

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
FEBRUARY 17, 2014

COUNTY OF COLLIN

On Monday, February 17, 2014, 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 Mark Reid, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Chris Hill, Precinct 3
Commissioner Duncan Webb, Precinct 4

Commissioner Reid led the Invocation.
Commissioner Williams led the Pledge of Allegiance.
Commissioner Hill 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 2:17 p.m. and adjourned the meeting at 2:17 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-37971 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. AI-37923 Change Order No. 1 to Construction, Bridge, CR 132 over Long Branch (Contract No. 2013-125) with Ashlar Contracting Company to add additional riprap rock and rebuild a water crossing, Special Projects.

2. Public Comments.

Roy Serpa, Fairview, said he had heard about the plans to name a road after Sam Johnson. Mr. Serpa was very impressed with Sam Johnson's record not only as a veteran but also for representing our area at the national level. Mr. Serpa asked the Court to consider making February 24th Sam Johnson Day with a proclamation from the County. (Time: 1:56 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self informed the Court that Commissioner Webb would be leaving at 2:00 p.m. therefore some Consent and General Discussion items would be taken out of order. Commissioner Webb pulled items 4d5, 4e1 and 4e5. Commissioner Williams pulled item 4d3 and Commissioner Reid pulled item 4b1. (Time: 1:31 p.m.)

Judge Self returned to the consent agenda at 2:00. There being no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 2:00 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

a. **AI-37938** Disbursements for the period ending February 11, 2014, Auditor.
COURT ORDER NO. 2014-091-02-17

b. Agreement(s):

1. **AI-37929** Lease Agreement with the City of Frisco for property located at 6101 Frisco Square Blvd., Suite 2000, Frisco Texas, commencing on January 1, 2014 through and including December 31, 2014 and further authorize the County Judge to finalize and execute same, Construction & Projects.

Commissioner Reid asked about the timing of this item since the lease term was from January 1, 2014, through December 31, 2014. The Commissioner was also concerned about the holdover provision in the lease to charge one and a half times the rent. Bill Bilyeu, County Administrator, explained the lease was held up by the city who is the landlord. The city had to calculate the costs at the end of their fiscal year. Mr. Bilyeu said Bill Burke, Construction & Planning, puts this item on the agenda within two or three weeks of when the lease is returned by the city. Mr. Bilyeu confirmed that the County did not pay the one and a half in the holdover provision.

Commissioner Reid also asked why the County does not do a multi-year lease. Mr. Bilyeu said the County could not statutorily do a multi-year lease without a sinking fund. Mr. Bilyeu added the County should see a savings on this lease in the next eight to ten years when the building is paid off because the cost of the bond is pro rated into the rent. A motion was made to approve the item. (Time: 1:59 p.m.)

Motion by: Commissioner Mark Reid
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2014-092-02-17

c. Amendment(s):

1. **AI-37962** No. 7 to the Interlocal Agreement with the City of Princeton for Animal Control Services to set the rate and extend the agreement for one (1) year through and including September 30, 2014. Payment will be made in quarterly installments for an annual amount of \$24,105, further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2014-093-02-17

2. **AI-37964** No. 7 to the Interlocal Agreement with the City of Princeton for the Facility Construction and use of the Animal Shelter to set the rate for FY2014, payments to be made in quarterly installments for an annual amount of \$19,464 effective October 1, 2013 through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2014-094-02-17

d. Receive and File, Final Audit Result(s), Auditor:

1. **AI-37958** CSCD (1st & 2nd Quarter FY2013).

COURT ORDER NO. 2014-095-02-17

2. **AI-37943** District Attorney (1st & 2nd Quarter FY2013).

COURT ORDER NO. 2014-096-02-17

3. AI-37946 District Clerk (1st & 2nd Quarter FY2013).

Commissioner Williams wanted to mention that previous audits from the District Clerk's Office were routinely problematic. Since Andrea Thompson, District Clerk, has taken office, the audits have consistently been without any discrepancies at all. The Commissioner would like the citizens to be aware of this. A motion was made to approve the item. (Time: 2:00 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Chris Hill
Vote: 4 – 0 Passed

COURT ORDER NO. 2014-097-02-17

4. AI-37940 Engineering (1st & 2nd Quarter FY2013).

COURT ORDER NO. 2014-098-02-17

5. AI-37956 Justice of the Peace, Precinct 2 (1st & 2nd Quarter FY2013).

Commissioner Webb pulled this item because a \$100.00 contempt charge was collected and then half of that amount was mistakenly forwarded to the Farmersville ISD. The Commissioner wanted to make certain the clerk was made aware of the mistake and that the Auditor would be getting the \$50.00 back from the ISD. Jeff May, Auditor, confirmed the clerk was aware of the error and actions were being taken to have the \$50.00 returned. Mr. May also stated they always follow up on previous audit findings. Commissioner Webb requested he be informed if the \$50.00 is not collected. A motion was made to approve the item. (Time: 1:33 p.m.)

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

COURT ORDER NO. 2014-099-02-17

6. AI-37945 Medical Examiner (1st & 2nd Quarter FY2013).

COURT ORDER NO. 2014-100-02-17

7. AI-37942 Myers Park (1st & 2nd Quarter FY2013).

COURT ORDER NO. 2014-101-02-17

8. AI-37957 Constable, Precinct 1 (2nd Quarter FY2013).

COURT ORDER NO. 2014-102-02-17

9. AI-37939 Constable, Precinct 3 (2nd Quarter FY2013)

COURT ORDER NO. 2014-103-02-17

10. **AI-37955** Justice of the Peace, Precinct 3-1 (2nd Quarter FY2013).
COURT ORDER NO. 2014-104-02-17
11. **AI-37944** Juvenile Probation (2nd Quarter FY2013).
COURT ORDER NO. 2014-105-02-17
12. **AI-37951** Constable, Precinct 1 (3rd Quarter FY2013).
COURT ORDER NO. 2014-106-02-17
13. **AI-37950** Constable, Precinct 4 (3rd Quarter FY2013).
COURT ORDER NO. 2014-107-02-17
14. **AI-37954** Justice of the Peace, Precinct 2 (3rd Quarter FY2013).
COURT ORDER NO. 2014-108-02-17
15. **AI-37952** Justice of the Peace, Precinct 3-2 (3rd Quarter FY2013).
COURT ORDER NO. 2014-109-02-17
16. **AI-37953** Justice of the Peace, Precinct 4 (3rd Quarter FY2013).
COURT ORDER NO. 2014-110-02-17
17. **AI-37936** Fire Marshal (November 1, 2012 through December 31, 2012).
COURT ORDER NO. 2014-111-02-17

e. Miscellaneous

1. **AI-37841** Grant application and resolution for the FY2015 Specialty Court Programs Grant through the Criminal Justice Division of the Governor's Office to provide salary and benefit funding for a Drug Court Coordinator and further authorize the County Judge to finalize and execute same, 366th District Court.

Commissioner Webb pulled this item because he would like data showing the effectiveness of this position regardless of whether the funding is coming from county money or state money. Also, the grant provides a substantial pay raise for this position which is outside of what other court coordinators are being paid. Judge Self agreed with both concerns raised by the Commissioner.

The Judge asked Bob Hughes, CSCD Director (Community Supervision & Corrections), to clarify who does what in the Drug Court Program which is split between two offices. Mr. Hughes explained there are three Specialty Court Officers and one Veteran's Court Officer. They do the lion's share of the day-to-day supervision of the defendants in these programs. The Judge asked where the hand-off is from the Court Coordinator to his officers. Mr. Hughes said the Court Coordinator does the initial intake as to who is appropriate for the program and then the officers will do the analysis on the data from the Court Coordinator. He further explained this is more of a collaborative process between the Judge, Officer, Drug Court Coordinator, Court Coordinator, treatment provider, District Attorney and at times the defense attorney.

Judge Self stated, since this will set a precedent, the Court needs to decide if it is prepared to raise the salaries of all Court Coordinators to the same level. Commissioner Williams agreed this is a precedent and is not prepared to do that at this time. The Commissioner also asked if the grant can only be used for personnel, or can it be used for services such as counseling and drug testing. Todd Hill, Specialized Court Coordinator, said the current grant is written for that position only, but some jurisdictions do apply for grant money for counseling. Commissioner Williams is not prepared to move forward on the grant as it is currently written. Mr. May informed the Court the deadline for the grant is February 28, 2014.

Commissioner Webb asked Mr. Hill about the effectiveness of Mr. Hill's position not the program. Mr. Hill explained the biggest indicator would be the increase in enrollments in programs which is up 80% from 2012 to 2013. There was a brief discussion regarding the increase in programs. The Commissioner wants data showing the effectiveness of this position to determine whether the County should fund it when the State stops. Judge Self stated the Court is not prepared to ask for the pay increase and wants to see the data on effectiveness. Commissioner Hill asked for the data behind the 80% increase in enrollments which Mr. Hill said he would provide before the end of the day. (Time: 1:44 p.m.)

HELD

2. **AI-37966** Final Plat of Kate's Crossing Subdivision, Engineering.

COURT ORDER NO. 2014-112-02-17

3. **AI-37967** Final Plat of Prado Place Subdivision, Engineering.

COURT ORDER NO. 2014-113-02-17

4. **AI-37959** Grant Application and Resolution for the FY2015 Juvenile Justice and Delinquency Prevention Program (JJDP) for Teen Court and further authorize the County Judge to finalize and execute same, Teen Court.

COURT ORDER NO. 2014-114-02-17

5. **AI-37963** Professional Services Agreement with LifePath Systems to provide services for Teen Court participants for treatment of substance abuse and mental health disorders and further authorize the Purchasing Agent to finalize and execute same, Teen Court.

Commissioner Webb pulled this item because he had made a few changes to the agreement which Michalyn Rains, Purchasing, distributed to the Court. With the changes made, a motion was made to approve the item. (Time: 1:57 p.m.)

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

COURT ORDER NO. 2014-115-02-17

6. **AI-37972** Personnel Appointments, Human Resources.

COURT ORDER NO. 2014-116-02-17

7. **AI-37973** Personnel Changes, Human Resources.

COURT ORDER NO. 2014-117-02-17

GENERAL DISCUSSION

5. **AI-37968** **Public Hearing** Ordinance Regulating Junkyards Or Automotive Wrecking And Salvage Yards, Development Services.

Judge Self opened the public hearing at 1:50 p.m. and asked for comments. Hearing none, the Judge closed the public hearing at 1:51 p.m. (Time: 1:51 p.m.)

NO ACTION TAKEN

6. **AI-37898** Consider and take action on Ordinance Regulating Junkyards Or Automotive Wrecking And Salvage Yards, Development Services.

Commissioner Webb expressed his concerns with the current and proposed ordinance. Commissioner Williams said Greg Hudson, Legal Counsel, provided her with a change to Section 402C which she then read to the Court. While this change addressed Commissioner Webb's main concern, he has other questions and was not prepared to vote at this time. Commissioner Webb will meet with Mr. Hudson and work out some of the fine points of the language in the ordinance. (Time: 1:50 p.m.)

NO ACTION TAKEN

7. AI-37961 Live Here Give Here presentation, County Judge.

Eric Nishimoto, Public Information, announced that the CPS Board (Child Protective Services) is the first non-profit beneficiary of the "Live Here Give Here" Program. This program was approved by the Court last year as a way to encourage local charitable donations to stay with local charities and non-profit organizations. There is an online PayPal account set up by the Auditor to receive donations. In terms of promotional support, the County is helping the CPS Board with their fundraising. The County will also provide a web presence for potential donations through the County's website and social media pages.

Mr. Nishimoto distributed a hand out and then presented a Power Point, both of which will be used by the CPS Board to promote and encourage donations. The money the Board receives from the County only covers foster program administration expenses and other required costs such as drug testing. The donations will help fund items and services above basic subsistence such as driver education, medical expenses not covered by insurance, education expenses for special needs, sports and dances. The CPS Board relies solely on private donations and fundraising for these expenses incurred by foster families. Because there are no administrative fees taken from these donations, 100% will go to the needs of the foster children.

Judge Self asked what the citizens see when they go to PayPal. Mr. Nishimoto explained there will be a Live Here Give Here page as well as a CPS Board page. The Judge wants to make sure citizens know they are giving their donations to Live Here Give Here, not to the County. There was a brief discussion regarding credit card fees which will be deducted from the donation amount.

Mike Bronsky, CPS Board, came forward to express the Board's excitement in being a part of the Live Here Give Here vehicle. Mr. Bronsky went on to say that the \$350 clothing allowance foster children receive is not adequate especially in Collin County where the standard of living is higher. Live Here Give Here will help meet these needs. Also, when these children graduate from high school, they have access to finances to go to college but most are unaware of it. That is something the CPS Board will start promoting. By partnering with TechSoup and Dell, the Board is able to supply a complete computer system including software for those who do go to college. These children need to know they can reach their potential.

Mr. Bronsky described several of the events sponsored by the CPS Board including National Adoption Day. The mission of the Collin County Child Protective Services Board is to provide leadership, to achieve excellence in the protection, care, support services and utilization of resources to enrich and enhance the quality of lives of abused children and their families in Collin County. The Board is ready to take the reins and go forward with the opportunity that is being provided to meet the needs of all of these children in Collin County and the future needs. Judge Self is convinced the citizens of Collin County will support the CPS Board. (Time: 2:17 p.m.)

NO ACTION TAKEN

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

NO ACTION TAKEN

9. **AI-33858** RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb said the item he wanted to call to the Courts attention was the TAP (Transportation Alternatives Program) Call for Projects. There is approximately \$28.7 million in funding available with a maximum per project of \$3 million. Tracy Homfeld, Engineering, will work with the cities to come up with a joint submission to get one of the \$3 million projects since regional projects go to the top of the list. They will be looking at bike trails and greenbelt trails and finding out which of the cities have right-of-way already since the money cannot be used for that. The Commissioner will work with Ms. Homfeld to meet the deadline.

Another item was the funding for the North Tarrant County Express HOV (High Occupancy Vehicle) Subsidy. The West Side wants to re-allocate the money and, since it is coming out of their pocket, it was approved. Also the SH 360 Project has been finalized and is moving forward.

The most interesting item was the RTC bylaws revisions. Changes were made and will be submitted to the RTC next month. Several of the cities were re-clustered to make them closer in geographic proximity. There was also a recommendation to expand the RTC members from 43 to 44 with Allen being the 44th member. The most controversial item was primary revenues are split 69/31 with 69 going to the East and 31 to the West. Currently officers are rotated from East to West every other year and it was proposed to change that so it is more in tune with the 69/31 split. The East supported that change and the West voted against it. It must go through two meetings so it will be on the March and April meetings. (Time: 1:55 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:17 p.m.



Keith Self, County Judge

Mark Reid, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Not Present

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