

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
MARCH 14, 2016

On Monday, March 14, 2016, 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

Judge Self led the Invocation.
Commissioner Fletcher 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 1:30 p.m. and recessed the meeting at 2:43 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:44 p.m. The meeting was reconvened and adjourned at 3:33 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:43 p.m. and adjourned the meeting at 2:43 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:43 p.m. and adjourned the meeting at 2:43 p.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 2:44 p.m. and adjourned the meeting at 2:44 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-41303 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. **Public Comments.**

3. Presentation/Recognition:

Shane Williams, Constable, Precinct 1, presented Donna Gelvin, Administrative Secretary, with a 35-year pin for her dedicated service to Collin County. (Time: 1:32 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled items 4b1 and 4d1. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 2:14 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Duncan Webb
Passed: 5 – 0 Passed

a. **AI-41244** Disbursements for the period ending March 8, 2016, Auditor.
COURT ORDER NO. 2016-169-03-14

b. Agreement(s):

1. **AI-41087** Third Party License and Services Agreement and a Professional Services Agreement with Tyler Technologies, Inc., approve an End User License Agreement and a Software Maintenance Agreement with Computing System Innovations (CSI), declare Computing System Innovations (CSI) as the sole source provider and grant exemption from the competitive bid process in accordance with V.T.C.A. Local Government Code 262.024(a)(7)(A) and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

Commissioner Webb pulled this item due to legal concerns in the contract related to insurance, limitation of liability and termination for cause and not cause. The Commissioner would like to hold this item until Purchasing and Information Technology can negotiate with the vendor. Michalyn Rains, Purchasing, said the vendor has been contacted and she is waiting for a response. Ms. Rains confirmed this is not a Conference of Urban Counties contract. With no further discussion, the item was held. (Time: 2:15 p.m.)

HELD

2. **AI-41294** Consent to Assignment and Assumption for Services: Prisoner Transport (IFB No. 04215-12) to change the name from Texas Prisoner Transportation Division to Texas Prisoner Transportation Services and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2016-170-03-14

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

1. **AI-41277** February 22, 2016.

COURT ORDER NO. 2016-171-03-14

d. Miscellaneous

1. **AI-41311** Sale of property located at 9465 County Road 626, Blue Ridge, Texas (1.00 Acre, Tract 10, Abstract 639, Nathan Mitchell Survey, Volume 4562, Page 588) as recorded in the Collin County Deed Records to Steven Santos upon the payment of \$725, County Judge.

Commissioner Webb pulled this item due to his concern with selling the property for \$725 rather than the appraised value of \$16,000. The Commissioner asked who is pushing the sale of the property to this bidder for this price. Billy Bilyeu, County Administrator, explained the process of selling struck-off property. The Constable posts the notice of auction and sells the property on the courthouse steps. If the auction does not produce an outcome the property stays with the Constable's office for anyone to bid on. Typically these types of properties are ones where the taxes have not been paid in several years resulting in a default dollar amount which carries over making the appraised value higher than what the property may actually be worth. This property was struck-off in 2009.

There was a brief discussion on the possibility of a buyer playing the system by waiting until the auction is over to place a bid on a property at a considerably lower amount than the appraised value. Mr. Bilyeu explained when there is a bid, at the auction or not, of less than what is owed, the bid has to be presented to the entities for approval. Mr. Bilyeu reminded the Court that if one entity accepts the bid it forces all the other entities to accept the bid as well. The Court was in agreement to not be the first entity to approve these types of properties. If the bid is less than what is owed, the Court would like the lien holder/debtor to have the opportunity to act first. Mr. Bilyeu said an internal process will be put in place to ensure the Court is not the first to act. With no further discussion, the item was held. (Time: 2:25 p.m.)

HELD

2. **AI-41295** Re-designation of eight (8) roads in the Scenic Point RV Park (with one (1) address update), GIS/Rural Addressing.

COURT ORDER NO. 2016-172-03-14

3. **AI-41243** Timeline for the Parks and Open Space Project Funding Assistance Program, 2007 Bond - Seventh Series, Special Projects.

COURT ORDER NO. 2016-173-03-14

4. **AI-41304** Personnel Appointments, Human Resources.

COURT ORDER NO. 2016-174-03-14

5. **AI-41305** Personnel Changes, Human Resources.

COURT ORDER NO. 2016-175-03-14

GENERAL DISCUSSION

5. AI-41105 State CPS Update, Administrative Services.

Billy Bilyeu, County Administrator, introduced the following individuals from the DFPS (Department of Family and Protective Services) to answer questions and concerns regarding the County's responsibility to CPS (Child Protective Services) especially related to drug testing: Larry Isbell, Director of Contracts, Region 3; Melissa Moffat, Deputy Regional Director, Region 3; and Claudia Gross, Collin County Program Administrator. Mr. Isbell said Collin County has been spending a lot of money for the drug testing of CPS clients which is separate and apart from the CPS contract with the County. He said drug testing has not been a part of the CPS contracts with the County and explained drug testing contracts are managed by the State Comptroller of Public Accounts through TPASS (Texas Procurement and Support Services Division). Regional CPS staff does utilize the Comptroller's drug contracts; however, in Collin County the staff utilizes both the drug contracts and Collin County funding. Testing paid for from County funds comes directly from the County and cannot be tracked by the Contracts Department.

Ms. Moffat said there is only one state drug testing collection site under the Comptroller's contract for Collin County which is located in Plano. Commissioner Williams asked if all drug testing is court ordered. Ms. Moffat explained drug testing is done at all stages of service. She said the increase in cost of the drug testing in Collin County is due to the staff feeling they have more flexibility and access to what is needed in drug testing by being able to utilize the contract with Collin County. Presently, the caseworkers have been asked to only utilize the one test collection site which has been a challenge due to the location and hours of availability. Mr. Bilyeu said in speaking with Lee Williams, Director of Regional Contracts, in late 2015, she agreed there was a problem with the number of test sites and would have the issue rectified immediately with expanded hours. She had promised the County would see a significant decrease in drug testing costs because the responsibility should sit with the state except for special exceptions. Mr. Isbell said he has made requests to the contractor for additional sites in Collin County. The issue is if sites will agree to service the CPS clients. For example, CareNow facilities were previously used as drug testing sites, but they had issues with the CPS clients affecting their general population so they pulled out of the contract.

Judge Self said Collin County is the sixth largest county so more funding and more sites are needed. Commissioner Hill asked how many sites are in Dallas, Tarrant and Denton Counties. Mr. Isbell said Dallas and Tarrant each have six sites and Denton has one. The contract ends August 31, 2016 with an option to renew each year which would be a perfect time to have the contract amended. The Court would like to help CPS by giving a voice with the Comptroller to get a second or third collection site. Ms. Moffat said they will get the Court information on whom to contact.

Commissioner Williams referred to the County Child Welfare Services contracts on page 165 of the Court packet and asked what the difference is between the financial and non-financial contracts. Mr. Isbell said the financial contracts with a county allow for reimbursement of eligible Title IV-E expenditures for Child Welfare Services and/or foster children. The non-financial contracts have no money involved. This means the counties with non-financial contracts use their county budget to provide the services without reimbursement. In those cases, the child welfare boards exist so they can have the authority and ability to work with the CPS clients. Mr. Isbell added, the legal services contracts are to reimburse the salaries, fringe benefits and travel of attorneys who represent CPS clients.

Commissioner Williams asked what are the mandatory requirements and obligations of the County to provide for the CPS children. Is the state adequately providing for the children they remove from their homes or does the County have to provide clothing, school supplies and personal incidentals? Ms. Moffat said the County is not obligated to provide for any foster care maintenance costs. Often child welfare boards or counties step in to add to what is already provided by the daily per diem to allow a child to be normalized. She is unaware of any further money provided by the state for the care of the child beyond the daily per diem. The per diem goes to the foster parent and the allowable expenses are what the county might be reimbursed for if the county chose to provide it.

Commissioner Fletcher said the Court needs to know, going into budget season, what is reimbursable, discretionary, mandatory and what gaps need to be filled by the County so that something is not left off which could have been budgeted. Ms. Moffat feels like progress can be made with state drug testing by taking over some of the cost the County has been providing. This can be done through partnered advocacy with Collin County to make changes to the contract to get more testing sites and to make sure the CPS staff is utilizing the contract appropriately. Commissioner Hill said if this is accomplished, it will leave more room in the county budget to assist with requests made by the caseworkers to the CPS Board. Commissioners Webb and Williams would like to see a breakdown of Title IV-E vs non IV-E children. Ms. Moffat will get this information for the Court. (Time: 2:14 p.m.)

NO ACTION TAKEN

6. Board/Committee Appointments, Commissioners Court:

a. AI-41253 Child Protective Services Board.

A motion was made to appoint Curtis Howard to the Child Protective Services Board. (Time: 2:26 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Chris Hill
Vote: 5 – 0 Passed

COURT ORDER NO. 2016-176-03-14

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

Commissioner Webb said the correspondence to the United States Department of Justice and the Texas Attorney General in regards to the lawsuits against Volkswagen, Audi and Porsche for emission test-cheat devices has been approved to submit. Collin County could see a good portion of the settlement.

The resolution adopting Mobility 2040 was approved. Judge Self asked if there will be a conflict with Mobility 2040 and the TIP (Transportation Improvement Program). Commissioner Williams said there should be no conflict because a project cannot be put on the TIP if it is not on the Mobility Plan. Commissioner Webb said the Mobility Plan is amendable every two years; therefore, the County needs to decide what to do with LARs (Limited Access Roadway) and other projects in order to get an amendment on the Mobility Plan.

In regards to the Cotton Belt Corridor, approximately 500 letters opposing TEX Rail were received the Wednesday before the RTC (Regional Transportation Council) meeting. All the letters were the same but were signed by different people. The letters opposed the section of the TEX Rail from downtown Fort Worth to the airport. Commissioner Williams said the RTC members for that area remain in favor of the TEX Rail.

In order to keep the \$2.6 million allocation to the McKinney UZA (Urbanized Area) from the Federal Transit Administration within the region the RTC has decided to appoint itself as the direct recipient for the funding on behalf of the UZA. This was due to the City of McKinney not wanting to designate itself or any other entity to be the direct recipient. The RTC will reserve the funds but will not engage any entity to provide services in the short term. McKinney still has to decide what to do with the funding. Commissioner Webb believes if McKinney does not contract with a provider the RTC would move forward in designating a contractor. The RTC could use transportation credits for the local match. However, it is unlikely the RTC would want to take this type of project on for the long term. The Court questioned if the funding could be shifted to another UZA in the area. Clarence Daugherty, Engineering, said it was set up as a designation for McKinney; therefore, the federal allocation limits it to the small UZA. Commissioner Hill said McKinney does have the concern of the UZA being swept into the Dallas UZA when lines are drawn after the next census. This would cause them to look to their city budget to cover future cost of services because the Dallas UZA would not qualify for this type of funding allocation.

Judge Self asked for clarification of the personal services agreement with Jessie Huddleston. Commissioner Webb said the RTC is going to hire someone to replace her, but because she has such a huge knowledge base, she will work offsite to provide additional support through their reporting period.

Judge Self asked Commissioner Webb to explain the meaning of the High-Occupancy Vehicle Subsidy Report and the modification to the Toll Managed Lane Policy. Commissioner Webb said the RTC has decided to not go from two plus occupancy vehicles to three plus occupancy vehicles on the HOV (High-Occupancy Vehicle) lanes but instead allow the continuance of two occupancy vehicles to receive the peak period discount. The RTC would then pay the difference rather than require the vehicles to have three people. The amount has been minimal with only \$380,000 spent of the \$17 million allocated for the program over the last two years. This has shown that a lot of people are not using the program or even going through the process to sign up for the discount. People have to identify themselves, using the mobile application, as being a two plus occupancy vehicle before driving the corridor. The technology piece to this program is advancing rapidly and it is suspected the mobile application will go away within a year moving toward video technology of looking into the car. (Time: 2:43 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 2:44 p.m. in accordance with Chapter 551.074, Personnel to discuss the Homeland Security Director, and in accordance with Chapter 551.072, Real Estate to discuss the County owned property on the southeast corner of Bloomdale Road and Community Avenue.

Personnel (551.074)

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

AI-40911 Homeland Security Director, Administrative Services.

NO ACTION TAKEN

Real Estate (551.072)

AI-41301 County owned property on the southeast corner of Bloomdale Road and Community Ave., Construction and Projects.

NO ACTION TAKEN

Judge Self reconvened the meeting at 3:33 p.m. With no further business of the Court, the meeting was adjourned at 3:33 p.m.



Keith Self

Keith Self, County Judge

Susan Fletcher

Susan Fletcher, Commissioner, Pct. 1

Not Present

Cheryl Williams, Commissioner, Pct. 2

Chris Hill

Chris Hill, Commissioner, Pct. 3

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, TEXAS