was passed that grandfathered in going back three years. The Commissioner sent the invoice to CUC to document what we have done with election equipment.

They also discussed some current eminent domain bills. The Commissioner will advise the Sheriff about SB219 which states that fees for sheriffs and constables must be set annually. If not set in a year, fees will revert back to fees that were in effect August 31, 1981. Lastly, the committee was very appreciative of our Ad Litem brochure and several asked for the electronic version. (Time: 4:13 p.m.)

NO ACTION TAKEN

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

HELD

8. AI-45660 86th Legislative Agenda for 2019, Commissioners Court:

a. Proposed Magistrate Bill

Judge Hill asked for comments on the Magistration Bill. Commissioner Williams said this will be a critical issue going forward. Having someone with regular hours able to magistrate people and set bail will help the jail run more smoothly. With no further comments, a motion was made to approve this item. (Time: 2:35 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

COURT ORDER NO. 2019-151-02-18

b. Additional District Courts

Judge Hill asked for public comments on this item.

Courtney Schmitz, McKinney, came forward to address the Court. Ms. Schmitz is an attorney in Collin County who practices mostly family law. She is asking the Court to approve two new courts because there is a desperate need for more court time. She represents both children that are in foster care and parents. It takes approximately two hours for a hearing to remove children from foster care when there is not an agreement across the board. This means that many children are not being returned to their homes as quickly as they could be. The dockets are full and don't allow for enough court time. Judge Hill asked Ms. Schmitz if she had seen any improvement since the two new family courts were added four years ago. Ms. Schmitz said it was better for the first two or three months but there is still a burden because the County is growing so fast. She supports specialized family courts, but general jurisdiction courts would be even better.

Mitch Little, an attorney in Frisco and President of the Collin County Bar Association, came forward to speak in support of the creation of two new district courts. It is Mr. Little's personal opinion that the County should continue the specialization of the courts, and he supports a specialized family court and a specialized civil court for sophisticated civil matters. These are subject matter experts who focus on specific areas of the law. Commissioner Fletcher asked Mr. Little if he would have a problem with general jurisdiction courts that gave preference to civil and family matters. Mr. Little said the County has a strong judiciary and as a mediated solution that would be a great idea as long as the continued judicial need in terms of judicial officers is met. The management of the docket is second.

Commissioner Webb had to leave but wanted to make a few comments. Regarding the situation with Marc Fratter, the Commissioner is disappointed in the district bench and especially with two of the district judges. Most all of the charges came through these two judges. Half a million dollars was billed to the County with no oversight. The judges must do something so this does not happen again. However, the Commissioner will not let that disappointment affect the concept of needing two new courts. He is supportive of adding one district court this year and another next year with one possibly being a civil specialty court. Commissioner Fletcher also expressed her disappointment with the situation. However, the Court is tasked with providing services to the citizens, and hearing how little time they have to argue their cases in court on such important matters must be addressed. The Commissioner is also aware that the District Clerk's collections are up much more than the approximate \$800,000 that it would cost to create these two courts.

Commissioner Webb left at 2:52 p.m.

Byron Henry, Prosper, is also an attorney practicing in Collin County, and he came forward to address the Court regarding docket control with respect to more judges versus magistrates. Other counties have made the mistake of adding associate judges in an

attempt to make up for their failure to add district judges. While this did provide some case by case relief on certain minor issues, it did not relieve the docket problem and instead added another bureaucratic level of appeal. Mr. Henry said there was success with the two district courts added in the last session, but the relief was quickly lost due to population growth. He believes the numbers support two new courts and would like one of those to be a civil court.

Judge Hill asked what relief Mr. Henry saw, as a practitioner, after the two new courts were added. Mr. Henry explained it was the ability to file motions and get hearing dates within a reasonable period of time. Another issue is going into a courtroom with a full docket and the time it takes to get to the civil cases which are heard last. That is in addition to asking district judges to be experts in everything they do. Collin County has very sophisticated litigants and many companies are moving here.

Andrea Thompson, 416th District Court Judge, and Emily Miskel, 470th District Court Judge, came forward with a PowerPoint presentation showing the need for two new district courts. They would prefer the courts be general jurisdiction to allow them to balance things locally and meet the needs. When the last two courts were added in 2015, it brought the numbers down from 2,350 to 1,985 cases per court. As of September 2019, the number of cases per court will be higher than the 2,350 in 2015. Adding two new courts in 2019 is the right answer and an emergency. Judge Miskel said they have seen no indication that the growth rate in Collin County is slowing or trending back to historical averages.

Commissioner Fletcher asked about the new data regarding fee collections. Judge Thompson said the district judges had put a standing order in place a few years ago to ensure the County's portion of the filing fees that are collected go to the County first before the remainder goes to the State. The fees are growing at the same rate as the number of cases. The District Clerk is on track to collect \$855,000 more per year compared to FY2016. There was a brief discussion regarding making the courtrooms and court process more efficient by giving them new technology tools. Judge Thompson said the two ways they have to manage the flow is the amount of time they give to a case and how long it takes to get to the case. Sometimes the length of time it takes to get to a case, particularly in family law, can compound the problems in a case. Several of the recent murders in Collin County were family law cases and some were pending cases. Judge Thompson said the OCA (Office of Court Administration) projected Collin County needs six new courts. When compared to like-sized counties, Collin County is doing 150% more per court than those counties. With respect to efficiencies created through technology, Collin County moved to electronic filings and paperless district courts in 2011, and any efficiencies seen from that have been realized and absorbed. Collin County has been used as the benchmark throughout the country for Tyler Technologies for the most efficient use of courts based on the technology use.

Greg Willis, District Attorney, came forward to discuss the criminal case backlog which has grown by 33% since 2014. Indictments are up by 44% since 2014. The justice system cannot get the victims the justice they deserve without court time and resources. Judge Willis asked the Court to consider three things: 1) the carnage that the victims and, in the case of murder, the surviving family members go through; 2) recognize that faster resolution requires more court time; and 3) realize that more court time will probably require more prosecutors as well. The District Attorney's plan is to have the most ethical and hardest working prosecutors anywhere, but they need more court time.

Commissioner Williams asked, since criminal cases take precedence, wouldn't this put more pressure on family and civil cases in general jurisdiction courts. Judge Willis said this applies when the defendant is incarcerated. If the defendant is out on bond, this can get reset for years.

Brian Loughmiller, attorney and former Mayor of McKinney, came forward to address some of the caseload issues with civil and family law. Mr. Loughmiller has a trial set which includes five expert witnesses. He had asked for three to four days but was given only two days in court so he must decide which expert witnesses are more important than the others. Mr. Loughmiller tried a case back in October 2018, and because of priority of CPS (Child Protective Services) and criminal cases, he is still waiting for a result on that case which has already been tried. Mr. Loughmiller said the judges in Collin County do a great job in terms of trying to manage this issue.

Commissioner Fletcher made a motion to create two general jurisdiction courts with the preference of civil and family. The Commissioner wants justice to be served and the Court owes it to the citizens and the victims. This is a basic county service. There was no second to this motion.

Commissioner Williams is not prepared to request two general jurisdiction courts in the same budget year. The Commissioner would be open to adding one general jurisdiction court in two different budget years.

Judge Hill made a motion to add as soon as possible one new district court to specialize in family law. The Judge said he would make another motion after this motion if it passed. (Time: 3:39 p.m.)

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

Judge Hill made another motion to add a second district court specializing in civil law one year later. Commissioner Fletcher asked for the reasoning for waiting an additional year for the second court. Judge Hill said we will be adding courts as the County grows, and it is a good pattern to take them on one at a time. It would also be easier to continue the pattern of adopting the effective rate and providing the services the County needs. The

County will have between \$8 million and \$9 million of new tax revenue related to new construction in the County. During budget workshop, if the Court keeps the effective rate, then the \$8 million to \$9 million will be the only new revenue the County has. It costs approximately \$5 million to give compensation increases to County employees. The cost for the new courts is approximately \$850,000 each, so the Judge would prefer to stagger the addition of the new courts over two years. Commissioner Hale agreed with the financial aspect of staggering the addition of the two new courts. (Time: 3:43 p.m.)

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

Commissioner Williams asked Greg Willis, District Attorney, what other resources he would need to help with the backlog of criminal cases. Just having more court time may not be enough. He may also need personnel to clear some of the backlog. The Commissioner said the criminal aspect of this is critical and asked the DA to present those ideas during the budget discussions.

After a ten-minute recess, Judge Hill reconvened Commissioners Court and made a motion to reconsider the previous motion on the district courts. The Judge had a copy of a resolution from Commissioner Hale to send to the legislature. The Judge made some edits and asked the Court to consider the resolution. Bill Bilyeu, County Administrator, reminded Judge Hill, while the addition of each district court costs \$850,000 annually, if that court is specialized to exclude criminal law, the cost drops to \$404,000 annually. In that regard, both new courts could be added in the same year. Judge Hill made a motion with this resolution to set aside the previous vote and to create two new district courts – one to specialize in family law and the other to specialize in civil law and both courts to be effective September 1, 2019. (Time: 4:05 p.m.)

Motion by: Judge Chris Hill
Second by: Commissioner Darrell Hale
Vote: 3 – 0 Passed

COURT ORDER NO. 2019-152-02-18

- c. Creation of the Van Alstyne Municipal Utility District No. 2
- d. Creation of the North Celina Municipal Management District No. 3
- e. Lakehaven Municipal Utility District of Collin County
- f. SB2/HB2
- g. HB 1245
- h. Texas CUC – Principles of the Urban Counties Policy Platform
- i. Texas CUC – Bills Filed
- j. Any other legislative items

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

Executive Session

Judge Hill recessed into Executive Session at 1:32 p.m. under Paragraph 551.071 of the Local Government Code to consult with an attorney. Judge Hill reconvened Commissioners Court at 2:06.

With no further business of the Court, Judge Hill adjourned the meeting at 4:13 p.m.



Chris Hill, County Judge

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Darrell Hale, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

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