

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
MARCH 19, 2012

On Monday, March 19, 2012, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Collin County Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Judge Keith Self
Commissioner Matt Shaheen, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Joe Jaynes, Precinct 3
Commissioner Duncan Webb, Precinct 4

Commissioner Shaheen led the Invocation.
Commissioner Williams led the Pledge of Allegiance.
Commissioner Jaynes led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:30 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:19 p.m. and adjourned the meeting at 2:20 p.m.

Judge Self reconvened the meeting of the Collin County Commissioners' Court at 2:20 p.m. and recessed into Executive Session; the meeting was reconvened at 2:31 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. Notification of budget adjustment(s)/amendment(s):

a. AI-34965 \$2,500 to establish a budget in the District Attorney Forfeiture fund for donation to CASA of Collin County, District Attorney.

b. AI-34967 \$5,000 to establish a budget in the District Attorney Forfeiture fund for donation to the Children's Advocacy Center of Collin County, District Attorney.

FYI NOTIFICATION

1. **AI-34688** Outstanding Agenda items, Commissioners Court.

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

3. Presentation/Recognition:

a. Service Pins for the month of March, Human Resources.

4. **Consent agenda to approve:** Judge Self asked for any comments on the consent agenda. Commissioner Webb requested item 4d1 and one disbursement to Schindler Elevator on item 4a; Commissioner Shaheen requested item 4g3 and Judge Self requested item 4e1 be pulled for discussion. There being no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 5 – 0 Passed

a. **AI-34993** Disbursements for the period ending March 13, 2012, Auditor.

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

COURT ORDER NO. 2012-166-03-19

A motion was made to approve the disbursement to Schindler Elevator. Commissioner Webb did not participate in the vote. (Time: 1:33 p.m.)

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

COURT ORDER NO. 2012-167-03-19

b. **AI-34947** Tax refunds totaling \$778,966.23, Tax Assessor Collector.

COURT ORDER NO. 2012-168-03-19

c. Advertisement(s):

1. **AI-34980** Myers Park Show Barn Electrical Upgrade (IFB No. 01132-12), Construction & Projects.

COURT ORDER NO. 2012-169-03-19

d. Award(s):

1. **AI-34983** Design and Manufacture of Election Supply Carriers (IFB No. 12093-12) to Election Works Inc., Elections.

Commissioner Webb questioned whether the cost per unit would change because the quantity ordered was less than what was quoted. Sharon Rowe, Elections Administrator, came forward saying she has a confirmation that a reduction in the number of unit purchased will not change the cost per unit. A motion was made to approve the item as submitted. (Time: 1:33 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2012-170-03-19

e. Amendment(s):

1. **AI-34963** No. 6 to the Inter-Governmental Cooperative Reimbursement Agreement for the Local Initiative Project Grant Contract with the Texas Commission on Environmental Quality (TCEQ) (Contract No. 582-8-89950) to add the FY2012 and FY2013 funding allocation and further authorize the County Judge to finalize and execute same, Special Projects.

Judge Self pulled this item questioning why turn lanes were not authorized; one of the best environmental steps the county can take is to add turn lanes because they keep traffic moving. Jeff Durham, Special Projects, came forward saying they have looked at this issue in the past and have been denied. Mr. Durham will ask the Council of Governments (COG) to contact TCEQ on the County's behalf. Judge Self asked that this issue be placed on the legislative agenda. A motion was made to approve the item. (Time: 1:35 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2012-171-03-19

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

1. **AI-34945** February 27, 2012.

COURT ORDER NO. 2012-172-03-19

g. Miscellaneous

1. **AI-34976** Addition of two (2) LED flood lights and one (1) GFI outlet to the exterior of the Score Barn and budget amendment in the amount of \$3,278 for same, Construction & Projects.

COURT ORDER NO. 2012-173-03-19

2. **AI-34951** Increase the dollar amount of the cash drawers in the Plano Passport office to \$100 and further establish a petty cash drawer in the amount of \$150, District Clerk.

COURT ORDER NO. 2012-174-03-19

3. **AI-34812** eCitation Project for the Sheriff's Office and budget amendment in the amount of \$196,194 for same, Information Technology.

Commissioner Shaheen wanted to recognize that this is a good use of technology; essentially what it will do is reduce paper usage as well as errors due to an added functionality. The Commissioner expressed gratitude to the Sheriff for their leadership role with the project and to the Justice Courts for using their court technology funds to pay for the project. Judge Self questioned the Motorola equipment asking if the county would be forced to keep it since it is proprietary. Caren Skipworth, IT, came forward to clarify that while the hardware is Motorola, the actual software that it runs is Brazos. Application designers tell their clients what hardware their software will run on; in this case it is Motorola. Unless the application changes what it runs on, she will keep Motorola. These particular devices also provide driver's license swipes and finger or thumb print swipes. A brief discussion followed. Motion to approve item as submitted. (Time: 1: 38 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Duncan Webb
Vote: 5 - 0 Passed

COURT ORDER NO. 2012-175-03-19

4. **AI-34996** Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-176-03-19

5. **AI-34997** Personnel Changes, Human Resources.

COURT ORDER NO. 2012-177-03-19

GENERAL DISCUSSION

5. AI-34936 Medicaid 1115 Waiver, Regional Health Partnership, Administrative Services.

Judge Self introduced State Representative Jodi Laubenberg who came forward to discuss Medicaid Waiver 1115 and its impact on Collin County. Ms. Laubenberg gave comments saying SB 7 which was passed in the last legislative session was intended to put the State Medicaid system into a Manage Care System; so far this has not been the case. Waiver 1115 was submitted in the session before; SB 7 gives the Health and Human Services Commission (HHSC) the authority to start implementing parts of the Waiver. Ms. Laubenberg gave the court an overview of the Waiver which was intended to create research and demonstration projects that states could apply for program flexibility to create new approaches to financing and delivering Medicaid and CHIP.

Even with this, Texas still had to follow federal mandates which did not allow managed care, sliding copays or flexibility in eligibility criteria. The new health care bill will force states to expand eligibility which will essentially bankrupt the state. Under the previous system, county hospitals were getting an additional amount of federal funding or Disproportionate Share Hospital (DHS); they could get more federal dollars through Medicare reimbursements. The approval of Medicaid Waiver 1115 changed the system of Medicare, Medicaid, and Fee for Service. The State of Texas is now going to a Managed Care system. County hospitals became concerned they would lose their federal funding, so to keep them from losing this funding Regional Health Care Partnerships (RHP) were created.

The HHSC decides how to divide the state in various regions without considering demographics or population. Collin County was paired with Dallas County which doesn't make sense. Billy Millwee, who is the person responsible for setting the RHPs will be at the hearing on Wednesday. What Mr. Millwee designs, Commissioner Suehs will ultimately approve which is why it is so important that Collin County engage in the discussion. Ms. Laubenberg was assured that Collin would have influence on how the region is developed.

Ms. Laubenberg continued saying that for the past 10 years she has been in a tug of war with Parkland Hospital, who has been trying to incorporate surrounding counties into a taxing district. In her opinion, the RHPs are setting up future taxing districts for indigent healthcare. If that happens we want to be in a district with counties of the same size and demographics where we can determine our own future. It is critical that the districts are done correctly because once formed, they cannot be changed.

Ms. Laubenberg recommended the Court hire a lobbyist to represent the county taxpayers in Austin regarding this issue. The Commissioners could go to Austin, but they would not be successful. Ms. Laubenberg feels very strongly about the issue and informed the Court they had to have someone representing Collin County involved in the day to day business of the issue.

Judge Self informed the court of a letter which has been signed by the County's four (4) State Representatives and will go to Commissioner Suehs by the end of the day. They have submitted a map to the State that consists of 12 counties. Judge Self and Commissioner Williams will attend the hearing on Wednesday.

Ms. Laubenberg recommended that the Judge and Commissioner be firm when giving their comments at the hearing. She stressed that they make sure that all of the counties are in agreement; if there is even one that does not want to be in the RHP, it would destroy the whole regional plan.

Commissioner Williams thanked Representative Laubenberg for the guidance she has provided regarding the issue. Commissioner Webb also expressed his appreciation for Representative Laubenberg's efforts and her comments on hiring a lobbyist.
(Time: 2:00 pm.)

Commissioner Shaheen gave a briefing on a meeting he attended in East Texas regarding the 1115 Waiver. Some of the counties that Collin County is interested in a forming regional partnership with also attended; they included Lamar, Delta, and Hopkins Counties. The Commissioner reported having a good dialog with all the counties with the exception of Lamar County; he was unable to meet with their County Judge. In general all appeared receptive to joining a region with Collin County. A brief discussion followed.

Bill Bilyeu, County Administrator, came forward informing the court that he talked to the county's attorney who attended a meeting on Friday which was in RHP 8. The Brazos River Valley COG represents eight counties; Commissioner Millwee attended their meeting. Some of the points of interest included Commissioner Millwee saying that there would always be some administrative funds for the HUB of the region. RHP 8 will try to use their COG as the HUB with assistance from Texas A&M University's Health Science School. The eight counties that make up that COG have all passed resolutions to stay together. Commissioner Millwee stated that the final decision on the RHPs will be made by the end of this month. A county who chooses not to participate will be placed in an RHP. Discussion regarding Collin County's options followed.
(Time: 2:15 p.m.)

NO ACTION TAKEN

6. Board/Committee Appointments, Commissioners Court:

a. AI-35003 NETEX Board.

Commissioner Williams requested the addition of this item to the agenda. There has been some activity recently at NETEX that she thinks deserves the Court's attention. Collin County currently has two appointments to the Board, one of which has not attended the meetings in a very long time; the other has exceeded his term. The Commissioner proposed the appointment of two new members to the Board. Commissioner Webb agreed and made a nomination to appoint Commissioner Williams. Judge Self asked Commissioner Williams to brief the court on NETEX. NETEX is a conglomeration of county governments who have an interest in rail right of way. There have been recent discussions in the use of the right of way for potential transportation projects. (Time: 1:42 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

Commissioner Williams made a nomination to appoint Commissioner Webb to the board. (Time: 1:43 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Matt Shaheen

Vote: 5 - 0 Passed

COURT ORDER NO. 2012-178-03-19

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

Judge Self requested the addition of turn lanes to the TCEQ rules.

NO ACTION TAKEN

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

Commissioner Webb requested a discussion on hiring a lobbyist. Judge Self requested an update on RTR projects. (Time: 2:20 p.m.)

EXECUTIVE SESSION

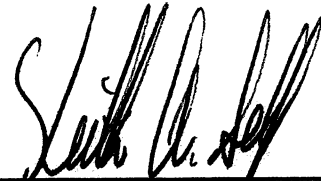
Judge Self recessed the meeting of the Collin County Commissioners' Court into Executive Session at 2:20 p.m., in accordance with Chapter 551 of the Government Code, to discuss the following subjects:

Real Estate (551.072)

AI-34984 UDCF Building, Administrative Services.

NO ACTION TAKEN

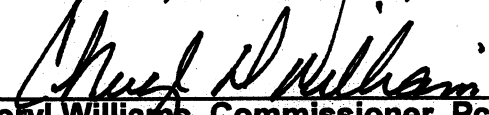
Judge Self reconvened the meeting at 2:31 p.m. There being no further business of the Court, Judge Self adjourned the meeting at 2:31 p.m.



Keith Self, County Judge



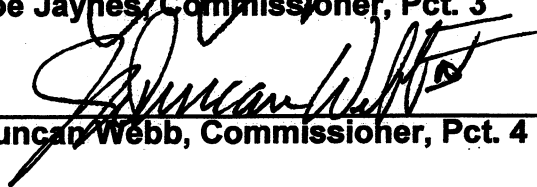
Matt Shaheen, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



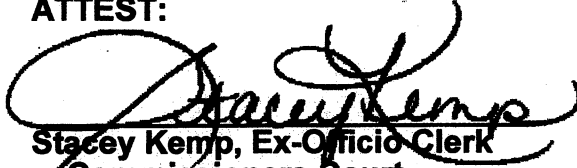
Joe Jaynes, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4



ATTEST:



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