

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

JANUARY 15, 2008

On Tuesday, January 15, 2008, the Commissioners Court of Collin County, Texas, met in special session with the following members present, and participating to wit:

Keith Self
Phyllis Cole
Jerry Hoagland
Joe Jaynes
Jack Hatchell (Not Present)

County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

Item No. 1 Judge Self convened the **Collin County Commissioners Court** meeting at 1:30 p.m.

Item No. 2 Public Comments. Judge Self stated he had public comment cards for item number 7.

GENERAL DISCUSSION

Item No. 3 AI-27656 Mental Health Jail Diversion Program, Commissioners Court. Vivian Lawrence, State Jail Hospital Liaison, North Texas Behavioral Health Authority (NTBHA), came before the Court with a presentation on jail diversion. Ms. Lawrence stated they were the mental health authority for a seven-county area: Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall and Navarro. Ms. Lawrence said jail diversion is state mandated, but not state funded. Ms. Lawrence continued, stating NTBHA has looked at different areas to see who has the best programs, if those programs can be duplicated, and the difference in rural areas versus urban areas. Recommendations are made to the counties on diversion programs. Commissioner Hoagland asked if NTBHA was funded by the state; Ms. Lawrence replied they were funded by the state and seven counties, including Collin County whose money comes through the NorthStar program also. Ms. Lawrence presented a Power Point presentation, noting that the number of inmates is increasing throughout the country in county and state prisons due to the population growth in general. Ms. Lawrence added that 16% to 24% of the population has mental illness.

The Power Point presentation continued, with discussion, questions and answers between Ms. Lawrence and the Court. Ms. Lawrence stated the information she presented came from the Department of State Health Services. The information focused on the average state hospital stay, number of state hospital beds and population growth. Judge Self noted there was a 50% increase in three years.

Commissioner Hoagland asked why the rapid increase. Ms. Lawrence replied it was due to the population increase, funds being redirected, and people not being able to engage in their services. Commissioner Hoagland and Commissioner Cole noted the number of beds has gone down, while the admissions for mental health have gone up. Ms. Lawrence stated there are more people in jails with mental illness than are in hospitals. Commissioner Cole asked about medication. Ms. Lawrence explained that medication is very expensive, some medications with abuse potential, and some patients have been away from their regular doctors so are in need of full evaluations. Commissioner Hoagland had questions about the cost of housing someone in a mental health facility versus jail. Ms. Lawrence said it cost over \$400 a day for an inpatient hospitalization, so the average stay of 117 days will cost \$50,000 per person per admission. Community hospitals are even more expensive. Ms. Lawrence continued with explanation of costs, assisted outpatient community services, and mandated outpatient services. Ms. Lawrence said that inmates are the most difficult and litigious population to deal with; they make up 1% of the U.S. population, but initiate one-fourth to one-third of the civil litigation.

Ms. Lawrence explained the reasons for the need for diversion and the types of diversion, such as specialized training for police officers, mental health professionals' 24-hour mobile crisis teams collaborating with police, and transitional housing. Discussion continued with questions and answers between Ms. Lawrence and the Court.

Commissioner Jaynes asked Terry Box, County Sheriff, how this applies to Collin County. Sheriff Box passed out a breakdown of Collin County's jail population. Sheriff Box said Ms. Lawrence presented a statewide and U.S. picture, which does not cover what we have in Collin County. Sheriff Box stated Chief Clark took a census of the Collin County jail last week and found that more inmates in Collin County jail are there for serious offenses than minor, and they cannot be released from custody without going to Court. Sheriff Box stated 22% of the jail population had some type of mental problem, which included inmates with major depression disorder. Sheriff Box stated Collin County has deputies trained to handle all mental health issues in the County.

Judge Self asked for input from Judge Copeland. Judge Weldon Copeland, County Probate Judge, stated that he is contacted by family members of jail inmates who are mentally ill. In many cases these inmates could be treated, and are, through the jail infirmary. Judge Copeland added that the cost of treatment in jail is substantially less than treatment in the state hospital if the length of stay is equal. Judge Copeland said he felt there were; however, a number of people were spending longer amounts of time in jail than if they had gone through a diversion program.

Judge Self asked for input from District Attorney Roach. John Roach, County District Attorney, said the D.A.'s office makes a decision to accept or decline a case based on the legal aspects of the case, and the case is prosecuted in the

normal way. Judge Roach stated the D.A.'s office is not concerned with whether or not a defendant is mentally ill, but whether they were insane at the time the offense was committed and whether the defendant is presently incompetent. Judge Roach concluded by saying their primary obligation is the safety of the public; if a person is a danger to the rest of us, then he needs to be placed where he does not threaten the rest of us, and most often that place is the Collin County jail. Discussion, questions and answers followed between Judge Roach and the Court, with Commissioner Hoagland wondering how the Commissioners can keep the public safe at the lowest cost.

Judge Self asked for input from Judge Mason. Corinne Mason, County Court at Law Judge, stated the law changed about five years ago which drastically limited the court's ability to put someone in a mental hospital. Judge Mason agreed with Sheriff Box, that Collin County does not have the high number of mental illness cases like Dallas County has. Discussion ensued between Judge Mason and Judge Copeland.

Commissioner Hoagland asked for insight from Judge Oldner. Chris Oldner, District Judge, stated he had nothing beyond what has been said by the other judges. Judge Oldner agreed with Sheriff Box and Judge Roach, saying if a defendant does not reach the level of 'legally insane'; and they are guilty of the offense, then the Court is a stop on the way to the penitentiary. Judge Oldner said community supervision programs could be ordered as a condition of bond, and Bob Hughes, Community Supervision Department, would be the person to consult

Discussion followed, with Judge Self stating that perhaps the focus should be placed on the small population of repeat, low-level misdemeanor offenders. Judge Self concluded by thanking the judges for their participation. Commissioner Hoagland asked if something was going to be done today. Commissioner Cole stated she would like to work with the Probation Department and mental health facilities. Commissioner Hoagland said he would like the judges, the D.A.'s office, and the sheriff's office involved. Judge Roach said he has a prosecutor that works with the mental court. Judge Self said no motion was needed. (Time: 2:51:06 p.m.)

Item No. 4 AI-27828 Programming of Phase 2 of the Courthouse, Construction & Projects. Bill Burke, Construction Projects, came before the Court to discuss Phase 2 of the new Courthouse. Mr. Burke said an architect was selected in December and the staff was asked to present negotiations; a memo was written allowing him the authority to negotiate with the architect concerning square footage. Mr. Burke said he would be happy to answer questions about the central jury room and went on to discuss staffing and court needs. Judge Self asked for a review of what will happen in this phase of the courthouse. Mr. Burke said there will be two projects involved in Phase 2 of the courthouse: the first being to add an addition onto the back, office only, which will include district clerk's space and district attorney's space which are now in the front of the building. Those two office spaces right now take up the space of what was supposed to be four courtrooms

on the first floor and four courtrooms on the second floor. There are also two shell courtrooms on the third floor that have not been built out. Mr. Burke said upon completion of Phase 2, there will be 22 regular-sized courtrooms, one large ceremonial courtroom, and two hearing rooms, for a total of 25 courtrooms in the building. Commissioner Hoagland asked Bill Bilyeu, Administrative Services, what they needed from the Court today. Mr. Bilyeu said it was a question of how many extra square feet; the bond was proposed for 170,000 square feet, but it may come in a little smaller. Discussion followed. Mr. Bilyeu said the second item is letting the Court know that due to the size and the number of people, a temporary parking lot will need to be built. Mr. Bilyeu continued with a list of items needed for the new courtrooms; changes as a result of input from the judges; the possibility of a cafeteria or food court; and a recommendation for one large six hundred person central jury room, not two smaller jury rooms. Chris Oldner, District Judge, stated there are issues that need to be corrected that will stay within budget range for the construction. Commissioner Hoagland asked Judge Oldner for a list of his recommendations. John Roach, District Attorney, said he has not been consulted regarding the size of the District Attorney's office and he would like to see the final presentation. Judge Self thanked everyone for their input. (Time: 3:26:34 p.m.)

Item No. 5 **AI-27768** Assistant Emergency Management Coordinator Position and the future of the Homeland Security Department, Homeland Security. Kelley Stone, Director of Homeland Security, stated this request was as a result of a meeting between Mr. Stone and Judge Self and Bill Bilyeu, Administrative Services, to talk about the need to fill a position that is funded by grant, where Collin County is with the Fusion system, and transition in the future as grant money goes away with the Fusion system and bioterrorism. Judge Self stated Mr. Stone is conducting a study for him on the Congressional Research Services, where Collin County is not fully compliant with the CRS criteria, and also working with the Council of Governments (COG) on coordinating with the COG programs. Mr. Stone presented an update on Congressional Research. Mr. Stone discussed the assistant emergency management position, stating that was partially funded in the 2007 budget. Mr. Stone gave a background on the funding for this position. A Power Point presentation followed. Mr. Stone listed the duties of the assistant emergency management coordinator: required to do what is necessary monthly and yearly to stay compliant with GDEM; renewals involve court approval, twenty-two cities to sign off, and the Governor's Division of Emergency Management approval; help with maintenance of current agreements, such as MOU's with school districts; focus on working with volunteer groups, such as Red Cross, Plano Junior League; grants management; public education presentations; National Incident Management System (NIMS) compliance; code RED; courthouse security, responsibility for twelve security guards and two supervisors.

Mr. Stone stated another responsibility is the response to related bioterrorism events and the distribution of the strategic national stockpile and recruitment of volunteers, sustained training. Commissioner Hoagland asked how many volunteers Collin County currently has. Mr. Stone responded there are approximately 400 trained volunteers in the Medical Reserve Board; the goal is to

have 600 trained, and then add to that until they reach 1,000 trained volunteers. Mr. Stone continued his presentation.

Judge Self asked what tasks are not currently getting done that would get done with this new position. Mr. Stone answered some tasks are getting done through bioterrorism grant, which will eventually go away. Tasks that are now being done by Mr. Stone and other employees are: updating emergency management plan, updating current agreements, operation of the emergency operations center, all tasks associated with grants, coordination of volunteers, outreach and public education. Commissioner Cole asked if a decision was needed today. Mr. Stone said this matter will go before the next Court. Commissioner Cole motioned to fund this position, Commissioner Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 4:09:14)

COURT ORDER NO. 2008-029-01-15

Item No. 6 AI-27793 Arts of Collin County Commission on the Open Space Enhancements funded with County bond funds, Special Projects. Jeff Durham, County employee liaison to Bond Committee, stated he was present today because the Court had some questions before going forward with approvals. Commissioner Jaynes asked what the grant amount was. Mr. Durham replied it was \$476,000. A time line was presented of the building of the Performing Arts Facility, and discussion followed. Colleen Eagan gave further clarification of the funding cycle. Judge Self recommended moving this item to the next fiscal year. (Time: 4:38:35 p.m.)

Item No 7 AI-27795 Blackland Prairie Raptor Center on the development of a raptor center utilizing County bond funds, Special Projects. Eric Neupert, Executive Director, Blackland Prairie Raptor Center, stated their mission is to do outreach programming (they see over 10,000 people per year), rehabilitation and preservation in the local area for birds of prey. Mr. Neupert said they have received a no-charge five-year lease, with an additional ten years, and ten years beyond that, for 66 acres from the U.S. Army Corps of Engineers. Mr. Neupert explained the short term goals for the Blackland Prairie Raptor Center are to expand on what is currently there, adding native gardens, a temporary education facility, and a raptor rehabilitation facility. Long term goals include a permanent education facility, open the park up to the public year round, and full raptor rehabilitation. Mr. Neupert had with him a full-sized eastern screech owl. Judge Self asked for public comment. Bill Carmickle, City of Lucas Mayor, encouraged the Court to support this request. Charlie Gaines, Parks Advisory Board and Board member of Trinity Trails, stated this was a beautiful, pristine park. Judge Self asked Mr. Neupert how they were funded, and Mr. Neupert replied they have a \$20,000 a year budget, with that money coming from outreach programming, as well as corporate and private donations. Colleen Eagan stated she was a committee member who spent a great deal of time making sure this project met parameters. Discussion, questions and answers followed between Mr. Neupert, Bill Bilyeu, and the Court. Commissioner Cole motioned to approve, Commissioner

Hoagland seconded, and the motion passed with a 4-0 vote of the Court. (Time: 4:26:40 p.m.)

COURT ORDER NO. 2008-030-01-15

Item No. 8 AI-27847 Personnel appointments, Human Resources. Cynthia Jacobson, Human Resources Director, requested a new hire for the District Clerk's office before Friday, January 18, 2008, so that that individual could take the online test associated with the job they will be performing. The District Clerk requested this new hire be hired as a step 1, and then be moved to a step 2 once they pass the online test. Commissioner Hoagland suggested the Court approve this, adding this will not affect his wife. Commissioner Hoagland motioned to hire at step 2, Commissioner Jaynes seconded. Judge Self and Commissioner Cole voted no. Commissioner Jaynes restated the motion to hire at step 1, Judge Self seconded, and the motion passed with a 3-1 vote of the Court. Commissioner Hoagland voted no. (Time: 4:43:41 p.m.)

COURT ORDER NO. 2008-031-01-15

Item No. 10 Possible future agenda items by Commissioners Court without discussion.

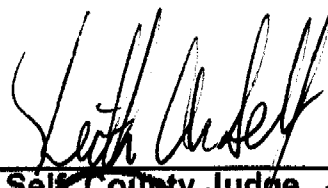
EXECUTIVE SESSION

Judge Self recessed the Court into Executive Session at 4:44 p.m. and reconvened the Court into Open Session at 4:51 p.m.

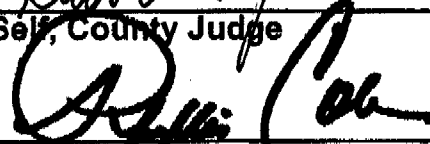
AI-27850 Right-of-Way DNT (Dallas North Tollway) Alignment, County Judge. Judge Self stated the Court would like to hear this item in open session. A member of the audience stated since it is real estate, it must be heard in closed session. Judge Self stated since the City of Celina is unwilling to hear this in open court, the Court will contact their attorney to see if it can be done in closed session. A member of the audience said everything up to this point has been done in closed session. Judge Self stated since this is informational only, there is no reason not to go into executive session. (Time: 4:54:27 p.m.)

Judge Self recessed the Court into Executive Session at 4:54 p.m. and reconvened the Court into Open Session at 5:20 p.m..

There being no further business of the Court, Judge Self adjourned the meeting at 5:20 p.m.



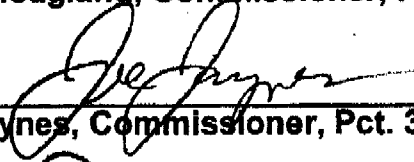
Keith Self, County Judge




Phyllis Cole, Commissioner, Pct. 1

NOT PRESENT

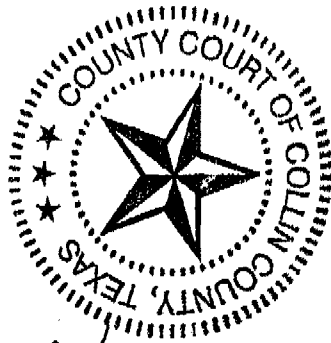
Jerry Hoagland, Commissioner, Pct. 2




Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



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