

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
MAY 21, 2012

COUNTY OF COLLIN

On Monday, May 21, 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

Judge Self led the Invocation.

Commissioner Shaheen the Pledge of Allegiance.

Commissioner Williams led the Pledge of Allegiance to the Texas Flag.

Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:30 p.m. and recessed the meeting at 1:34 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 1:34 p.m. and adjourned the meeting at 1:45 p.m.

Judge Self reconvened the meeting of the Collin County Commissioners' Court at 1:45 and recessed the meeting at 2:12 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:12 p.m. and adjourned the meeting at 2:12 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS' COURT AUTHORITY:

1. AI-35220 Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. Addenda:

a. **AI-35199** No. 1 – 5 to Shelving, High Density Mobile, Design and Installation (RFP No. 03163-12) to make various changes to the Request For Proposals, Purchasing.

b. **AI-35204** No. 1 to Services, Janitorial (RFP No. 04199-12) to add Attachment D to the Request For Proposal, Purchasing.

3. Change Order(s):

a. **AI-35206** No. 28 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.

b. **AI-35210** No. 29 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.

2. Public Comments. There were no public comments.

3. Presentation/Recognition:

a. **AI-35201** Walk Across Texas winning team for 2012, Texas AgriLife Extension Service.

Carrie Brazeal, AgriLife Extension Service, presented the 2012 winners of the annual Walk Across Texas competition. The winning team was the Holy Walkamolies with a total of 4,406 miles logged. Miles logged from all of the 23 teams who participated totaled 33,433. Judge Self commented that the winning team members averaged nearly 10 miles per day and congratulated them on their success. (Time: 1:45 p.m.)

4. Consent agenda to approve: Judge Self asked for any comments on the consent agenda and pulled item 4e3 for discussion. Commissioner Webb 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: 1:46 p.m.)

Motion by: Commissioner Joe Jaynes

Second by: Commissioner Matt Shaheen

Vote: 5 – 0 Passed

a. **AI-35223** Disbursements for the period ending May 15, 2012, Auditor.

COURT ORDER NO. 2012-306-05-21

b. **AI-35158** Tax refunds totaling \$361,765.15, Tax Assessor Collector.

COURT ORDER NO. 2012-307-05-21

c. Advertisement(s):

1. **AI-35203** Waterproofing of Cooling Tower (IFB No. 05230-12), Construction & Projects.

COURT ORDER NO. 2012-308-05-21

2. **AI-35200** Services: Coffee (IFB No. 05226-12), Purchasing.

COURT ORDER NO. 2012-309-05-21

d. Ratification of the County Judge's prior approval:

1. **AI-35187** Grant Adjustment Notice with the Texas Department of Public Safety to release unused funds in the amount of \$388.20 to close out the UASI portion of the 2009 Homeland Security Grant Program, Homeland Security.

COURT ORDER NO. 2012-310-05-21

2. **AI-35188** Grant Adjustment Notice with the Texas Department of Public Safety to release unused funds in the amount of \$201.48 to close out the UASI-LEAP portion of the 2009 Homeland Security Grant Program, Homeland Security.

COURT ORDER NO. 2012-311-05-21

3. **AI-35189** Grant Adjustment Notice with the Texas Department of Public Safety to release unused funds in the amount of \$18.11 to close out the State Homeland Security Program portion of the 2009 Homeland Security Grant Program, Homeland Security.

COURT ORDER NO. 2012-312-05-21

e. Miscellaneous

1. **AI-35232** Approval of the settlement with the TCEQ in "Young Chevrolet, Inc., et al., v. Texas Commission on Environmental Quality", Administrative Services.

Commissioner Webb pulled the item to verify an attorney had been consulted on the settlement agreement. Bill Bilyeu, County Administrator, came forward in response. He has personally participated in five (5) conference calls and approximately 120 attorneys have been involved throughout the negotiation process. Commissioner Webb then asked for Mr. Bilyeu's assessment of the risk associated with the ongoing involvement in the situation.

Mr. Bilyeu responded that while the county still has exposure, it is one of the smallest parties to the exposure. After a brief discussion, a motion was made to approve the settlement agreement as submitted. (Time: 1:48 p.m.)

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

COURT ORDER NO. 2012-313-05-21

2. AI-35202 Reject all bids received for Waterproofing of the Cooling Tower (IFB No. 03183-12), Construction & Projects.

COURT ORDER NO. 2012-314-05-21

3. AI-35186 Payment plan with the City of Melissa for improvements to various Mutual Boundary and No Shared Segment roads, Public Works.

Judge Self pulled this item asking if the county has treated all of the cities involved the same. Jon Kleinheksel, Public Works, came forward saying so far yes; however, some of the funding mechanisms have varied. Mr. Kleinheksel informed the Court that Mayor Harrington of the City of Weston wants to revisit their payment plan because the city cannot afford \$203,000 in 10 years.

The City of Lowry Crossing has \$165,000 directly related to mutual boundary roads and has requested \$623,000 in city work which totals \$963,000 with interest over a period of 10 years. The remaining portion of the payment plans appears to be working. The only cities to decline were Josephine due to a funding issue, Van Alstyne also a funding issue and Garland who chose not to participate because they only have a small portion of one road in Collin County. Mr. Kleinheksel also informed the Court of an issue that needed to be addressed soon. There are approximately 10 miles of roads in Van Alstyne the county is ready to improve, however, a two (2) foot strip of road is preventing them from moving forward because it has been annexed by Van Alstyne. Commissioner Jaynes suggested the county move forward with the project and put a lien toward the city or invoice them for their part of the cost and let the interest build.

Commissioner Williams commented that Public Works was getting so many projects that they would not be able to complete them all; she recommended the Court give direction as to the priorities. The Commissioner requested all the mutual boundary roads take priority over any city project. Discussion followed. The direction given to Mr. Kleinheksel by the Court was that mutual boundary projects would take priority over street or road projects which are completely within a city boundary. The item will be brought back to a future court. (Time: 1:57 p.m.)

HELD

4. **AI-35221** Personnel Appointments, Human Resources.

COURT ORDER NO. 2012-315-05-21

5. **AI-35222** Personnel Changes, Human Resources.

COURT ORDER NO. 2012-316-05-21

GENERAL DISCUSSION

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

Judge Self opened the discussion informing the audience that there have been two issues for discussion since the last court. The biggest issue was that the initial choice for the RHP Anchor, the UNT Health Science Center, declined the designation. Because the state cannot force an entity to be an Anchor, the Court would now have to decide whether the County wanted to be the Anchor or become a member of the Dallas County RHP. The requirements for being an Anchor, the primary of which is to design five (5) programs, was discussed by the Court. Judge Self informed all that as an Anchor the county would have no authority to force another member such as Rockwall County to fund a program. If no one else participated, Collin County would be responsible for all five. The designation is an administrative role which would monitor the programs and report to the state. There is also the option of contracting with a Health Science Center or an area major hospital to enable Collin County to fulfill the responsibilities.

Judge Self recommended that Collin County become the Anchor for the Region as it is the best opportunity the County has to control its own future. Commissioner Webb expressed concerns about the County having to be responsible for a fellow RHP member who refuses a program. After a brief discussion, a motion was made to accept the role of the RHP Anchor and obtain a contract with an appropriate entity that can fulfill the Medicaid administrative responsibilities. (Time: 2:05 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Joe Jaynes

Vote: 5 - 0 Passed

COURT ORDER NO. 2012-317-05-21

Following the vote, Judge Self continued his update regarding the draft program funding and protocol which determines how much funding the RHPs would receive. Funding is based on population under 200% of poverty and an allocation formula. The amount the four county RHP (Denton, Collin, Rockwall and Grayson) would receive is less than \$3 million out of \$1 billion in available funding. The County's response is due to the state by May 31, 2012.

Judge Self welcomed any comments from Court members as to what the county should send to the state. Commissioner Webb's comments regarded having local hospitals' reporting and compliance going through Dallas County since their support is based on their pairing with Parkland. Judge Self asked for any additional comments from the Court and informed all that they are on an aggressive timeline. By the end of this calendar year, the federal government plans to have the RHPs in place including funding levels. Commissioner Williams was not optimistic about the situation and suggested the County plan for the worst case scenario. (Time: 2:11 p.m.)

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

NO ACTION TAKEN

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

Judge Self requested Mr. Bilyeu to look into standardized guidance for the Myers Park Board and bring any recommendations back to the Court. (Time: 2:12 p.m.)

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session in accordance with Chapter 551 of the Government Code at 2:12 p.m., to discuss the following subjects:

Real Estate (551.072)

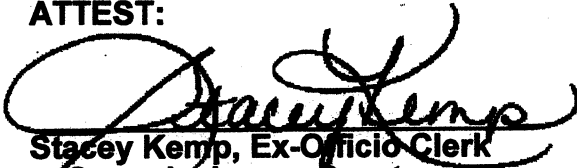
AI-35240 UDCF Building, Administrative Services.

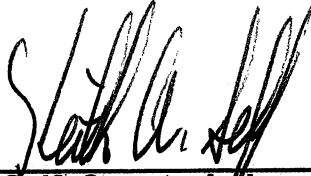
NO ACTION TAKEN

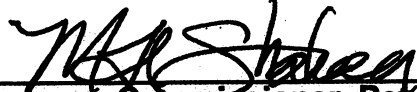
Judge Self reconvened the meeting at 2:27 p.m. There being no further business of the Court, Judge Self adjourned the meeting at 2:27 p.m.

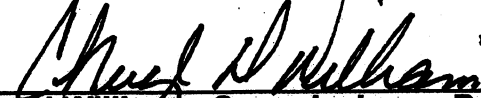


ATTEST:


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