

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
MARCH 11, 2013

COUNTY OF COLLIN

On Monday, March 11, 2013, the Commissioners' Court of Collin County, Texas, met in Regular Session in the City of Plano Municipal Center Council Chamber, 1520 Avenue K, City of Plano, 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

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 6:00 p.m. and recessed the meeting at 8:49 p.m. The meeting was reconvened at 8:59 p.m. and recessed at 9:56 p.m. The meeting was reconvened at 9:57 p.m. and adjourned at 10:32 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 8:49 p.m. and recessed the meeting at 8:59 p.m. The meeting was reconvened at 9:56 p.m. and adjourned at 9:56 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 9:56 p.m. and adjourned the meeting at 9:57 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda items, Commissioners Court.
2. AI-36439 Change Order No. 1 to Myers Park Showbarn Electrical Upgrade (IFB No. 01132-12) with Dal-Ec Construction, Ltd. to add various Pricing Change Orders to the contract (previously approved by the County Administrator per Court Order No. 2007-180-20-27), Construction & Projects.

3. **AI-36456** 2013 IRS Task Force Grant name change from the North Texas Asset Forfeiture Financial Crimes Task Force to the North Texas Financial Crimes Task Force, Auditor.

4. **AI-36448** Budget adjustment(s)/amendment(s) totaling \$12,804 (over \$5,000 per c/o 2005-589-08-01), Budget.

5. **AI-36335** Voluntary Terminations, Human Resources.

2. Public Comments.

3. Presentation/Recognition.

4. **Consent agenda to approve:**

Judge Self asked for comments on the consent agenda. Commissioner Webb pulled items 4e3 a, b, c, d, e and f for discussion. A motion was made to approve the remainder of the consent agenda. (Time: 8:59 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Matt Shaheen

Vote: 5 – 0 Passed

a. **AI-36474** Disbursements for the period ending March 5, 2013, Auditor.

COURT ORDER NO. 2013-149-03-11

b. **AI-36410** Tax refunds totaling \$1,359,337.56, Tax Assessor Collector.

COURT ORDER NO. 2013-150-03-11

c. **Agreement(s):**

1. **AI-36421** Interlocal Agreement with the City of Wylie for funding through the 3rd Series-2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG46) for improvements to Pheasant Creek Park and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2013-151-03-11

2. **AI-36419** Interlocal Agreement with the City of Wylie for funding through the 3rd Series-2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG47) for construction of the Municipal Complex Hike and Bike Trail and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2013-152-03-11

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

1. **AI-36409** \$41,625 for training for the upgrade of the ESX/VMware software, Information Technology.

COURT ORDER NO. 2013-153-03-11

2. **AI-36459** \$46,115,385 for FY2012 Bond Issues, Auditor.

COURT ORDER NO. 2013-154-03-11

e. Receive and File, Auditor:

1. **AI-36447** Change of Office Inventory for Justice of the Peace, Precinct 3-1.

COURT ORDER NO. 2013-155-03-11

2. **AI-36449** FY2012 Annual Inventory Audit for Stockpiles/Culverts.

COURT ORDER NO. 2013-156-03-11

3. Final Audit Result(s):

- a. **AI-36462** SCORE (Sheriff's Convicted Offender Re-Entry Effort) Program FY2011.

Commissioner Webb questioned a variance in the audit of \$10,058.32. Cost incurred for FY2011 was \$203,734.07, while the amount billed and received was \$193,675.75. The Commissioner asked why there was a shortage in billing, whether that amount can be recovered and how this can be prevented in the future. Jeff May, County Auditor, stated the billing came up short due to benefits, longevity and overtime in the Sheriff's office. The Auditor's office is now preparing billing to send to the Sheriff. This issue has been addressed for the future and will not happen again. Judge Self suggested holding this item. (Time: 9:04 p.m.)

HELD

- b. **AI-36463** Tax Assessor Collector (3rd Quarter FY2011).

Commissioner Webb questioned why a payment of over \$200,000 received in the Tax Assessor Collector's office in May 2011 was not recorded until September 2011. Mr. May replied it was a reporting error that was brought to the Tax Assessor's attention.

Commissioner Webb's next issue had to do with bonds. Of the 39 contracts and bonds reviewed, nine bonds did not have the same dealer name as the corresponding contracts. The Commissioner recommended doing a full audit of the dealer bonds and subcontractor bonds to find out how much we're missing. Mr. May said this audit was a 100% sample; they only have 39 dealers. Commissioner Webb would like to hear from Mr. Maun.

Commissioner Webb made a motion to accept and file the 3rd Quarter FY2011 Audit Results, but wanted the dealer bonds brought current. Mr. May stated his office has emailed Mr. Maun several times but there has been no response. Judge Self recommended redoing the audit if there is not a response from the tax assessor. It was clarified that the tax assessor is responsible if there is a loss. (Time: 9:11 p.m.)

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

COURT ORDER NO. 2013-157-03-11

c. **AI-36452** Development Services (2nd, 3rd & 4th Quarter FY2012).

COURT ORDER NO. 2013-158-03-11

d. **AI-36454** CSCD (3rd & 4th Quarter FY2012).

COURT ORDER NO. 2013-159-03-11

e. **AI-36446** Sheriff (3rd Quarter FY2012).

COURT ORDER NO. 2013-160-03-11

f. **AI-36453** Engineering (4th Quarter FY2012).

Commissioner Webb addressed items 4e3 c, d, e and f together. The Commissioner wanted to recognize and commend Development Services, CSCD, the Sheriff's office and Engineering for bringing forth clean final audit results. A motion was made to accept and file the 3rd Quarter FY2012 Audit Results. (Time: 9:11 p.m.)

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

COURT ORDER NO. 2013-161-03-11

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

1. **AI-36433** February 11, 2013.

COURT ORDER NO. 2013-162-03-11

2. **AI-36437** February 18, 2013.

COURT ORDER NO. 2013-163-03-11

g. Miscellaneous

1. **AI-36370** Reject all bids received for Services, Fleet Fuel Cards (RFP No. 05247-12) and further utilize the Harris County Department of Education (HCDE) Choice Partners Cooperative contract with Wright Express Financial Services Corp., Public Works.

COURT ORDER NO. 2013-164-03-11

2. **AI-36406** Acceptance of a rebate check in the amount of \$143.11 for participation in the Home Depot Incentive Program for US Communities and budget amendment for same, Purchasing.

COURT ORDER NO. 2013-165-03-11

3. **AI-36432** Reject all bids received for Livestock Services (IFB No. 2013-049), Administrative Services.

COURT ORDER NO. 2013-166-03-11

4. **AI-36470** Personnel Appointments, Human Resources.

COURT ORDER NO. 2013-167-03-11

5. **AI-36471** Personnel Changes, Human Resources

COURT ORDER NO. 2013-168-03-11

GENERAL DISCUSSION

5. **AI-36411 Public Hearing** - Consideration and any action for the issuance of a "Mass Gathering" permit for the Garden Show event on March 23-24, 2013 in accordance to the Health and Safety Code 751, Fire Marshal.

Bill Bilyeu, Administrative Director, was requesting a public hearing on behalf of the Fire Marshal. This is a request for the issuance of a Mass Gathering permit. A Mass Gathering is an event that lasts over five hours and is attended by 2,500 people, or attended by 500 people with alcohol served. A review must be conducted by the Sheriff, Environmental Health and the Fire Marshal to ensure that safety practices are in place. The event before the Court is the Garden Show. Mr. Bilyeu stated the Master Gardeners have \$1 million in insurance coverage.

Judge Self opened the public hearing at 9:12 p.m. Hearing no comments, the public hearing was closed at 9:12 p.m.

A motion was made to approve the issuance of a Mass Gathering permit.
(Time: 9:13 p.m.)

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

COURT ORDER NO. 2013-169-03-11

6. AI-36413 Estray operations at the Animal Shelter, Administrative Services.

Mr. Bilyeu remained at the podium with a power point presentation entitled "CCAS: Livestock Services". Mr. Bilyeu updated the Court on the bidding process for livestock services and commended Purchasing for their hard work. The request before the Court was to move the livestock area downhill, away from the Animal Shelter buildings, where they would have better drainage to alleviate the problems of flooding and flies. The cost of replicating the livestock yard behind the animal shelter is \$35,000. Money has been set aside in the Permanent Improvement Fund. The estimated annual operating cost of \$31,667 will not change. Judge Self stated he was originally opposed to this, but now supports it because it is a health problem. Commissioner Williams agreed. Following discussion, a motion was made to approve the estray operations at the Animal Shelter. (Time: 9:20 p.m.)

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

COURT ORDER NO. 2013-170-03-11

7. AI-36438 Outstanding Grant Metrics, County Judge.

Judge Self asked to hold this item; however, Commissioner Shaheen had a question. The Commissioner asked about the increase in grants from \$3.3 million in FY2001 to \$18.2 million currently. Mr. May replied the numbers are skewed due to grants received from the RTR (Regional Toll Revenue) for the Outer Loop. Commissioner Shaheen asked Mr. May to provide a breakdown of federal grants and Judge Self asked for the benefit of each grant. Mr. May said he would bring that information to a future court. (Time: 9:22 p.m.)

HELD

8. AI-36476 Designation of Collin County Rural Transit District, Commissioner, Precinct 3.

Commissioner Hill led the discussion to consider a request for approval of the designation of a Rural Transit District for Collin County. In the State of Texas, County Commissioners' Courts are tasked to designate the Rural Transit District (RTD) provider for the county. Collin County Area Regional Transit (CCART) has been that designee. Dallas Area Rapid Transit (DART) and Texoma Area Paratransit System (TAPS) also provide service to Collin County. Commissioner Hill, as liaison for the Commissioners' Court, is asking that TAPS be designated as the RTD.

Commissioner Hill had three criteria to explore when deciding upon the most appropriate RTD: federal grant funding, local match funding and delivery of transportation services. The Commissioner stated since 2009 over \$622,000 in state and federal grant funds were awarded to CCART but never received due to non-utilization and lack of local matching funds. As a result, Collin County has provided less

transit services to our citizens. TAPS, which is based in Grayson County, provides service to six county areas and their fixed-route service has expanded during the same time period.

CCART's ridership has decreased by over 100,000 persons at a time when the county population is increasing. CCART claims local dollars haven't been available to match federal dollars. Last year TAPS overmatched their federal funds by \$400,000.

CCART ratios for operating costs per total miles and per total hours are three times higher than TAPS. TAPS averages 20 times more passengers daily than CCART (521 to 22) while serving a population area one-third the size of CCART. CCART operates at an average of one passenger per day per vehicle for a per passenger cost of \$84.29. Compare that to TAPS which operates at an average of 15 passengers per day per vehicle for a per passenger cost of \$15.01. CCART's failure rate is every 308 miles; TAPS' failure rate is every 28,857 miles.

Brad Underwood, CEO TAPS Public Transit, came forward with a power point presentation. Mr. Underwood had a slide depicting their service area which covers 8,500 square miles. TAPS offers a mix of fixed routes and demand response. In FY2011-2012 they made 316,300 trips. With an anticipated growth rate of 28%, TAPS expects to exceed 400,000 trips for FY2013. Mr. Underwood touched on the service routes offered by TAPS such as airport shuttles and college routes.

Continuing, Mr. Underwood said since 2008 ridership has increased as a whole by 103%. Year to date ridership is increasing at a growth rate of 28%. Federal grants have increased from over \$1 million in 2008 to over \$6 million in 2012. Mr. Underwood explained TAPS' sources of local matches as well as non-traditional match options where a group of partners is brought together. TAPS has a current operating budget of \$10.4 million.

Mr. Underwood remained before the Court and answered questions regarding services offered and partnerships. TAPS has a record of being 87% on time. 90% of their fleet is wheelchair accessible and every driver is certified.

Commissioner Hill stated he has received complaints concerning on-demand calls for CCART. Sometimes passengers must call a week in advance. Mr. Underwood stated TAPS can provide demand response trips the next day. They have eight full-time dispatchers and a dispatcher that works on Saturday. TAPS completes an average of 1,300-1,400 demand response trips per day.

Mr. Underwood was asked about fares. Fares are set by their Board: \$3.00 is the out of county rate; \$2.00 is the in county rate; and \$1.00 is the in city rate. TAPS offers half-price fares for the elderly and disabled.

Commissioner Williams asked about the makeup of the TAPS Board. Mr. Underwood replied there are currently 12 members on the Board but they can have up to 15 members. Every county gets a representative on the Board and every major city in the county gets a representative. Commissioner Hill was concerned that two seats on the Board might not be favorable for Collin County. The Commissioner stated he was relieved to learn that funds are fenced in county to county so that one county could not exert more pressure on the Board.

Following discussion, Mr. Underwood was asked if he sees any obstacles in coming to Collin County such that CCART experiences. Mr. Underwood said no; growing the organization is part of his job. Commissioner Hill did not want service to be interrupted for rural citizens and Commissioner Williams felt with TAPS there was a glaring hole in the southeast area of the county. Mr. Underwood assured the Commissioners that TAPS would work with TxDOT to make sure there wasn't a lapse in service and they would coordinate services with a provider in Lavon. Those are the types of issues they work out on a daily basis.

In conclusion Mr. Underwood stated he has been working on this project for just 45 days. TAPS has acquired 19 CCART units that were taken away for underutilization and given to an organization that would utilize them. Each unit must do a minimum of 10,000 miles per year.

Rose Lee is with First Transit. She came forward to address the Court. First Transit is under contract with North Central Texas Council of Governments (NCTCOG) to look at the CCART organization. Ms. Lee worked on a program to remove the CCART program from under the Collin County Committee on Aging (CCCOA). Ms. Lee stated she believes misinformation has been brought forth. Her job is one of process: seeing where CCART is, where it wants to go and how to do that.

In 2011 NCTCOG had someone look at the oversights of CCART. NCTCOG also brought forth a Collin County Transportation Needs Assessment. Ms. Lee stated CCART hasn't gone out to look for contractual arrangements. People can't get rides yet nobody locally wants to fund it. That's where her job comes in. Ms. Lee was brought in to get a local match to match federal funding.

Judge Self related the story of a woman who lost her sight in 2009. She called CCART for a ride and was told she would need to make a reservation two weeks in advance at a cost of \$9.00. Ms. Lee said as a result of a project this past year, CCART has changed their reservations from two weeks to four days.

Ms. Lee wanted to remove CCART from CCCOA in order to let local governments see what they have. She has until the end of May to do this appropriately. They are looking at county and city members to be a part of this process. On Friday the Collin County Board had their first meeting and learned from Commissioner Hill that the county was going to change their designation from CCART to TAPS.

Judge Self noted the county's formal designation is still CCART. There is not a new board; there is no formal committee. Following discussion Commissioner Hill stated Ms. Lee was brought in to find the best way to service the needs of Collin County. TAPS could use the needs assessment created by NCTCOG to look at how best to provide service to our county. The question before the Court is which organization is best suited to provide that service. Commissioner Hill is on the nine-member Board and he is recommending TAPS. Ms. Lee is trying to build something from the ground up. Ms. Lee stated there are two issues: one is a designated program and the other is a provider. First Transit is looking at the designated program and the Court is looking at the provider. Discussion continued.

Mayor Brian Loughmiller, McKinney, was the next speaker to address the Court. Mayor Loughmiller stated from the standpoint of the City of McKinney their first priority as a City Council is to talk about providing effective transportation within McKinney and in the McKinney UZA (Urbanized Area). For the City of McKinney that means accountability on the part of the provider. McKinney has been providing matching funds of \$100,000 per year. The Mayor wanted to be sure the Commissioners' Court decision would not impact McKinney's ability to choose an urban provider and to access federal dollars for the McKinney UZA. There was discussion of Board formations and the number of seats available. Mayor Loughmiller understands McKinney's rights and responsibilities. The City can select their own provider or delegate it to another authority. The City of McKinney has not yet made that determination and they do not want a decision by the Commissioners' Court to result in a predetermination of what they do in the urban area.

Commissioner Webb stated he sent an email to COG asking if the Commissioners' Court has the power to designate who the City of McKinney uses as a public transit provider. The Commissioner was told the County cannot designate who McKinney chooses but they can affect the choices the city has. If the County selects TAPS, then the County has made TAPS the mechanism McKinney has to use to get their urban transportation services. Lengthy discussion followed. To summarize, Commissioner Hill stated he doesn't want to impact the City negatively. The only option the County would take off the table is to remove CCART as a provider.

McKinney Councilwoman Geralyn Kever came forward to address the Court. Councilwoman Kever thanked the Commissioners for focusing on rural transportation. She has met with non-profit organizations and they have expressed the need for transportation. The Councilwoman said what we had in the past is broken and doesn't work. She agreed that there are two issues: a service provider and a transit district. She had questions and wondered if there was a hybrid approach that might be taken. Councilwoman Kever thanked the Commissioners' Court for allowing McKinney to fact find and present options.

Tracy Rath, McKinney, came forward to address the Court. The City of McKinney has discussed a lack of transportation for a long time. Ms. Rath hopes that the City will take the time afforded it to allow the County's work to serve as a catalyst for the decision that has to be made. Ms. Rath spends a lot of time in hospitals and hears how people struggle to get services from CCART.

Jodi LaFreniere Ray was present from the McKinney Chamber of Commerce. Ms. Ray asked that this issue go before the full tax board before the Commissioners' Court makes a decision. The impact on the decision the McKinney City Council has to make is significant. Ms. Ray wants everyone to take time to evaluate the best long-term solution before selecting a provider. She suggested taking the opportunity to interview other providers to make the best decision for our region as a whole.

Jessie Huddleston with North Central Texas Council of Governments was the next speaker. Ms. Huddleston said COG has three interests: planning, coordination and funding and implementing projects. The service provider is less important to COG than the actual coordination of services.

Judge Self suggested that Commissioner Hill hold his motion on this issue in order to give the City of McKinney time to vet. Commissioner Hill agreed. The Commissioner called Eric Gleason forward. Mr. Gleason is the Division Director for Transportation for TxDOT. The Commissioner asked Mr. Gleason about timing for funding for FY2013. Mr. Gleason replied McKinney is not in jeopardy of funds running out; however, there is a clock ticking on how much flexibility they have to make changes.

Extensive discussion followed. Commissioner Williams wanted to hold off on a decision. She is not an advocate of CCART but they provide service for the southeast corner of Collin County. The Commissioner would like to see intent from TAPS to do the same. She suggested bringing in competition and doing an RFP. Commissioners Webb and Shaheen would like to give the City of McKinney an opportunity to come back before the Court as they only learned of this matter a few days before.

Judge Self stated the Court wants to give the City of McKinney time to act; however, the decision still rests with the Commissioners. There will be a rural transit district and a rural transit provider.

Commissioner Hill invited Jay Davidson, Chairman, TAPS Public Transit Board of Directors, to come forward. Chairman Davidson stated he joined the TAPS Board in 2009. He's seen a lot of progress and success. Chairman Davidson was optimistic about TAPS coming to Collin County. The goal of the TAPS Board is reaching out and helping people. They want to see where the need is and meet that need.

Commissioner Hill said he would pull his motion. He looks forward to having this item back on the agenda to meet the needs of those in the community. (Time: 8:37 p.m.)

HELD

Judge Self recessed the meeting of the Commissioners' Court at 8:37 p.m. and reconvened the meeting at 8:46 p.m.

9. Board/Committee Appointments, Commissioners Court:

a. AI-36482 North Texas Behavioral Health Authority Board.

Judge Self stated Bret Baldwin has resigned as Mayor of the City of Murphy but has agreed to stay on the NTBHA Board because he is a practitioner. A motion was made to approve. (Time: 9:23 p.m.)

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

COURT ORDER NO. 2013-171-03-11

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

Mr. Bilyeu presented a brief update to the Court. Collin County, as an anchor, will be eligible for \$700,000. The item will be on the next Court agenda. A request has been made to send \$509,000 to HHSC (Health and Human Services Commission). Mr. Bilyeu concluded by saying everything looks positive. (Time: 9:24 p.m.)

NO ACTION TAKEN

11. AI-36468 SB 287 Relating to the allocation of certain motor vehicle sales tax revenue to the state highway fund and to the uses of that revenue.

COURT ORDER NO. 2013-172-03-11

12. AI-36357 Old Celina Municipal Management District No. 1, Commissioner, Precinct 1.

Commissioner Shaheen stated he had a letter of non-opposition for Senator Craig Estes relating to the creation of a Municipal Management District. A motion was made to approve the creation of Old Celina Municipal Management District No. 1. (Time: 8:49 p.m.)

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

COURT ORDER NO. 2013-173-03-11

Judge Self recessed the meeting of the Commissioners' Court at 8:49 p.m. and called to order the meeting of the Health Care Foundation. The meeting was reconvened at 8:59 p.m.

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

The following items were discussed:

HB 14 – ballot language for bond elections. Judge Self asked that this item be held.

HB 520 – charge municipalities for autopsy. Mr. Bilyeu said this bill was drafted for counties without a medical examiner. It does not impact Collin County, but the County could charge cities for autopsies. Commissioner Webb stated the County doesn't have to charge the cities, but it gives us flexibility. The Court did not take a position on this bill.

1. AI-36525 Support HB 553 – forbids local law enforcement agencies from enforcing Federal laws contrary to the Second Amendment. It was stated that this was an important bill and it was recommended that the Court support this item. A motion was made to support HB 553.

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

COURT ORDER NO. 2013-174-03-11

2. AI-36527 Support HB 691 – unincorporated zoning authority for halfway houses. Judge Self stated Representative Laubenberg supports this bill. A motion was made to support HB 691.

Motion by: Judge Keith Self
Second by: Commissioner Matt Shaheen
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-175-03-11

3. AI-36528 Oppose HB 708 – allows for a special hiring procedure for deputy constables. A motion was made to oppose HB 708.

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

COURT ORDER NO. 2013-176-03-11

4. AI-36529 Support HB 782 – decrease (over time) the diversion of funds from the state highway fund. A motion was made to support HB 782.

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

COURT ORDER NO. 2013-177-03-11

HB 832 – provides for mosquito abatement on private property. Mr. Bilyeu stated in practice this is done anyway. The Court did not take a position on this bill.

HB 927 – provides for felony charges when an illegal alien applies for voter registration. Commissioner Williams stated the purpose is a deputy registrar must be a citizen of the State of Texas. The goal is to stop the influx of people coming in. Commissioner Webb supports this item but has an issue with “felony”. The Court did not take a position on this bill.

HB 958 – reduces the interest rate from 7 to 5 percent on TCDRS deposits. There was no discussion on this item.

5. AI-36530 Support HB 972 – provides for CHL holders the ability to carry handguns on campuses. Commissioner Webb stated he would not take a position. Judge Self stated he wanted to support the state representatives. A motion was made to support HB 972.

Motion by: Judge Keith Self
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed
Abstained: Commissioner Duncan Webb

COURT ORDER NO. 2013-178-03-11

6. AI-36531 Support HB 996 – provides for court document service in certain legal procedures to be made by secure electronic mail. Commissioner Webb was in support of this item. Mr. Bilyeu stated this relates to the civil side of document service. A motion was made to support HB 996.

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

COURT ORDER NO. 2013-179-03-11

7. AI-36532 Support HB 1068 – creates committee to study collecting information on the impact of legislation on local political subdivisions. Commissioner Williams thought there was value in the state understanding what the fiscal impact is to the counties, cities and political subdivisions as a result of their actions. A motion was made to support HB 1068.

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

COURT ORDER NO. 2013-180-03-11

8. AI-36533 Oppose HB 1091 – provides workers comp or insurance protection for EMT's and firefighters for a period up to five years after leaving employment. This bill is not recommended by Collin County's Human Resources Director. A motion was made to oppose HB 1091.

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

COURT ORDER NO. 2013-181-03-11

9. AI-36534 Oppose HB 1102 – requires a local subdivision to create road policies and utilize those policies if state or federal funds are used on a transportation project. Commissioners Williams and Webb felt they didn't have enough information on this item to know if this is an improvement. Judge Self stated it is an unfunded mandate. A motion was made to oppose HB 1102.

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

COURT ORDER NO. 2013-182-03-11

HB 1109 – provides law enforcement additional procedures when responding to calls in which mental illness may be a factor. Judge Self asked to hold this item.

10. AI-36535 Oppose HB 1118 – requires paper court documents for use in the district courts. A motion was made to oppose HB 1118.

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

COURT ORDER NO. 2013-183-03-11

11. AI-36537 Support HB 1129 – provides for the return of overseas ballots via email. A motion was made to support HB 1129.

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

COURT ORDER NO. 2013-184-03-11

12. AI-36536 Support HB 1226 – provides for county required reinsurance through shared funds. A motion was made to support HB 1226.

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

COURT ORDER NO. 2013-185-03-11

HB 1384 – provides for the acceptance of materials for road construction. Mr. Bilyeu explained if there was a MUD (Municipal Utility District) who wanted to take over a county road, the MUD could donate the materials to build that road. The Court did not take a position on this bill.

HB 1485 – change the state funding method from the Federal Highway Trust Fund. Judge Self did not like the second provision of this bill. The Court did not take a position on this bill.

13. AI-36538 Support HB 1533 – provides for an annual sales tax holiday for guns and ammunition. A motion was made to support HB 1533.

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

COURT ORDER NO. 2013-186-03-11

HB 1627 – removes the motor fuel tax revenue allocation from the school fund. Following brief discussion, Commissioner Webb said he would not support this bill. This item was held.

SB 14 – required ballot language for county bond elections. A motion was made and then withdrawn. This item was held.

SB 58 – provides for an integrated statewide mental and physical health Medicaid program except in the NorthStar service area. The Court felt questions needed to be answered. This item was held.

14. AI-36539 Support SB 182 – provides for CHL holders the ability to carry handguns on campuses. A motion was made to support SB 182.

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

COURT ORDER NO. 2013-187-03-11

15. AI-36540 Support SB 287 – decrease (over time) the diversion of funds from the state highway fund.

VOID-ACTION TAKEN ON AI-36468

16. AI-36541 Support SB 382 – clarifies that a county may not make a payment to an individual if taxes are delinquent (both pre-judgment and post-judgment). A motion was made to support SB 382.

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

COURT ORDER NO. 2013-189-03-11

17. AI-36542 Support SB 390 – makes any new criminal fees or costs effective on January 1 to correspond with the county's adoption of a fee schedule. A motion was made to support SB 390.

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

COURT ORDER NO. 2013-190-03-11

SB 449 – forbids the county issuance of capital appreciation bonds. The Court did not take a position on this bill.

SB 467 – provides notice and procedural requirements when the TCEQ adopts environmental rules. Commissioner Williams thought this bill might be worth looking at. This item was held.

18. AI-36543 Support SB 553 – expanding the use of students as election clerks. Commissioner Williams had a conversation with the Elections Administrator about the need for clerks who are technically savvy. The students must be 17 years old and a high school senior. A motion was made to support SB 553.

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

COURT ORDER NO. 2013-191-03-11

SB 638 – proposes technical changes relating to the performance and payment security provided for comprehensive development agreements. This item was held.

SB 678 – change the state funding method from the Federal Highway Trust Fund. This item was held.

19. AI-36544 Support HCR 63 - proposed constitutional amendment asserting state sovereignty. A motion was made to support HCR 63.

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

COURT ORDER NO. 2013-192-03-11

20. AI-36545 Support HJR 68 – proposed constitutional amendment to dedicate funding to the highway fund. A motion was made to support HJR 68.

Motion by: Judge Keith Self
Second by: Commissioner Duncan Webb
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-193-03-11

21. AI-36546 Support HJR 89 – proposes a constitutional amendment to prohibit using revenue or account balances dedicated by law for non-dedicated purposes. Following a brief discussion, a motion was made to support HJR 89.

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

COURT ORDER NO. 2013-194-03-11

HJR 95 – proposes the constitutional amendment related to HB 1627, removing the motor fuel tax revenue allocation from the school fund. This item was held.

22. AI-36547 Support SJR 20 – proposed constitutional amendment to dedicate vehicle sales tax to the highway fund. A motion was made to support SJR 20.

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

COURT ORDER NO. 2013-195-03-11

23. AI-36548 Oppose HB 2921 – relating to the addition of certain member counties to a regional Tollway authority. Judge Self stated this is a bill authored by Representative Orr to give Johnson County a seat on the Board. A motion was made to oppose HB 2921.

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

COURT ORDER NO. 2013-196-03-11

The following items will be discussed in a future meeting of the Commissioners' Court: HB 981, HB 1375, SB 285, SB 739, and HB 1388. (Time: 9:55 p.m.)

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

Commissioner Webb requested a study by the Engineering Department on the right-of-way needs on U.S. 75 and the Outer Loop. (Time: 9:56 p.m.)

Judge Self recessed the meeting of the Commissioners' Court at 9:56 p.m. and reconvened the meeting of the Health Care Foundation. The meeting of the Commissioners' Court was reconvened at 9:57 p.m.

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session at 9:57 p.m., in accordance with Chapter 551.071, Legal, of the Government Code, to discuss the following subjects:

Legal (551.071)

AI-36458 Contemplated litigation regarding Texas Administrative Code, Title 30, Part 1, Section 330.15 – Transportation of Municipal Solid Waste, Administrative Services.

Judge Self reconvened the meeting at 10:32 p.m. There being no further business of the Court, Judge Self adjourned the meeting at 10:32 p.m.



Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Chris Hill, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

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