

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
OCTOBER 26, 2015

On Monday, October 26, 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 Chris Hill, Precinct 3
Commissioner Duncan Webb, Precinct 4

Absent: Commissioner Cheryl Williams, Precinct 2

Commissioner Fletcher led the Invocation.
Commissioner Hill led the Pledge of Allegiance.
Commissioner Webb 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 recessed the meeting at 2:54 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:55 p.m. The meeting was reconvened and adjourned at 3:51 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:54 p.m. and adjourned the meeting at 2:54 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:55 p.m. and adjourned the meeting at 2:55 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-40660 Donation of \$5,000 to Hope's Door utilizing the District Attorney State Forfeiture Fund, District Attorney.

FYI NOTIFICATION

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

2. Notification of budget adjustment(s)/amendment(s):

a. **AI-40657** \$3,995 to purchase upgraded Physical capabilities to the XRY Logical forensic cell phone examination equipment, Sheriff.

b. **AI-40643** \$4,250 to establish the budget for the FY 2016 Title IV-E Child Welfare Services Grant, Auditor.

c. **AI-40647** \$42,259 to establish the budget for the FY 2016 Title IV-E County Legal Services Grant, Auditor.

2. Public Comments.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Hill pulled item 4e1 and the Judge pulled item 4e2. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 4 - 0 Passed

a. **AI-40649** Disbursements for the period ending October 20, 2015, Auditor.

COURT ORDER NO. 2015-785-10-26

b. **AI-40652** Tax refunds totaling \$44,356.77, Tax Assessor Collector.

COURT ORDER NO. 2015-786-10-26

c. Award(s):

1. **AI-40663** Detention Center Camera and Monitor Upgrades (IFB No. 2015-251) to Argyle Security Group, Construction & Projects.

COURT ORDER NO. 2015-787-10-26

2. **AI-40648** Commissioners' Court Camera/Streaming Media Solution (RFP No. 2015-233), Information Technology.

COURT ORDER NO. 2015-788-10-26

3. **AI-40651** Supplies: Fleet Repair Parts (IFB No. 2015-144) to various vendors, Public Works.

COURT ORDER NO. 2015-789-10-26

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

1. **AI-40644** October 5, 2015.

COURT ORDER NO. 2015-790-10-26

e. Miscellaneous

1. **AI-40669** Re-designation of County Road 593 extending from the Nevada City limit between West FM 6 and County Road 543 to Eugene Lane (with associated address updates), GIS/Rural Addressing.

Commissioner Hill pulled this item because the heading for this item mentions the re-designation of County Road 593 to match the City of Westin. The Commissioner asked if this heading was from a previous item. Caren Skipworth, CIO, confirmed that and asked the Court to scratch it out. With no further comments, a motion was made to approve the item with the correction made. (Time: 1:33 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Susan Fletcher
Vote: 4 - 0 Passed

COURT ORDER NO. 2015-791-10-26

2. **AI-40662** Equipment Manufacturers List for IT, Information Technologies.

Judge Self questioned the practical effect of the Equipment Manufacturers List for IT. Caren Skipworth, CIO, said the IT Department sets standards every year for technology in the County and wanted it to be more visible. This also helps the IT Department assist in the procurement process for standardization. Ms. Skipworth explained the County is not limiting itself in its contracting, and there are many vendors for all of the equipment manufacturers on the list. With no further discussion, a motion was made to approve the item. (Time: 1:34 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Chris Hill
Vote: 4 - 0 Passed

COURT ORDER NO. 2015-792-10-26

3. **AI-40656** 2015 Tax Roll, Tax Assessor Collector.

COURT ORDER NO. 2015-793-10-26

4. **AI-40689** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-794-10-26

5. **AI-40690** Personnel Changes, Human Resources.

COURT ORDER NO. 2015-795-10-26

GENERAL DISCUSSION

5. AI-40670 Request for removal of lien on property located at 14079 Private Road 5226, Nevada, Texas, Administrative Services.

Bill Bilyeu, County Administrator, explained this was a property in disrepair which Public Works cleaned up. Because of that Judge Self assessed a lien in the amount of \$19,303 to reimburse the County. The property owner is deceased, and the children who inherited the property did not know about the issues associated with it. They have since tried to sell the land to an adjacent property owner and are asking if the County has any recourse on that lien. The market value of the property is much less than the amount of the lien. Mr. Bilyeu spoke with the County's attorney and, as long as Commissioners' Court receives what it considers to be market value, the Court can accept the offer. Both the family who inherited the property and the potential buyer were present in Court.

Diane Crabtree, the daughter of Joseph Poupart who is the deceased property owner, came forward to address the Court. Ms. Crabtree said they are attempting to sell the property to a neighbor and the agreed upon price is \$6,000. While she understands a significant amount of money went into cleaning the property, the family had been unaware of its condition. They are trying to sell the property and get it back on the tax rolls and are asking the Court to release the lien so it can be sold.

Paula Childers, the neighbor interested in purchasing the property, also came forward to ask the Court to release the lien so the property could be sold. Mr. Bilyeu said the Court needs to decide what the market value of that lien is. All of the taxes have been paid on the property and the County is next in line. With no further comments, a motion was made to accept the net proceeds of the sale in exchange for a release of the lien. (Time: 1:40 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 4 - 0 Passed

COURT ORDER NO. 2015-796-10-26

6. AI-40505 Adoption of the revised Collin County Travel Policy, Auditor.

Jeff May, County Auditor, said he would also like to discuss item 7 in conjunction with this item. There were a few modifications made to the travel policy. The only significant change is that employees can use any means necessary to purchase airline tickets and are not required to use ARTA Travel if they choose not to. Mr. May talked to several department heads and they were very supportive of this. Many departments purchase fewer than three airline tickets per year and requiring them to use ARTA seems burdensome since they would need to learn how to use the ARTA portal and be set up as a user.

Most flights are booked on Southwest or American Airlines. There were only seven tickets purchased from other airlines during FY2015. Mr. May feels it would be more efficient to go directly to the airline to purchase tickets especially for Southwest to get the “wanna get away” fares. The tickets most often purchased are Southwest Airlines from Dallas to Austin. The Auditor’s Office can track airline travel and get the same data that ARTA has been providing. The only function that the County would lose by not using ARTA is unused tickets. Currently there are five unused tickets for a total of \$2,600 and these will expire in March of 2016. Mr. May said these could be transferred to other departments instead of losing them. However, losing this function could be offset by not having to pay fees to ARTA. The County paid \$3,700 in fees last year. Mr. May recommended modifying the travel policy and keeping the contract with ARTA so employees have an option as to whether or not they want to use the travel agency.

Larry Flannery, ARTA Travel, came forward and explained there was significant expense to design a website to support this program which they did not pass on to the County. Mr. Flannery listed some of the benefits to the County for using ARTA. These include: 1) ARTA acts as the gatekeeper so departments don’t spend more than they should for airfare; 2) unused tickets would not be refunded without ARTA; 3) the County earns credits similar to earning miles and receives two or three free tickets a year; 4) ARTA has access to government fares and 5) ARTA issues the “wanna get away” fares if they are available.

Judge Self asked who used the free tickets last year. Mr. Bilyeu said the tickets were used for the GEM awards. Commissioner Hill likes the revision to the travel policy regarding ARTA Travel and supports it. The Commissioner expressed his frustrations with using ARTA and asked how widespread the unused ticket problem was. Mr. May said it was not significant, and he was aware of only two or three unused tickets over a three to four-year period. This year was unusual with five. There was a brief conversation about implementing procedures for follow up on travel to make sure airfares were used.

Mr. May said most elected officials and department heads would prefer not to use ARTA. The IT department only uses Southwest Airlines “wanna get away” fares. The District Attorney’s office books flights for witnesses and using ARTA has proven to be burdensome. Mr. May said departments are more conservative on their flights and don’t purchase outrageously priced tickets because travel budgets are tight. Also his staff will come to him if there’s an unusual location or amount for an airline ticket.

Commissioner Webb asked Mr. Flannery about governmental rates. Mr. Flannery said there are special rates to some destinations such as Washington, D.C. and these rates are available in ARTA's computer system but not online. The pricing may not be materially different but the flexibility for refunding is different. With no further discussion, a motion was made to approve the adoption of the revised Collin County Travel Policy. (Time: 2:00 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Susan Fletcher
Vote: 4 - 0 Passed

COURT ORDER NO. 2015-797-10-26

7. AI-40543 Amendment No. 3 to Services: Travel Agency (RFP No. 06308-12) with ARTA Travel to extend the contract one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Auditor.

Judge Self asked what is the practical effect on this extension that is being put in place? Jeff May, County Auditor, said there would be a large reduction in the use of ARTA for booking airline tickets especially among departments that don't fly often. Some departments may still use ARTA because there are a few benefits. Commissioner Webb said the District Attorney's office represents one-third of all flight utilization and their average fees are higher though these fares are reimbursed by the State. They also need more flexibility in terms of refunds. The Commissioner feels the DA's office needs the flexibility of the services offered by ARTA and would like to extend the contract and then pull the data to see the effects on the DA's office. (Time: 2:02 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 3 - 1 Passed
Nay: Commissioner Chris Hill

COURT ORDER NO. 2015-798-10-26

8. Board/Committee Appointments, Commissioners Court:

a. AI-40695 Conference of Urban Counties Policy Committee.

Commissioner Hill said if it is the pleasure of the Court he would like to stay on the committee. With no further discussion, a motion was made for Commissioner Hill to stay on the Conference of Urban Counties Policy Committee. (Time: 2:04 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Duncan Webb
Vote: 4 - 0 Passed

COURT ORDER NO. 2015-799-10-26

9. AI-36908 TAPS update, Commissioner, Precinct 3.

Commissioner Hill said it has been tough week for TAPS (Texoma Area Paratransit System). There was both positive and negative movement last week. On the negative side, for the first time TAPS missed payroll on Friday. Because of this some employees did not return to work on Monday, therefore, some of the routes were down. The first item of business this week is to make up that payroll with some funding that is expected to come in.

Moving forward, the plan the Commissioner has been promoting has three parts. The first is to have a long-term strategy for a reduction in service and reduction of costs. The Board did approve and direct the staff to dramatically reduce services in the different service areas which included the cities of McKinney and Sherman and the rural areas of all seven counties. Several routes were cancelled that served a smaller number of riders. The goal of the Board was to reduce the level of services back to the funding level, and then to further reduce that so there were additional revenues to pay the outstanding liabilities.

The second part of the plan was determining how to get funding revenues and reimbursements flowing again. TAPS, like all other transit agencies in the state, operates under a model of “pay for the services first and then apply for reimbursement from the state or federal government.” This requires a cash flow up front which is a challenge for TAPS since they have stretched operations beyond what the budget allowed. We have made arrangements with NCTCOG (North Central Texas Council of Governments) to get some funding restored as quickly as possible for program years FY2014 and FY2015 funds that still have not been reimbursed.

The third part of the plan, which is the most urgent, is getting immediate cash flow needs identified. The agency was able to stay one step ahead until Friday when they could not make payroll. The Board has identified the need for some immediate financing to pay off a significant portion of the outstanding liabilities and to fund operations long enough to get parts two and three of the plan restored.

Commissioner Hill’s preference which was approved by the Board is to write a letter to TxDOT (Texas Department of Transportation) and to reach out to the seven member counties and ask for widespread participation in bringing some immediate financing into the organization. This financing would take care of the most pressing outstanding liabilities so that over the next 24 months as service is reduced they are paying back financing partners instead of vendors all across the community. The banking institution that has been a partner with TAPS has indicated they have done as much as they can do and cannot continue to finance operations. The agency has a plan to recover but is cash poor.

Commissioner Hill believes, if there is significant financing and a partnership with the counties and the state, there will be the opportunity to keep services running to pay back the liabilities and eventually be whole again. It will take two years of reduced services to accomplish this. The problem is if there is only a small amount of financing, it may not be sufficient to carry out the goal. The agency needs \$2.5 million to get back on a positive course. The Commissioner does not feel it would be responsible for Collin County taxpayers to be the only financing partner at the table.

Judge Self asked about the expectation of state funds either from the RTC (Regional Transportation Council) or TxDOT. Commissioner Hill said the RTC came forward with a proposal to provide security only for financing up to \$250,000 but no funding. The state has not yet responded as to what it would do. Commissioner Fletcher asked what has been done to inform the organizations that use TAPS and the regular riders about the situation. She received an email that morning saying eight riders on their way to Meals on Wheels were stranded. Commissioner Hill said they did not know which drivers would come back to work after missing payroll so they did not know what routes this would affect.

The Commissioner did ask the Director for insight as to what routes would be running on Tuesday. However, more drivers may not show up or call in so there may not be full transparency on what routes will be operational. The Board knows that it needs to communicate this to the riders, member cities, partnering counties and Board members.

Commissioner Hill said the ideal situation would be if TxDOT provided \$1.5 or \$2 million of the financing and the seven member counties come together and make up the difference. The Commissioner also said the contribution model does not work for Collin County because we have two transit systems, DART (Dallas Area Rapid Transit) and TAPS. The citizens who live in the DART service area already pay transit taxes. The cities of McKinney and Sherman have a seat on the TAPS Board and already contribute financially to TAPS on a contribution model. No other funds have been secured or found at this point.

The agency considered using the \$250,000 security from the RTC to collateralize a loan in order to make payroll, but the bank did not have a model for this type of plan and would not issue a line of credit. There was a lengthy discussion regarding the collapse of CCART (Collin County Area Regional Transit). Commissioner Webb said CCART had the same issues as TAPS and the Court did not bail them out. The region spent \$1 million on taxi cabs for mandatory riders during the CCART collapse.

Judge Self asked what the minimum level of service would be that TAPS could maintain with the current revenues. Commissioner Hill used McKinney as an example and explained the city puts \$100,000 a year towards TAPS, and TxDOT puts \$335,000 a year into the program. The federal government puts in over \$1 million but they will only contribute funds if there is another state or local dollar to match it. So of the \$1 million only \$435,000 is available from the federal government as a match for the \$100,000 from McKinney and \$335,000 from TxDOT. That means there is \$870,000 to spend on service in McKinney. The problem is the agency was spending as if they would get the entire \$1 million from the federal government and this is what has caused it to fail. The Commissioner's directive to the staff was to bring a budget on Wednesday that only anticipates what they will get from local government and what can be matched by the federal government.

The Commissioner spoke with TxDOT and NCTCOG and asked how much funding TAPS has been awarded and is eligible to receive a federal match for if the reimbursement requests are submitted. The answer was \$3.4 million. The staff is starting to get the reimbursement cycle moving; the typical turnaround time is 30 days.

Judge Self said this is a complicated process and unless there is a major infusion of cash we should let this play out. The Judge cannot vote for Collin County being the senior creditor on this. Commissioner Hill said the agency is expecting \$200,000 to come in this week on reimbursements but they do not have the staff to get the reimbursements turned in. COG approved \$100,000 for contract accountants to go through the books and find anything that qualifies as a transit expense and get it turned in. That procurement has gone out for bids to hire the accountants but no bids came back. They are now working to make a direct procurement for the accountants as quickly as possible.

In summary Commissioner Hill said it looks like TxDOT is not as eager to help as they had hoped. If we can get a partnership with the seven counties, Collin County as the largest county has a leadership role to play in that. Commissioner Fletcher asked if there was a way to leverage the reimbursements that will come back to TAPS with a partner who will come in and give a loan against those receivables.

Judge Self said the point is the model. If TAPS is willing to charge what the cost of the services are then the model might work. DART does not have to charge what the services cost because they have the tax-based backup. If Commissioner Hill can get a positive response from TxDOT he would like Collin County, along with the other member counties, to be ready to participate unanimously. Until the Commissioner hears from TxDOT, he is not asking Collin County to put forward any money. (Time: 2:48 p.m.)

NO ACTION TAKEN

10. AI-38983 North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.

Judge Self updated the Court on the last NCTCOG monthly meeting. There was a study for SH199 and the Judge asked Clarence Daugherty, County Engineer, to ask COG for the studies they have done because the RTC (Regional Transportation Council) is funding studies on roads. Judge Self would like to compare their model with Collin County's model.

Judge Self also asked Collin County's IT Department to provide data on our IT refresh and look at COG's data. NCTCOG supports approximately 600 employees but they are routinely spending several million dollars a year on their refresh.

The Board approved the \$250,000 back-stop for TAPS (Texoma Area Paratransit System) though the Judge does not believe that it will be used.

The Judge abstained on an item regarding going to MCOs (Managed Care Organizations) to start giving individual help for Medicaid patients. The Board approved a contract in the Tarrant County service delivery area giving very individualized counseling and advice on many things including prescriptions. The State's theory is this will save Medicaid dollars.

Next there will be eight solid waste projects and the Judge spoke with Jon Kleinheksel, Public Works, to get project requests. The call for projects is in January. These are large grants available to the County of up to \$200,000 for solid waste projects. Judge Self would like one for illegal dumping.

The last item of interest was regarding the Workforce Development Board models. Both Dallas and Tarrant Counties have independent Workforce Development Boards and then there is what is known as "the doughnut," which is the area around those two major counties. Dallas County receives over \$86 million, Tarrant County receives over \$56 million and the doughnut receives approximately \$59 million. Out of that \$59 million, \$37 million is spent on childcare. Judge Self said the Workforce Development Board is basically a childcare facility with 60 percent of their budget going to childcare. Their motto is "Developing our future workforce begins with quality childcare." There are 800 childcare providers in the doughnut and it is a huge expense. (Time: 2:54 p.m.)

NO ACTION TAKEN

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

Commissioner Hill asked to keep the TAPS updates as a future agenda item. (Time: 2:54 p.m.)

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 2:55 p.m. in accordance with Chapter 551.074 Personnel to discuss the Homeland Security Director.

Personnel (551.074)

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

AI-40666 Homeland Security Director, Administrative Services.

NO ACTION TAKEN

Judge Self reconvened the meeting at 3:51 p.m. With no further business of the Court, the meeting was adjourned at 3:51 p.m.



Keith Self, County Judge

Susan Fletcher, 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