

THE STATE OF TEXAS

COMMISSIONERS COURT
WORKSHOP

COUNTY OF COLLIN

OCTOBER 21, 2008

On Tuesday, October 21, 2008, the Commissioners Court of Collin County, Texas, met at 1:30 p.m. in an informal work session with the following members present, and participating to wit:

Keith Self
Phyllis Cole
Jerry Hoagland
Joe Jaynes
Kathy Ward

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

COMMISSIONERS COURT WORKSHOP

Item No. 1 Judge Self convened the Workshop Session to order at 1:37 p.m. by recognizing the representatives from the legislative delegation offices and welcoming everybody to the Legislative Agenda Workshop. Judge Self noted that since this was a Workshop Session, the Court was not posted for votes on any subject. Judge Self adjourned Workshop at 4:06 p.m.

Item No. 2 Public Comments. There were none.

GENERAL DISCUSSION

Item No. 3 AI-29174 Collin County Planning Board, Engineering. Ruben Delgado, Engineering, came forward and introduced Joe Cordina, Mayor of Parker, Chairman of the Planning Board. Mayor Cordina started by noting the Planning Board was originated in 1982 and was advisory in nature. Mayor Cordina then introduced the members of the Planning Board, many of whom were present in Court. A Power Point presentation followed outlining the functions, projects and responsibilities of the Planning Board. Commissioner Hoagland commended the Planning Board on doing an outstanding job. Mr. Delgado concluded by saying the Planning Board had helped to implement the County's permitting system. Flood plain regulations would be updated soon. (Time: 1:53:00 p.m.)

Item No. 4 AI-29192 Court Coordinator Position, 416th District Court. Judge Chris Oldner, 416th District Court, stated he was in agreement with the report he received from the Budget office and the Administrator's office, but since no action would be taken today, he had nothing further to add. (Time: 1:53:46 p.m.)

Proposed Legislative Items:

Before discussion began on the Proposed Legislative Items, Judge Self asked the legislative delegation to introduce themselves.

Item No. 5 AI-29183 Expanding the use of videoconferencing in the court system, 296th District Court. Judge John Roach, Jr., came forward to discuss the use of videoconferencing in the court system. Collin County is leading the way in the State of Texas. Judge Roach noted the Justice of the Peace courts have been utilizing video magistration and video arraignments for several years; however, County Court at Law judges do not utilize this system. The use of videoconferencing will reduce the necessity for transporting prisoners back and forth from the jail to the courthouse, as well as reduce overtime for staff. Commissioner Cole stated videoconferencing was also a great benefit for elected officials who have to work weekends. Representative Jerry Madden stated he would be the "lead guy" on this with the legislature. Commissioner Hoagland wanted feedback as to why the County Court at Law judges did not participate. (Time: 2:07:47 p.m.)

Item No. 6 AI-29182 Modification to Local Government Code 155.021, Human Resources. Bill Bilyeu, Administrative Services, requested to codify some HR and insurance issues. First, who is going to handle payroll. Currently HR handles payroll, with the Auditor auditing payroll after it has been processed for checks and balances. Second, counties with populations over 500,000 have their Auditors handle payroll. Collin County's population will be over that number at the next census; therefore, a request was made to increase that population number to 1,000,000 or 1,200,000 so that payroll can continue under the current process. Additionally, Mr. Bilyeu stated statute says everything done in HR has to be in writing with a paper copy kept in a file; however, with PeopleSoft everything in Collin County is done electronically on the web. Clarification was requested on that issue. Mr. Bilyeu next addressed the issue of people working up in their position, meaning if an employee meets the minimum standard for a job duty, they can work up to that job. Mr. Bilyeu then requested wording changed in the County's insurance coverage concerning employment contracts. The next section pertained to the Commissioners adopting rules as to what insurance the County has; statute states the County Auditor has to approve what the Commissioners have done. Stop loss coverage was the next topic. Mr. Bilyeu requested that that statute be reworded because to get stop loss coverage on an aggregate is very expensive. Collin County can currently cover their own stop loss. Representative Madden asked Mr. Bilyeu if these topics were presented to TAC (Texas Association of Counties). Mr. Bilyeu stated feedback from the Commissioners was the first step, and then TAC. (Time: 2:16:05 p.m.)

Item No. 7 AI-29184 Collin County Toll Road Authority (CCTRA) expanding duties to include mass transit and other mobility projects, Commissioners Court.

Commissioner Jaynes updated the Court and the legislative delegation on the CCTRA that was created in a previous Court. The concern is another toll road in Collin County. Commissioner Jaynes added Collin County has \$50 billion worth of transportation needs in this part of the state. Commissioner Hoagland noted roads and mass transit are two separate items. Commissioner Ward would like to see Collin County money stay in Collin County. Judge Self noted once Highway 121 is completed, 50% of NTTA toll roads will be in Collin County, yet the proceeds will be spread across the region. Discussion followed between the Court and legislative delegation. (Time: 2:25:51 p.m.)

Item No. 8 AI-29185 Gas tax diversions, Commissioners Court. Judge Self stated the Court recently passed a resolution asking the Legislature to stop the gas tax diversions. Representative Jodie Laubenberg stated that would give the County more money. Commissioner Hoagland stated it still would not be sufficient to satisfy the County's needs of \$13 billion. (Time: 2:27:18 p.m.)

Item No. 9 AI-29217 State Mental Health funding, Commissioners Court. Bill Bilyeu, Administrative Services, stated the Court could ask the Legislature to increase funding for Mental Health. Studies show Collin County in the bottom 5 – 7% statewide for funding. Judge Self stated NorthStar, which is fee for service based, and this region does not get funded like the rest of the state. Representative Madden stated he and Representative McCall have tried to change the formulas which were structured based on funding from 1991. Judge Self added, Collin County's population has increased 5% each year, yet the number of mental health patients receiving treatment has remained the same. Commissioner Ward concluded by saying a group would be coming to Austin. (Time: 2:31:31 p.m.)

Item No. 10 AI-29190 Groundwater Conservation District, Commissioners Court. Tracy Homfeld, Engineering, came before the Court to discuss the possibility of forming either a multi-county district or a single county district, and the advantages and disadvantages of both. According to TCEQ, it costs approximately \$250,000 to run a district. Ms. Homfeld stated TCEQ commissioners would decide whether Collin County would be part of the Priority Groundwater Management Area (PGMA). If that happens, Collin County has two years to form a district. Waiting could cause Collin County to miss this legislative session. Representative Laubenberg stated she would pursue a single county district due to the size of the county and the small amount of groundwater usage. Attorney John Rapiere came forward as a representative of eighteen groundwater users in North Texas with an explanation of fees, water usage, and the necessity of hiring geologists and engineers. Robin McCoy from Senator Estes' office stated the Senate says "no one-county districts". A discussion on the topic followed. Representative Madden stated that since water district bills have to be filed by March, he would like to have language by June. Representative

Laubenberg said she would monitor other bills. Commissioner Ward suggested getting together with TAC (Texas Association of Counties). (Time: 2:54:20 p.m.)

Commissioner Hoagland returned to Item No. 10 after the recess and requested an analysis or engineering study be done. Ms. Homfeld stated TCEQ has done studies for Collin County. The issue at hand is: how does the County get a district that meets its needs and meets everyone's needs in the groundwater management area. Commissioner Jaynes wanted to know the pros and cons of the district. Commissioner Hoagland asked that this item be brought back on a future agenda for consideration. (Time: 3:11:51 p.m.)

Item No. 11 AI-29191 Credit card processing fees, Commissioners Court. Bill Bilyeu, Administrative Services, again came before the Court at the request of Commissioner Hoagland who had asked that the County pick up some credit card fees on behalf of users. Mr. Bilyeu explained processing fees as they pertain to tax bills, court filing fees and J.P. fines. Commissioner Hoagland suggested that legislation be passed to allow the County to absorb the fees as a cost of doing business. Stacey Kemp, County Clerk, stated title companies do not want to e-file because of fees; they send couriers instead. Representative Paxton offered to look into this matter. (Time: 2:59:39 p.m.)

Judge Self recessed Commissioners Workshop at 2:59 p.m. and reconvened at 3:06 p.m.

Item No. 12 AI-29193 Makeup of the Purchasing Board, Commissioners Court. Mr. Bilyeu addressed this item, noting it is discussed at every legislative session. Commissioner Hoagland explained, for the benefit of the legislative delegation, that the Purchasing Board is comprised of three district judges and two County Commissioners. Commissioner Hoagland felt it would be more appropriate for the Purchasing Board to report to the Commissioners rather than the district judges. Judge Oldner disagreed, stating it was set up as a means of checks and balances. The Purchasing Board passes the Purchasing budget and selects the purchasing agent. More explanation followed; and Judge Self concluded by saying 10% of the County budget (Auditors, Purchasing, CSCD and Juvenile) is not the responsibility of the Commissioners. (Time: 3:23:35 p.m.)

Item No. 13 AI-29194 Clarify elected official authority over technology systems, Commissioners Court. Mr. Bilyeu once again came forward and said this item has to do with the authority of an elected official or department head to configure the systems within their offices. It has been an ongoing discussion with the County Auditor's office. Clarification from the Court is requested. The law firm of Hudson & O'Leary has drafted language stating what statutory changes need to be made. Attorney Greg Hudson stood before the Court and stated the

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language drafted is a starting place to allow county auditors to get the reports they need to do their jobs, but also allow elected officials to choose the software

programming for their offices that they believe best carry out their core functions. Representative Madden expressed a concern about an auditor having continual access. (Time: 3:31:09 p.m.)

Item No. 14 AI-29200 Mandatory solid waste service in the unincorporated areas, Commissioners Court. Mr. Bilyeu stated the legislature granted authority for the County to provide an extra trash pick-up to unincorporated areas; however, there is no enforcement. Commissioner Hoagland noted there is no way to enforce payment. Commissioner Jaynes stated plans were being looked at to have probationers clean up illegal dump sites; and he did not like the idea of telling property owners they "have to have this garbage service" or a lien will be placed on your property. Representative Laubenberg stated the legislative delegation was here to serve the Court, no matter what they decided. (Time: 3:56:23 p.m.)

Item No. 15 AI-29201 Sheriff's Association legislative priorities, Commissioners Court. Mr. Bilyeu stated he had asked all department heads and elected officials if they had any items that they would like added to the legislative platform, and Sheriff Terry Box forwarded on a Sheriff's Association Platform that they have adopted. Chief Deputy Sheriff Rick Allen came forward and said this was for information only. Commissioner Jaynes asked for some explanation, which Chief Allen provided. (Time: 3:58:06 p.m.)

Item No. 16 AI-29202 Authority and creation of special districts, Commissioners Court. Mr. Bilyeu once again came forward stating this item was placed on the agenda because of a special district in Representative Laubenberg's district that is being created containing multiple ETJ's. Representative Laubenberg stated she is trying to give counties more authority. Commissioner Jaynes stated he appreciated Representative Laubenberg's efforts. Commissioner Hoagland questioned whether a bracket bill would be an issue. Discussion and explanation followed. (Time: 4:03:44 p.m.)

Item No. 17 AI-29203 State reimbursement of Ad Litem appointments, Commissioners Court. Mr. Bilyeu stated ad litem laws were changed during the last legislature, pushing costs back to the counties. Mr. Bilyeu was in receipt of a letter from Judge Wheless saying this is not what anybody intended. Dollar amounts have been substantial and are growing. Judge Self said he felt the Court would support this item as recommended by the CPS judge. (Time: 4:05:16 p.m.)

Item No. 18 AI-29075 New District Courts, 416th District Court. Judge Chris Oldner again came before the Court and stated that last week Representative Paxton, Judge Self and he addressed the Joint Chambers of Commerce to talk

about the idea of new courts in Collin County. There will be a need before the 2011 legislative session for three new district courts to handle the case load,

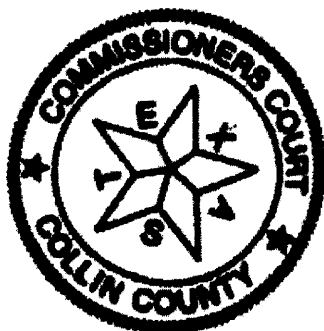
filings, and increase in population. The Board of District Judges is asking the Court's support for three new district courts: one to open in 2010 and two to open in 2011. In response to a question by Representative Madden, Judge Oldner answered that as the economy goes down, court filings go up. Mr. Bilyeu presented a Power Point briefing noting each court hears approximately 2,100 cases per year. Discussion followed. Commissioner Jaynes suggested this item be discussed in a later court. (Time: 3:47:28 p.m.)

Item No. 19 Potential 81st legislative items, Commissioners Court.

Item No. 20 Possible future agenda items by Commissioners Court without discussion. Mr. Bilyeu said he had a request to discuss impact fees at a future court. Commissioner Ward made note that Collin County Children's First Coalition was working with other non-profits and charitable organizations to look at what agenda items they wanted to push in Austin.

EXECUTIVE SESSION

The Court did not recess into Executive Session. Judge Self adjourned Commissioners Court Workshop at 4:06p.m.



ATTEST:

Stacey Kemp
Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S

Keith Self
Keith Self, County Judge

Phyllis Cole
Phyllis Cole, Commissioner, Pct. 1

Jerry Hoagland
Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes
Joe Jaynes, Commissioner, Pct. 3

Not Present
Kathy Ward, Commissioner, Pct. 4