

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
APRIL 2, 2012

On Monday, April 2, 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 Webb led the Invocation.
Judge Self led the Pledge of Allegiance.
Commissioner Shaheen 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 2:25 p.m. and adjourned the meeting at 2:28 p.m.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda items, Commissioners Court.
2. AI-35020 Safety and Betterment projects update, Public Works.

Commissioner Williams had a question of Jon Kleinheksel, Public Works. She wanted a detailed overview of what they'll be doing on FM 6. The road is in bad condition. Mr. Kleinheksel said he would have to bring that back. He has a presentation that is forthcoming. There is a considerable amount of work being done out there. About \$14 million is being spent on the initial three projects. Ruben Delgado, Engineering, said he spoke to TxDOT and visited the site. They are rehabilitating the base and a good part is the replacement of old culverts. It's more than just an overlay, but there are no lane additions. They are behind schedule due to rain and they expect to be through in June. Mr. Delgado said there will be repair of the main lanes. (Time: 2:24 p.m.)

2. Public Comments.
3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled one check to Schindler Elevator and noted the final audit for the tax assessor is being put on hold until May. Jeff May, County Auditor, said he met with Kenneth Maun and he and Mr. Maun are working to revise the cash handling policy. He wants to hold that audit until May 7th. Commissioner Webb said the typos in the minutes were related to a computer conversion issue. Commissioner Williams pulled Safety and Betterment projects under FYI. Judge Self said we have a citizen here to talk about the ag exempt burn permit. Claude Frazier said he doesn't have anything to say. He's just here to hopefully have it approved.

Commissioner Webb made a motion to approve the remainder of the consent agenda.
(Time: 2:21 p.m.)

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

a. AI-35034 Disbursements for the period ending March 27, 2012, Auditor.

Commissioner Jaynes made a motion to approve the disbursement to Schindler Elevator. (Time: 2:24 p.m.)

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

COURT ORDER NO. 2012-200-04-02

The remainder of the disbursements were approved with the consent agenda.

COURT ORDER NO. 2012-201-04-02

b. AI-35011 Tax refunds totaling \$243,644.96, Tax Assessor Collector.

COURT ORDER NO. 2012-202-04-02

c. Advertisement(s):

1. AI-35025 Waterproofing of Cooling Tower (IFB NO. 03183-12), Construction & Projects.

COURT ORDER NO. 2012-203-04-02

d. Change Order(s):

1. **AI-35023** No. 9 to Construction, Building: Juvenile Alternative Education Building and Juvenile Probation (CPS No. 11267-09) with Crossland Construction Company, Inc. to add various Pricing Change Orders to the contract and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2012-204-04-02

e. Receive and File, Auditor:

1. Final Audit Result(s):

a. **AI-34977** Tax Assessor Collector (4th Quarter FY2010).

HELD

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

1. **AI-35016** March 12, 2012.

COURT ORDER NO. 2012-205-04-02

g. Miscellaneous

1. **AI-35022** Agriculture exempt burn permit and application, Fire Marshal.

COURT ORDER NO. 2012-206-04-02

2. **AI-35010** Acceptance of a rebate check in the amount of \$100.01 for participation in the Home Depot Incentive Program for US Communities and budget amendment for same, Purchasing.

COURT ORDER NO. 2012-207-04-02

3. **AI-35021** Utilization of the BB Owens Trust Fund for various improvements and equipment purchases at Myers Park and Event Center and budget amendment in the amount of \$16,600 for same, Special Projects.

COURT ORDER NO. 2012-208-04-02

4. **AI-35036** Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-209-04-02

5. **AI-35037** Personnel Changes, Human Resources.

COURT ORDER NO. 2012-210-04-02

GENERAL DISCUSSION

5. **AI-34941** Blood Warrant Program, District Attorney.

District Attorney Greg Willis came forward and introduced Jane Roden. Ms. Roden is the Second Assistant in charge of the Misdemeanor Division. Ms. Roden stated in 2009 the DA's office received a blood warrant grant through TxDOT which ran for three years.

They have recently re-applied for the grant. The purpose of the grant was to provide funding for nurses to assist Collin County law enforcement agencies in DWI enforcement by providing the ability to perform blood draws when a DWI suspect refused to voluntarily provide a blood or breath test. A nurse would be on call. The benefit of having nurses available is officers don't have to shop around going to different hospitals trying to find someone to draw the blood. There is also consistency with who the DA's office calls to court. They have access to those nurses and don't have to track them down to testify. Ms. Roden stated the total award of the grant was \$271,000 and the potential match for the County would be \$46,000. A breath or blood test is the best evidence. Those cases are less likely to go to trial which means less time in the courtroom which allows officers to be out on the street. In cases with blood or breath tests suspects plead guilty 91% of the time. The intoxication level is 0.08% blood alcohol legal. In the State of Texas, this is what has to be proven in court: a person drove or operated a motor vehicle in a public place while intoxicated by reason of the introduction of alcohol, a drug, a dangerous drug or other substance or combination into the body. Ms. Roden stated many judges have volunteered to participate in the program. A brief question and answer period followed. Judge Self thanked Ms. Roden for her presentation. (Time: 1:49 p.m.)

NO ACTION TAKEN

6. AI-35008 AircheckTexas Program presented by NCTCOG, approval of the AircheckTexas Drive a Clean Machine Program Administrative Agreement and further authorize the County Judge to finalize and execute same, Special Projects.

Jeff Durham, Special Projects, stated NCTCOG (North Central Texas Council of Governments) administers the Drive A Clean Machine Program, formerly known as the LIRAP (Low Income Vehicle Repair and Retirement Program) program. Collin County has an existing administrative agreement with NCTCOG for this program. There have been recent legislative changes with TCEQ (Texas Commission on Environmental Quality) resulting in a need to modify the agreement with NCTCOG. Jason Brown from NCTCOG was present to give a brief presentation.

Mr. Brown had a Power Point presentation entitled AircheckTexas Drive A Clean Machine Program. Mr. Brown stated nine North Texas counties do not currently meet the eight-hour ozone pollutant standard. As they work towards the attainment of that goal, Aircheck is the state's vehicle repair and replacement program. The program is in its tenth year. In the 2011 legislative session funding for the program was cut by 88%. There were significant reductions in the funding from the state to our region as a whole. Assistance, although still available, has had to be restructured and modified operationally. Over the last ten years over 25,000 vehicles were repaired and over 27,000 vehicles were replaced. Mr. Brown had a slide depicting Fiscal Year 2012 Operational Summary. Moving to administrative actions, the program partners with dealerships and they are very helpful about helping an individual get into a newer, cleaner vehicle. Judge Self asked how many staff COG has committed to this program. Mr. Brown said there are about ten staff members that answer phones, process applications and issue vouchers, and they have staff that work with vendors. Judge Self

said you took an 88% cut in funding and retained your entire core staff? Mr. Brown said we reduced down two of the ten. We had about 20, including some temporary staff.

Mr. Brown answered questions from Court members. Funding for the program comes from counties that have emissions inspections. A portion of the emissions fee, \$6, goes towards LIRAP. A discussion of funding followed. Judge Self said the \$6 fee did not go down but the legislature took most of that money with an 88% reduction. Citizens don't know that. They are still paying \$6 and that is going to the state for the general fund.

Shannon Stevenson, NCTCOG, offered clarification. Funds for Collin County, since the expansion in 2007, carry over. Collin County is not losing out on funds except when legislature decided to reduce that funding by 88%. Because Collin County carried over, that is what will kick in and help replace more vehicles for this year. You're no longer donating those funds to another county. A brief discussion continued.

Commissioner Williams made a motion to approve the administrative agreement.
(Time: 2:10 p.m.)

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

COURT ORDER NO. 2012-211-04-02

7. AI-35027 Environmental Enforcement Program update, Public Works.

PULLED

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

Mr. Bilyeu came forward with an update. Jack, Montague, Wise and Delta Counties are not willing to participate with Collin County in the RHP. There is a scheduled meeting with the Commissioners' Court in Fannin, Hopkins, Lamar and then Fannin again. Cooke County said they had an interest in continuing to explore. Commissioner Shaheen attended a CUC meeting with a long presentation on Medicaid. A Power Point has been put together which the commissioners are using at their presentations. Mr. Bilyeu stated maps and spreadsheets have been updated as counties have come off and on. Rockwall and Denton Counties did meet and they are a participant. They signed a letter from Judge Self. Commissioner Williams said she went to Fannin and Rockwall and they did choose to join the RHP proposed by Collin County. Some of the commissioners in Fannin were more receptive than the County Judge who was adamant about his preference to create something just for rural counties. If we can get their hospital on board, we stand a better chance with Fannin.

Commissioner Shaheen said he spoke with a representative from the CUC who said they were getting close to getting clarity with the federal government as far as a hospital's ability to work outside the region. A final decision has not been made. The representative said the Texas Health Department is considering her region. Judge Self and Commissioner Williams will be in Grayson and Cooke Counties tomorrow. Cooke County Hospital has allowed them to say they will serve as an anchor.

The April 9th Commissioners' Court meeting has been cancelled due to meetings in other counties that Court members will be attending. Judge Self added one of the state representatives is getting positive feedback that Collin County's recommended RHP is starting to form up. (Time: 2:16 p.m.)

NO ACTION TAKEN

9. AI-35019 RTR Projects status update, County Judge.

Commissioner Webb said the first set of meetings starts tomorrow. Anything involving more than two commissioners will be posted. (Time: 2:17 p.m.)

NO ACTION TAKEN

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

Judge Self asked Bill Bilyeu, Administrative Services, how we're coming on interim study charges. Mr. Bilyeu said he would have that by the next court. Commissioner Webb wanted to add to number 13, alternative uses local initiative project, an item that we tried to get the legislature to release those monies that are being held. Judge Self wanted to put on the potential committee hearings so we know what hearings are coming up on our agenda items. (Time: 2:18 p.m.)

NO ACTION TAKEN

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

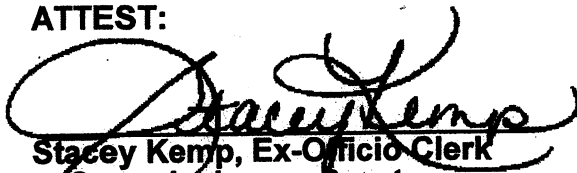
Commissioner Webb wants a discussion on cash handling policies. (Time: 2:18 p.m.)

EXECUTIVE SESSION

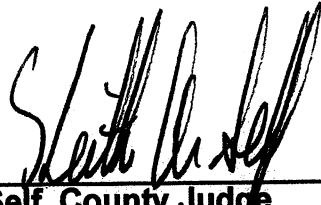
The Commissioners Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:25 p.m.



ATTEST:



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



Keith Self, County Judge



Matt Shaheen, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4