

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
DECEMBER 19, 2011

On Monday, December 19, 2011, 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
Precinct 1 Commissioner Matt Shaheen
Precinct 2 Commissioner Cheryl Williams
Precinct 3 Commissioner Joe Jaynes
Precinct 4 Commissioner Duncan Webb

Judge Self led the Invocation.
Commissioner Shaheen led the Pledge of Allegiance.
Commissioner Williams 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. and adjourned the meeting at 2:23 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:23 p.m. and adjourned the meeting at 2:31 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-34628 Utilization of the BuyBoard Cooperative contract with Philpott Ford to purchase one (1) 2011 Ford Crown Victoria for the Juvenile Probation office, Public Works.
2. AI-34633 Budget amendment in the amount of \$23,500 to reallocate funds from Juvenile Out of County Sex Offender Program (Fund 45) to Juvenile Probation (Fund 18) for the purchase of a vehicle, Auditor.
3. AI-34667 Personnel Appointments, Human Resources.

4. AI-34659 Personnel Changes, Human Resources.

Commissioner Webb questioned why there was no change in salary when there was a decrease in the pay grade since this is not a standard practice of the county. Jeff May, County Auditor, responded. The Board of District Judges approved moving a staff member from Homeland Security to the Auditor's Office. This person was selected because of her experience with writing grants. Mr. May feels that paying her the same salary she was making in Homeland Security is justified; she will be researching and writing grants for the entire county. Commissioner Williams asked from where the salary would be paid. Kelley Stone, Homeland Security, came forward in response. The salary which was previously paid from a grant in Homeland Security will now come from the Auditor's salary budget. A brief discussion followed. (Time: 1:38 p.m.)

FYI NOTIFICATION

1. AI-34635 Change Order No. 19 to Construction, Building: Collin County Courthouse Addition (IFB No. 11067-10) with Turner Construction Company to add various Pricing Change Orders to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

Commissioner Webb requested an itemization of the expenses on change orders to separate what is associated with the courthouse addition as a new structure and what is associated with the remodeling of the previous offices of the District Attorney. The Commissioner wants the ability to track the costs for each of the projects. Bill Burke, Construction and Projects, came forward with information on the expense breakdown. He will add an additional line in the expense breakdown to show which project the funds are being used for and show what percentage the change orders are to show whether it is renovation or build. Commissioner Webb replied that this is very important and that is what he would like to see. (Time: 1:40 p.m.)

2. AI-34662 Commissioners Court web viewings, Administrative Services.

3. AI-34663 Outstanding Agenda Items, Commissioner Court.

2. **Public Comments.** Judge Self asked for any public comments. One blue card was submitted for comment that was not related to any agenda item.

Philip Sanders, Anna, came forward with comments on the Parks and Open Space Grant. He expressed appreciation for the grant that has helped improve the parks system. On the December 12, 2011 court there were two Interlocal agreements for which the City of Anna qualified. These items were pulled from the agenda and not approved. He watched the court proceedings and has an understanding of the information the Court needs. Mr. Sanders informed the Court that timing is important on this grant.

The city would like to begin construction this winter so that the trails that are to be funded will be operative by spring. Mr. Sanders offered clarification on the City of Anna's willingness to participate in and the support of paving some of the county roads that were discussed in the earlier court. He gave examples of where the City has shown cooperation by their contributions to paving some of the roads. They have a budget of \$100,000 for all of their road projects so they try to use it on the roads with the highest need. Mr. Sanders will approach the City Council during their next meeting regarding the County's stand on reallocating future bond funding in exchange for paving the roads. This is more viable than using their very limited budget to pave the roads that are less traveled. Mr. Sanders again expressed his appreciation to the Court and stressed the City's willingness to come to an agreement on financial responsibility regarding the roads. He also requested that the issue of the Parks and Open Space Grant be placed back on the agenda for approval by the Court as soon as possible. Commissioner Jaynes commented that the City of Anna has done more than any other city to work with the county on the roads projects and requested the Parks and Open Space Grant be placed on the January 16, 2012 agenda. (Time: 1:45 p.m.)

3. Presentation/Recognition:

a. **AI-34587** Introduction of new staff member Tiffany Colbert, Texas AgriLife Extension Service.

Carrie Brazeal, Extension Services, came forward to introduce new staff member Tiffany Colbert to the Court. (Time: 1:33 p.m.)

b. Presentation of Service Pins for the month of December, Human Resources.

County Auditor Jeff May presented a pin to Jerry Higgins in recognition of 15 years of dedicated service to Collin County. (Time: 1:33 p.m.)

4. Consent agenda to approve: Judge Self asked for any comments on the consent agenda. Judge Self requested items 4d1, 4d2, 4d3 and deleted item 4f1; Commissioner Webb requested Decisions Mandated No. 4, FYI No. 1, the disbursement to Schindler Elevator from item 4a for a separate vote and items 4c1, 4c2, 4d1, 4d2, 4d3, 4d5 and 4g1 be pulled for discussion. There being no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:35 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Joe Jaynes

Vote: 5 – 0 Passed

- a. **AI-34655** Disbursements for the period ending December 13, 2011, Auditor.

Commissioner Webb pulled the disbursement to Schindler Elevator from the consent agenda in order to step down from the vote. All other disbursements were approved with the remainder of the consent agenda vote.

COURT ORDER NO. 2011-982-12-19

A motion was made to approve the disbursement to Schindler Elevator.
(Time: 1:45 p.m.)

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

COURT ORDER NO. 2011-983-12-19

- b. **AI-34605** Tax refunds totaling \$76,723.48, Tax Assessor Collector.

COURT ORDER NO. 2011-984-12-19

- c. **Award(s):**

1. **AI-34616** Collin County Adventure Camp, Cabin Beds (IFB No. 04162-11) to Jess Distributors and further approval of a budget amendment in the amount of \$72,040, Construction & Projects.

Commissioner Webb questioned why beds and mattresses were being replaced when they are still in good condition. Just because voters approve funds, the county did not need to try to find wishful items to spend the money on. Judge Self responded to the comments to clarify that the county is not finding wishful items to spend money on. Bill Burke, Construction and Projects, came forward with additional information. In 2010 the YMCA Board and the original construction Board for the Camp, which was developed by the county, came before the Court with a list of items that would make the camp more functional; beds and mattresses were on that list of items. Although the beds have not ended their useful lives, there have been many complaints about them so it was included on the improvement projects to replace them. There are approximately 10 projects they are moving forward with on a one a time basis. Mr. Burke will bring back each item as it is bid for the Court to approve.

Commissioner Webb questioned why the county had to replace the beds when it was the YMCA who picked them out in the first place; they should have to replace them if the campers are unhappy with what they chose. After discussion regarding each entity's responsibilities to the Adventure Camp, the Court held the item until a representative from the YMCA could come to court to discuss the issue.

(Time: 1:55 p.m.)

HELD

2. **AI-34626** Collin County Adventure Camp, Mattresses (IFB No. 04163-11) to Cornerstone Detention and further approval of a budget amendment in the amount of \$33,393, Construction & Projects.

HELD

3. **AI-34641** Testing: Postmortem Toxicology (IFB No. 07246-11) to National Medical Services Laboratories, Medical Examiner.

COURT ORDER NO. 2011-985-12-19

d. Agreement(s):

1. **AI-34617** Indigent Care Affiliation Agreement with Centennial Medical Center to allow Centennial Medical Center to utilize County indigent expenditures in UPL reporting to the State and further authorize the County Judge to finalize and execute same, Administrative Services.

Judge Self pulled this item along with 4d2 and 4d3 to discuss together. The Court had originally intended to take this into Executive Session; however, in the interest of transparency, the items will be discussed in open court. Commissioner Williams informed the audience the Court was led to believe that all of the other hospitals in Collin County had reached their maximum; if they have not, it is critical the Court knows.

Joe Thomason, CEO Centennial Medical Center, came forward to outline the three agenda items. The hospital has the ability to enter into a Medicaid Supplemental Payment Program due to Medicaid underpayments and non-payments from indigent Collin County residents. Each hospital has an established cap based on the amount they have served in each of the categories. The program is very complex and there are two types of caps; a hospital cap and a state cap. Mr. Thomason's understanding is that the hospitals have met one or both of the caps.

Todd Ramberg, Legal Council, Centennial Medical Center, addressed the Court to give an explanation of how the contributions are managed. The other hospitals in Collin County are participating in a program with Parkland Hospital in Dallas County. At the time the hospitals were added to the program, Dallas County was making contributions up to the maximum allowable each quarter; however, for the last quarter of 2011, all of the government entities in the State of Texas that participate in this program were unable to pay every hospital in the state up to its cap. So, the state will go to each of the participating entities and ask what they can contribute to the program. Each one will pledge what they can pay and the state then determines what deductions will be taken for that period.

None of the hospitals in the state received their full funding cap because there was not enough in the state aggregate cap. Centennial does not intend to exclude any of the hospitals who want to participate in the Collin County program. Historically, the other hospitals participate in the Dallas program and Dallas has historically paid almost the full amount allowable. It was their understanding that the other hospitals would be fully funded by the Dallas County program.

Judge Self asked under which program hospitals would make more money, the Parkland agreement or the Collin County agreement. Mr. Ramberg responded the agreement they are looking at today is merely an agreement to discuss how they would expand services. He does not know what is being paid, just that the Parkland program is much bigger than the Collin County program.

Judge Self replied that what the Court was looking at is a frame work to an agreement; not an actual agreement to enter into a program. Mr. Ramberg confirmed that this was correct. This agreement is a prerequisite for Centennial Medical Center, or any other hospital, to enter into a program. This agreement does not require the County to do anything and it does not require the hospital to provide specific services. These are things they were hoping to discuss with the Court over the next few months. The agreement presented today is a requirement to allow the hospital to receive funding under the rules of the state. Judge Self clarified that the agreement does not preclude any other hospital from entering into a similar agreement with Collin County.

Mary Jo Dean, Director of Community Relations, Texas Health Presbyterian Plano, came forward. Ms. Dean wanted to inform the Court that their hospital has not reached their cap. They did reach it in the first and second quarters of 2011; however, they were only at 40% capacity in the third quarter so they believe they still have capacity. In addition, they believe that all of the hospitals in Collin County should be able to discuss this together before the Court enters into an agreement with one hospital. All of the hospitals support the program and should be allowed to have open discussions. They may choose to participate in Collin County as well as Dallas County.

Arthur Auer, Executive Director of the Collin County Medical Society and Executive Vice President of Project Access, addressed the Court. Mr. Auer and others have been working together to make the hospitals get together and talk about this plan and to make them aware of the project; that is why it is working so well. The arrangement Centennial has brought to the Court today is to benefit their ability to work with Collin County and does not have anything to do with Project Access; however, it does pave the way to have participation in the project at a future time. He and his colleagues will be meeting with the hospitals during the first week of the year to make them aware of the program and let them make their own determinations. Mr. Auer said he would not comment on the decision being made today regarding Centennial because it does not impact Project Access.

Mr. Thomason re-approached and informed the Court that Centennial is the only hospital that does not participate in a Medicaid Supplemental Payment Program. If they do not get the required documents in by the end of the year, it will put eligibility for participation in the program off for another quarter. He requested the Court permit the signing of the agreement with the consideration that the concerns are addressed.

Judge Self recommended holding the item for now because Project Access is so important. It is also very important to have all the hospitals in Collin County together. The Court agreed; the item was held. (Time: 2:09 p.m.)

HELD

2. **AI-34623** Certification of participation in the Medicaid Hospital Supplemental Payment Program and further authorize the County Judge to finalize and execute same, Administrative Services.

HELD

3. **AI-34620** Adoption of a resolution to collaborate with Centennial Medical Center to optimize the delivery of healthcare services to the population of Collin County, Administrative Services.

HELD

4. **AI-34643** Agreement with Treasury Law Enforcement Agencies, Local, County and State Law Enforcement Agencies for the Reimbursement of Expenses and a North Texas Asset Forfeiture Financial Crimes Task Force Memorandum of Understanding with the Internal Revenue Service, Criminal Investigation (IRS-CI) and the Collin County District Attorney's Office to combine investigative efforts with various agencies in the Dallas Field Office and further authorize the County Judge to finalize and execute same, District Attorney.

COURT ORDER NO. 2011-986-12-19

5. **AI-34603** Intergovernmental Cooperative Reimbursement Contract (Contract No. 582-12-20275) with the Texas Commission on Environmental Quality (TCEQ) for the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) and further authorize the County Judge to finalize and execute same, Special Projects.

Commissioner Webb asked how many residents and people in the county participate in the program and whether the county was at capacity. Jeff Durham, Special Projects, came forward with additional information. In 2010, 657 vehicles were replaced. The replacement vouchers were issued at \$3,000 each and 241 repair vouchers were issued which was approximately \$2 million. The budget was \$2.7 million. In 2011 the numbers dropped to 170 repair vouchers and 361 replacement vouchers issued at a cost of approximately \$1 million.

Funds carry over year to year; however, there have been significant budget cuts from the state. The budget went from \$2.7 million to \$350,000. The County is above capacity with regards to how much money is going into the program versus how much the County takes out of the program. Traditionally, the County does not spend all of the funding which comes from vehicle inspection fees; \$6.00 from each inspection fee goes directly into the program. Commissioner Webb asked where the excess funds go when citizens do not utilize all of the money. Mr. Durham replied Collin County is partnered with the North Texas Council of Governments so the money could potentially go to other counties in the region. A brief discussion followed. A motion was made to approve the contract. (Time: 2:13 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

COURT ORDER NO. 2011-987-12-19

6. **AI-34601** Interlocal Agreement with the City of Richardson for funding through the 2nd Series - 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG34) for the design of University Trail and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2011-988-12-19

e. Amendment(s):

1. **Amendment(s) to the Interlocal Agreement(s) for EMS Services beginning November 1, 2011 through and including October 31, 2012 and further authorize the Purchasing Agent to finalize and execute same, Fire Marshal:**

a. **AI-34638** No. 1 with the City of Blue Ridge for an annual amount of \$11,516.02.

COURT ORDER NO. 2011-989-12-19

b. **AI-34636** No. 1 with the City of Farmersville for an annual amount of \$45,797.88.

COURT ORDER NO. 2011-990-12-19

c. **AI-34639** No. 1 with the City of Josephine for an annual amount of \$9,470.59.

COURT ORDER NO. 2011-991-12-19

d. **AI-34634** No. 1 with the City of Lowry Crossing for an annual amount of \$20,762.45.

COURT ORDER NO. 2011-992-12-19

e. **AI-34632** No. 1 with the City of Melissa for an annual amount of \$63,338.10.

COURT ORDER NO. 2011-993-12-19

f. **AI-34637** No. 1 with the Town of Nevada for an annual amount of \$33,273.16.
COURT ORDER NO. 2011-994-12-19

g. **AI-34631** No. 1 with the City of Princeton for an annual amount of \$92,254.23.
COURT ORDER NO. 2011-995-12-19

h. **AI-34640** No. 1 with the City of Weston for an annual amount \$5,253.66.
COURT ORDER NO. 2011-996-12-19

f. **Change Order(s):**

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

1. **AI-34629** \$105,509 for the creation of a part-time position and the purchase of a laptop and software utilizing the Pretrial Intervention Program Fees (DIVERT), District Attorney.

Commissioner Webb had questions on the revenue projections that were listed on the backup. He wanted assurance that money would be available to fund this position and that they would not get into a situation where the District Attorney (DA) would have to come back to the Court and ask for additional money to continue funding the position.

Jeff May, County Auditor, responded saying in the 2012 projections, the estimate was made before he had the 2011 numbers. However, he thinks the \$40,000 number is low so there will be enough money to sustain the position this year and the next year. Commissioner Webb made it clear that while the fund can sustain the position for now, he is not willing to fund the position unless it goes through the budget process. A recommendation was made to hold the item until the District Attorney could be present to address the Court. Cynthia Jacobson, Human Resources, addressed the Court saying the DA has enough funding to pay for this position this year and the next. She has had extensive conversations with the DA and assured the Court there was more than enough money to fund the position. The DA is aware that if the revenue runs out, he must give up the position. After a brief discussion, a motion was made to approve the item as submitted. (Time: 2:17 p.m.)

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

COURT ORDER NO. 2011-997-12-19

2. **AI-34627** \$110,000 for the purchase of computer hardware equipment for the AMCAD Premium Service Offering and License Agreement, County Clerk.

COURT ORDER NO. 2011-998-12-19

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

1. **AI-34618** November 21, 2011.

COURT ORDER NO. 2011-999-12-19

i. Miscellaneous

1. **AI-34581** Purchase an iPhone with voice/data service for the First Assistant Auditor, Auditor.

COURT ORDER NO. 2011-1000-12-19

2. **AI-34595** Upgrade the AMCAD Premium Service Offering and Software License Agreement with American Cadastre (AMCAD) to enhance the County's existing search feature for the County Clerk's Land Record Management System and further authorize the Purchasing Agent to finalize and execute same, County Clerk.

COURT ORDER NO. 2011-1001-12-19

3. **AI-34642** Utilization of the University Drive Courts Facility Jury Room by Mothers Against Drunk Driving (MADD) to conduct an English and Spanish Victims Impact Panel Class from 5:00 p.m. to 9:00 p.m. on January 18, January 25, February 15, March 21, March 28, April 18, May 16, May 23, June 20, July 18 and July 25, 2012 and further authorize the County Judge to finalize and execute the Hold Harmless Agreement, Facilities.

COURT ORDER NO. 2011-1002-12-19

4. **AI-34598** Re-designation of Private Road 5590 to Poor Farm Lane (with associated updated), GIS/Rural Addressing.

COURT ORDER NO. 2011-1003-12-19

5. **AI-34606** Utilization of the BuyBoard cooperative contract to purchase a Wheel Loader in the amount of \$340,779 with Holt Cat and further approve the trade-in of a 2000 Case Wheel (Unit No. 34231) for \$30,000, Public Works.

COURT ORDER NO. 2011-1004-12-19

6. **AI-34651** Personnel Appointments, Human Resources.

COURT ORDER NO. 2011-1005-12-19

7. **AI-34652** Personnel Changes, Human Resources.

COURT ORDER NO. 2011-1006-12-19

GENERAL DISCUSSION

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

Commissioner Webb gave the Court an update on the last RTC meeting. The briefing included the 2000-2010 census charts which showed intriguing results. The population of Collin County grew 59%. A chart was displayed that showed the population growth; the core regions of Tarrant and Dallas counties are contracting. A chart of traffic growth was also displayed and showed Dallas County improving in regards to congestion. A brief discussion regarding the changes in population growth followed.

(Time: 2:22 p.m.)

NO ACTION TAKEN

6. Board/Committee Appointments, Commissioners Court:

a. AI-34657 Park Foundation Advisory Board.

Motion to reappoint Mark Palmer to the Park Foundation Advisory Board.

(Time: 2:23 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

Motion to reappoint Charlie Gaines to the Park Foundation Advisory Board.

(Time: 2:23 p.m.)

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Cheryl Williams

Vote: 5 - 0 Passed

COURT ORDER NO. 2011-1007-12-19

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

Commissioner Shaheen requested the Elections Administrator come before the Court to discuss election dates.

Commissioner Jaynes requested discussion of the Parks and Open Space Grant.

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:23 p.m.



Keith A. Self

Keith Self, County Judge

Matt Shaheen

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams

Cheryl Williams, Commissioner, Pct. 2

Joe Jaynes

Joe Jaynes, Commissioner, Pct. 3

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

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