

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
MAY 4, 2015

COUNTY OF COLLIN

On Monday, May 4, 2015, 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 Susan Fletcher, Precinct 1

Commissioner Cheryl Williams, Precinct 2

Commissioner Chris Hill, Precinct 3

Commissioner Duncan Webb, Precinct 4

Commissioner Fletcher 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. and adjourned the meeting at 2:21 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:22 p.m. and adjourned the meeting at 2:22 p.m.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda Items, Commissioners Court.
 2. AI-39825 Addendum No. 1 to Audio Visual for Homeland Security (RFP No. 2015-115) to make various changes to the Request for Proposal, Purchasing.
 3. AI-39817 Donation of a 1999 Mercury Mountaineer to the Haskell County Community Supervision & Corrections Department (CSCD), Adult Probation.
 4. AI-39764 P-Card Disbursements, Auditor.
 5. AI-39815 Budget amendment in the amount of \$29,000 to reallocate funds from Asset Forfeiture to Lease Vehicles, Sheriff.
 6. AI-39821 Voluntary Terminations, Human Resources.
2. **Public Comments.**

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self pulled items 4c1, 4i2 and 4i3 for discussion and then asked for comments on the consent agenda. Commissioner Webb pulled item 4d1. Commissioners Webb and Hill also wanted to discuss items 4i2 and 4i3. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 2:04 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

a. **AI-39832** Disbursements for the period ending April 28, 2015, Auditor.
COURT ORDER NO. 2015-238-05-04

b. **AI-39808** Tax refunds totaling \$956,083.75, Tax Assessor Collector.
COURT ORDER NO. 2015-239-05-04

c. Advertisement(s):

1. **AI-39812** Services, Inmate Health Care (RFP No. 2015-122), Sheriff.

Judge Self confirmed with Sheriff Terry Box that the inmate mental health system coordinates with the outside mental health system and to include Alyse Ferguson, Attorney Director MHMC, in discussions so the formularies are absolutely consistent. Commissioner Williams emphasized the formularies to make sure in-house prescriptions are available to inmates when they are released. (Time: 1:58 p.m.)

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

COURT ORDER NO. 2015-240-05-04

d. Agreement(s):

1. **AI-39822** Engineering Services Agreement with Jacobs Engineering Group, Inc. for additional services related to the Collin County Mobility Plan for additional demographics and travel demand modeling for an amount NTE \$147,729 and further authorize the Purchasing Agent to finalize and execute same, Engineering.

Commissioner Webb reviewed this agreement in terms of deliverables and said one of the things that is critical is the financial and business impact upon doing it one way versus doing it another in terms of economic development and valuation. The Commissioner asked if this was appropriate for this contract or is there some other way we can get that information.

Clarence Daugherty, Engineering, does not feel it is appropriate for this contract since we are looking to Jacobs Engineering Group for their expertise in the demographics projections and the travel demand modeling. Mr. Daugherty believes the COG (Council of Governments) would be a more appropriate source for determining the impact of good mobility versus not good mobility on the business climate in the County.

Judge Self asked where the funds were coming from. Mr. Daugherty will check into this and inform the Court. With no further discussion, a motion was made to approve the item. (Time: 2:01 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2015-241-05-04

e. Amendment(s):

1. **AI-39813** Amendment of Solicitation/Modification of Contract for the 2014 Lake Patrol contract with the US Army Corps of Engineers Fort Worth to de-obligate funds from \$38,592.82 to \$37,796.39 for a decrease of \$796.43, Sheriff.

COURT ORDER NO. 2015-242-05-04

2. **AI-39777** No. 1 to the TechShare.Common Integrated Justice System FY2015 Resource Sharing Addendum with the Texas Conference of Urban Counties to add SessionsWorks Judge CCL Auxiliary for Software License and Annual Maintenance in the amount of \$4,840, Information Technology.

COURT ORDER NO. 2015-243-05-04

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

1. **AI-39806** Grant application for the Wahl Grooming Grant to provide grooming products to 100 shelters and rescues to groom adoptable animals on intake, Development Services.

COURT ORDER NO. 2015-244-05-04

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

1. **AI-39824** \$2,392 for legal and title transfer fees for Right of Way acquired for TxDOT for FM 2551 from FM 544 to FM 2514, Engineering.

COURT ORDER NO. 2015-245-05-04

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

1. **AI-39803** April 13, 2015.

COURT ORDER NO. 2015-246-05-04

i. Miscellaneous

1. AI-39819 Grant application and resolution for the FY2016 TIDC Competitive Discretionary Grant Program through the Texas Indigent Defense Commission to implement a Managed Assigned Counsel (MAC) Program to expand the Collin County Mental Health Managed Counsel (MHMC) program to juvenile and felony cases, 296th District Court.

Judge John R. Roach, Jr., 296th District Court, came forward to address the Court in order to get the next step in the grant process to the TIDC (Texas Indigent Defense Commission) for approval for a MAC (Managed Assigned Counsel) Program with the district courts in Collin County. Judge Roach said there is a problem with the rising costs of indigent defense and applying for this grant would be the best way to solve it. They are requesting two full-time employees and one part-time employee in addition to the MHMC (Mental Health Managed Counsel) Program to manage indigent defense in the district courts. This is a four-year pilot program.

Currently indigent defense is managed by the judges and there is no consistent policy, procedure or pay schedule which results in lost efficiencies. The judges need to manage their docket and not indigent defense.

In the MHMC Program they were able to reduce the number of days in jail by 86%. If in this new pilot program the number of days in jail was cut 10% across the board, that would save the County \$1 million. If the number were reduced by only 5%, it would still save the County \$500,000 and the program would pay for itself. Judge Roach has no doubt the number can be reduced by at least 5%.

Judge Self asked who this team would work for referencing TIDC's key point that this should be independent from the judiciary. Judge Roach said this position would be independent and not report to the judges, but the judges would still have control. Judge Roach said this would be similar to the Auditor's Office or Juvenile Probation which are independent but are supervised by the district judges. Judge Self said those offices are legally independent whereas the district judges would have complete control over this new office.

Judge Self asked Bill Bilyeu, County Administrator, if there was a study program with four different models for this program. Judge Roach answered saying there is a committee which has met but not reached a consensus as a group. Commissioner Webb who is on the committee said this is premature and he is not supportive at this point. The Auditor's Office is doing a cost analysis of the four models discussed: the current system, a MAC program for juveniles, a public defender office and a contract defender model. During the last committee meeting there was discussion on the six ways that we are appointing counsel which are misdemeanors, felonies, appeals, capital, ad litem and juvenile. There was a brief discussion on how many models there would be.

Judge Self would like to see the study. Judge Roach said, as judges and subject matter experts in the field, we have to think about more than cost. We have real solutions to real problems. This is our program and we would like to move forward. Commissioner Webb said it is the judges' job to dispense justice and the Court's job to control costs. Judge Self said he would not vote for this.

Judge Roach said if we don't apply for this grant today we will have to wait another year while costs continue to go up. Judge Self said this grant commits us to four years and we should not commit to this until we are sure this is the model we want. Commissioner Fletcher asked if the judges discussed a hybrid system to determine where we have the most need. Judge Roach said it has been discussed regarding criminal appeals and the capital program.

Commissioner Williams asked when we could get an answer on the grant application. Judge Roach said the decision would be made in August but funding would not be available until October. The Commissioner said receiving the grant does not require us to accept the grant and suggested making the application for the grant while the committee met and reached a consensus. Judge Self and Commissioner Webb feel reaching a consensus will be more difficult than anticipated. Commissioner Webb said in the next month they should be able to start having meetings to discuss cost versus benefit.

Commissioner Hill said he appreciates the idea of saving the County \$500,000 to \$1 million, but it's an unproven estimate and could cost more. There are more questions than answers and the Commissioner does not want to be driven by the grant. Judge Roach asked to table this item. (Time: 1:57 p.m.)

NO ACTION TAKEN

2. AI-39823 Grant application for the FY2016 Tobacco Enforcement Program Grant through the Texas State University, Texas School Safety Center for Deputies to conduct controlled buys/stings with minor decoys on permitted retail outlets of tobacco products, Constable, Precinct 4.

Commissioner Webb cannot support this because it is outside the Constables' core duties. No motion was made to approve this item. (Time: 2:03 p.m.)

NO ACTION TAKEN

3. **AI-39784** Multi-State Information Sharing & Analysis Center (MS-ISAC) membership at no cost to the County, Information Technology.

Judge Self asked if this has been coordinated with the Fusion Center. Steve Ganey, IT, said the new security officer requested this subscription and there is no cost involved or commitment to the County. With no further discussion, a motion was made to approve the item. (Time: 2:04 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

COURT ORDER NO. 2015-247-05-04

4. **AI-39834** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-248-05-04

5. **AI-39835** Personnel Changes, Human Resources.

COURT ORDER NO. 2015-249-05-04

GENERAL DISCUSSION

5. **AI-39847** Appeal of Historical Tax Exemption for property located at 214 E. Louisiana Street, McKinney, Texas, Commissioner, Precinct 3.

Commissioner Hill introduced Cleo Meredith, a business owner in McKinney, who has asked for the Court's consideration of a historical tax exemption on her property. The exemption was applied for on the property and was denied first by the Historical Commission and then the Commissioners' Court approved the recommendation by the Historical Commission.

Ms. Meredith came forward and explained they are in the process of repairing and renovating the building. It is a large project and there have been difficulties repairing the foundation. Ms. Meredith briefly explained the issues with the foundation and presented an engineering report and appraisal to the Court. The City of McKinney granted TIRZ (Tax Increment Reinvestment Zone) financing and the funding is now available for the foundation repair. She is asking the Court for the tax exemption in order to put more money into the repair.

Commissioner Hill asked Janice Klein, Collin County Historical Commission's Tax Abatement Chairman, to come forward. Ms. Klein explained the ordinance was amended last year to allow properties throughout the County that did not have national or state historical landmark designation to be able to write up a history of their property and join our historic asset survey interactive map. The Historic Commission was able to give the Meredith's the tax abatement last year even though the exterior of the building was questionable. Properties must be in good condition to qualify for the tax abatement. This year the property was inspected in February and there were cracks and peeling paint which are among the few things they as volunteers are looking for to determine whether to approve or deny the abatement. The requirements are straightforward.

Ms. Klein said if the Merediths are granted the abatement this year, then to be fair the Commission would have to go back and give at least one other property the abatement because it also had exterior issues.

Commissioner Fletcher thanked Ms. Klein and her committee for volunteering their time to serve on the committee and inspect the properties. The Commissioner is not in favor of granting the abatement especially since there has already been a grace period in the past. If the property is brought up to the required standards, the Commissioner would have no problem with granting the abatement.

Commissioner Hill appreciates the Merediths' willingness to bring their property up to the standards, but approving this appeal would open us up to at least one other application and a change in our policy. The Commissioner looks forward to supporting their application next year. With no further discussion, no motion was made to approve the item. (Time: 2:18 p.m.)

NO ACTION TAKEN

6. Board/Committee Appointments, Commissioners Court:

a. AI-39829 North Central Texas Council of Governments Executive Board.

Judge Self referenced page 446 of the Court packet showing for the first time Collin County has a permanent seat on the Executive Board. With no further discussion, a motion was made to reappoint Judge Self to the NCTCOG (North Central Texas Council of Governments) Executive Board. (Time: 2:20 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2015-250-05-04

b. AI-39839 TAPS (Texoma Area Paratransit System) Board of Directors.

Commissioner Hill expressed his desire to continue to serve on the TAPS (Texoma Area Paratransit System) Board. With no further discussion, a motion was made to reappoint Commissioner Hill to the TAPS Board of Directors. (Time: 2:20 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Judge Keith Self

Vote: 5 – 0 Passed

COURT ORDER NO. 2015-251-05-04

7. AI-38856 84th Legislative Agenda for 2015, Commissioners Court.

Judge Self said SB1139, which is the Omnibus Bill for the three new courts, is back in the House and has been referred to the committee. The Judge is assured that the language will be as the Court wanted it to be.

NO ACTION TAKEN

a. AI-39559 Bills of Interest

The Judge mentioned HB1394 which is the bill that adjusts NTTA (North Texas Transit Authority). This will codify the advisory committee for Johnson County and their requirements to become a full-fledged member of the NTTA. (Time: 2:21 p.m.)

Commissioner Williams will go to Austin on Tuesday, May 5, 2015 regarding NorthSTAR and the mental health change. Discussion will mainly be with conferees because that is where they feel the decision will be made. (Time: 2:22 p.m.)

NO ACTION TAKEN

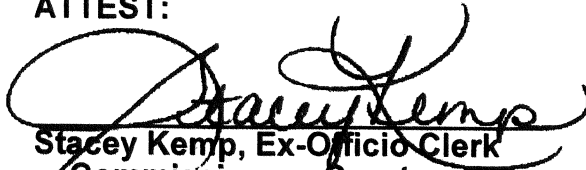
8. Possible future agenda items by Commissioners Court without discussion.

EXECUTIVE SESSION

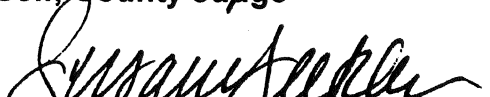
The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:22 p.m.

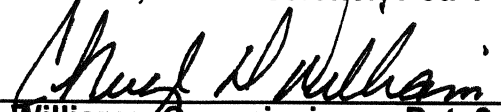


ATTEST:

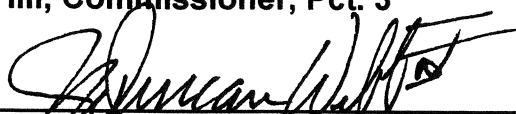

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S


Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2

Not Present
Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4