

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
FEBRUARY 18, 2013

On Monday, February 18, 2013, 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 Chris Hill, Precinct 3
Commissioner Duncan Webb, Precinct 4

Commissioner Hill led the Invocation.
Commissioner Webb led the Pledge of Allegiance.
Judge Self led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 2:02 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:02 p.m. and adjourned the meeting at 2:02 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:02 p.m. and adjourned the meeting at 2:02 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-36385 Personnel Appointments, Human Resources.
2. AI-36392 Personnel Changes, Human Resources.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda items, Commissioners Court.
2. Addenda:

a. AI-36355 No. 1 and 2 to Signs: Road, Parking and Custom (IFB No. 2013-043) to change the bid due date, add revised specifications and revised information regarding existing conditions, Purchasing.

b. **AI-36365** No. 1 and 2 to Livestock Services (IFB No. 2013-049) to make various changes to the solicitation, Purchasing.

c. **AI-36364** No. 1 to Construction, Bridge: County Road 601 over Tom Bean Creek (IFB No. 2013-053) to make various changes to the solicitation, Purchasing.

3. **AI-36313** Change Order No. 2 to Construction, IT Vault (IFB No. 07333-12) with Covenant Design and Construction, LLC 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.

3. Presentation/Recognition.

4. **Consent agenda to approve:**

Judge Self asked for comments on the consent agenda. Commissioner Webb pulled the disbursement to Schindler and Judge Self pulled items 4d3 and 4e1 for discussion. A motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

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

a. **AI-36377** Disbursements for the period ending February 12, 2013, Auditor.

All disbursements with the exception of Schindler Elevator were approved with the consent agenda vote.

COURT ORDER NO. 2013-105-02-18

A motion was made to approve the disbursement to Schindler Elevator. Commissioner Webb did not participate in the vote. (Time: 1:32 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed
Abstained: Commissioner Duncan Webb

COURT ORDER NO. 2013-106-02-18

b. Amendment(s):

1. **AI-36345** No. 2 to Software & Implementation Services for ERP Financial Software (RFP No. 01134-10) with Sungard Public Sector to provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2013-107-02-18

c. Change Order(s):

1. **AI-36361** No. 2 to Supplies, Fleet Repair Parts (IFB No. 01165-10) with Midway Auto Supply to extend the contract for one (1) year through and including September 30, 2013, provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2013-108-02-18

d. Budget adjustment(s)/amendment(s):

1. **AI-36381** \$1,258 to replace the main front counter printer, Justice of the Peace, Precinct 1.

COURT ORDER NO. 2013-109-02-18

2. **AI-36362** \$21,669 to correct the negative category balance, Construction & Projects.

COURT ORDER NO. 2013-110-02-18

3. **AI-36281** \$3,334,429 to reallocate funds to cover negative budget categories for FY 2012, Auditor.

Judge Self directed his comments to the Auditor and Budget Director. Concerning the \$3.3 million to reallocate funds to cover the negative categories, for this coming year the Judge would like to track those funds. A motion was made to approve the reallocation. (Time: 1:33 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-111-02-18

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

1. AI-36350 January 28, 2013.

Judge Self noted a correction that was needed on page 13 of the January 28, 2013, minutes: NTBHA Board was spelled NIPPA. With that correction, Judge Self made a motion to approve the minutes of January 28, 2013. (Time: 1:34 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-112-02-18

f. Miscellaneous

1. AI-36346 Grant application and resolution for the FY2014 Specialty Drug Court Programs Grant to provide salary and benefit funding for a Drug Court Coordinator, as well as drug court participant tracking software and further authorize the County Judge to finalize and execute same, 366th District Court.

Judge Self welcomed Judge Ray Wheless, 366th District Court. Judge Wheless was present to answer any questions the Court might have about the grant application. Judge Self stated this is what we need in the metrics for every grant, a starting number, the percentage growth and the ending number so it can be tracked over the years.

Judge Self had a question for Jeff May, County Auditor. Have we split the District Court intake vs. the County Court intake? Mr. May replied he is working on that and it will be completed shortly. There being no further comments, a motion was made to approve the grant application and resolution. (Time: 1:32 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Matt Shaheen

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-113-02-18

2. AI-36382 Sale of Struck Off Property located in McKinney Outlots Addition, McKinney, Texas (Lot 383A, McKinney Outlots Addition, Volume 2262, Page 485) as recorded in the Collin County Deed Records to Dina Lopez and Jose Lopez-Mendez in the amount of \$7,000 and further authorize the County Judge to finalize and execute the associated documents, County Judge.

COURT ORDER NO. 2013-114-02-18

3. **AI-36383** Sale of Struck Off Property located at 1402 Anthony Street, McKinney, Texas (Block 12, Lot 44, Russell #3 Addition) to Kevin and Angie Bell in the amount of \$16,500 and further authorize the County Judge to finalize and execute the associated documents, County Judge.

COURT ORDER NO. 2013-115-02-18

4. **AI-36309** Establish a cash drawer in the amount of \$100 for the District Clerk's Plano Passport Office, Auditor.

COURT ORDER NO. 2013-116-02-18

5. **AI-36359** Grant application, addendum and resolution for the FY2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the Collin County Medical Examiner's Office to secure funding to purchase various equipment and further authorize the County Judge to finalize and execute same, Medical Examiner.

COURT ORDER NO. 2013-117-02-18

6. **AI-36386** Personnel Appointments, Human Resources.

COURT ORDER NO. 2013-118-02-18

7. **AI-36387** Personnel Changes, Human Resources.

COURT ORDER NO. 2013-119-02-18

GENERAL DISCUSSION

5. Board/Committee Appointments, Commissioners Court:

a. **AI-36407** North Texas Behavioral Health Authority Board.

Judge Self noted Commissioner Hill agreed to sit on the North Texas Behavioral Health Authority Board; therefore, the Judge nominated Commissioner Hill. (Time: 1:34 p.m.)

Motion by: Judge Keith Self

Second: Commissioner Matt Shaheen

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-120-02-18

b. **AI-36408** North Central Texas Council of Governments Executive Board.

Commissioner Shaheen nominated Judge Self to serve on the North Central Texas Council of Governments Executive Board. (Time: 1:34 p.m.)

Motion by: Commissioner Matt Shaheen

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-121-02-18

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

Commissioner Webb stated it was a light meeting with only two action items: reappointing Michael Morris to be on the 1420 Committee relating to SH 183 and approval of an allocation of funds for Hunt County. The legislative update was an announcement of federal sequestration which will not have a material impact on transportation funds in Texas. The March meeting will include the joint NTTA, RTC, TxDOT Comprehensive Development Agreement.

Judge Self added Michael Morris is working on February 26th, 3:00 p.m., as a date to get together to share the maps the Commissioners talked about last week in court. Commissioner Webb said there is one interesting map which shows the congestion levels for DFW vs. Houston. The comparison is striking. (Time: 1:38 p.m.)

NO ACTION TAKEN

7. AI-35285 Medicaid 1115 Waiver, Regional Health Partnership, Administrative Services.

Bill Bilyeu, County Administrator, came forward with an update. The first deadline is coming up. Payment has to be made by March 22nd. The next payments are due in September. We expect feedback in the next two weeks from HHSC which will impact payments positively for our vendors. There is a meeting planned for stakeholders to plan for the future. There was a brief discussion of payments and projects. (Time: 1:40 p.m.)

NO ACTION TAKEN

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

Language for Proposed Bills can be found at Texas Legislature Online at www.capitol.state.tx.us/.

Judge Self asked Court members if they were happy with the website and how it is listed on the court agenda. Mr. Bilyeu came forward and stated going forward, each time a bill is detailed on the agenda, there will be a cover page behind it that will have a hyperlink to the bill.

a. AI-36394 Medicaid Expansion.

Judge Self asked Court members for comments on the draft resolution for Medicaid expansion. Hearing no comments, a motion was made to approve the resolution. (Time: 1:41 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Matt Shaheen
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-122-02-18

b. AI-36398 HB 335.

Judge Self stated HB 335 has to do with published notices on the internet. The bill is in committee. Judge Self felt in a move towards transparency the Court should support this bill and take a vote. A motion was made to support HB 335. (Time: 1:42 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-123-02-18

c. AI-36399 HB 691.

HB 691 deals with halfway houses and is not in committee. Judge Self doesn't think the Court should take a position on this until it is assigned to a committee. Representative Jodie Laubenberg is interested in this topic but there is no position from her yet. Commissioner Williams added she appreciates the spirit in which this is made. The Commissioner stated while the state will look at the legal issues surrounding this, there are federal protections for these types of facilities. (Time: 1:42 p.m.)

NO ACTION TAKEN

d. AI-36400 HB 832.

Judge Self wanted to watch this item. HB 832 will allow spraying on abandoned or uninhabited properties with mosquitoes and stagnant water. There is no committee for this item yet. (Time: 1:43 p.m.)

NO ACTION TAKEN

e. AI-36402 HB 958.

HB 958 is the TCDRS bill that lowers the guaranteed interest from 7% to 5%. Judge Self stated there's lots of conversation on this bill around the state. It does not have a committee. Commissioners' Courts around state are expressing opposition to the bill. Commissioner Shaheen stated he will publicly support this bill. The Commissioner asked if the Court wanted to wait until the bill goes to committee. Commissioner Williams felt certain items are important enough for the Court to take a position early on to try to help them get into committee. Commissioner Shaheen agreed.

Commissioner Hill has a meeting this week with TCDRS to learn more about this item. He stated he is not ready to vote one way or the other. Commissioner Webb also wanted to wait. A brief discussion followed. Commissioner Shaheen questioned whether the County should take tax money to supplement a guarantee from citizens who don't have a guarantee. It was agreed to place this item on the next Court agenda. (Time: 1:47 p.m.)

HELD

f. AI-36401 HB 960.

The author of HB 960 is State Representative Scott Sanford and the co-sponsor is State Representative Jodie Laubenberg, both from Collin County. The bill has to do with ballot language when you go for a bond election. It currently has no committee. Commissioner Shaheen was fine with the language in the bill but questioned if this is a requirement only of counties. Commissioner Webb had the same question. Following discussion, a motion was made to support this bill with a request to Representative Sanford's office that it include all government entities. (Time: 1:49 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-124-02-18

g. AI-36393 HB 1118.

HB 1118 requires paper in court. Judge Self stated this is the opposite of everything we have done and the state is doing. There is no committee for this bill, nor does the Judge think it will get a committee.

NO ACTION TAKEN

h. AI-36404 NCTCOG Executive Board Membership.

Judge Self noted Denton County passed this with a 5-0 vote with no changes in language. They put an additional seat for the cities in their resolution. Commissioner Webb has a problem with our language. He would like to see the population cap of 850,000 removed. Collin County will exceed that in a year and lose their seat on the board.

Judge Self said the advice from our lawyer is the most recent federal decennial census covers us; we get a ten-year grace period regardless. It was recommended we put both limits on to limit potential impact and make this as local a bill as possible. Following discussion, a motion was made to approve the NCTCOG Executive Board membership. (Time: 2:00 p.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-125-02-18

i. AI-36420 HB13

Although this item was not on the original agenda, Judge Self stated he would like to address HB13, a pension transparency bill that already has a committee. The bill was drafted and authored by the Pension Committee Chairman. The bill is about transparency at the Pension Review Board. The Judge recommended the Court support this bill. Following brief discussion, a motion was made to support HB 13. (Time: 1:50 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Cheryl Williams

Vote: 4 – 0 Passed

Abstained: Commissioner Chris Hill

COURT ORDER NO. 2013-126-02-18

Commissioner Williams had additional bills she wanted to bring to the Court's attention. HB 927 is a bill the Commissioners may want to support in advance. It's a voter registration bill that would require anyone being a deputy registrar to live in the state and would also create a fine if a deputy registrar were to register an illegal alien to vote. Judge Self asked that all of these items be put on next weeks' agenda so the Court may review them.

HB 996 allows the electronic delivery of certain documents by the court clerk.

SB 390 is one that makes all fee changes occur on January 1st which could help with some of the issues the County has had with fees.

SB 382 prevents counties from disbursing any funds to a person who is delinquent on property tax. Commissioner Williams asked how we would keep track of that. She would like clarification on that item. (Time: 1:55 p.m.)

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

Judge Self directed the Court's attention to his letter to the Governor stating Collin County had to pay \$100,000 for visiting judges' salaries. He questioned whether the County should change the law. Currently a certain amount of money is allocated to Collin County. If we go over that amount, do we shut down a District Court or pay a state salary to keep it going? This item will be placed on the next court agenda.

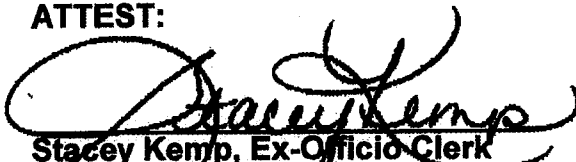
Judge Self stated the next item for a future court agenda was brought to him by Mr. Bilyeu. The Judicial Compensation Commission has recommended to the legislature that all judges, District Court and above, get a 21.5% pay raise. Judge Self would like to watch this item. (Time: 2:02 p.m.)

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:02 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


Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4