

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
JANUARY 9, 2017

COUNTY OF COLLIN

On Monday, January 9, 2017, 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 Hill led the Invocation.

Commissioner Webb led the Pledge of Allegiance.

Judge Self 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 2:10 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:10 p.m. and adjourned the meeting at 2:11 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-42597 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. AI-42584 Mileage rate adjustment from \$0.54 to \$0.535 per mile effective January 1, 2017 set by the IRS, Auditor.

3. AI-42559 P-Card Disbursements, Auditor.

4. AI-42596 Voluntary Terminations, Human Resources.

2. Public Comments.

3. Presentation/Recognition:

a. Service Pins, Human Resources.

Caren Skipworth, CIO, came forward to introduce Hope Robinson, Records Technician, and L'Cena Parsons, Records Manager. Ms. Parsons presented Ms. Robinson with her 30-year service pin and thanked her for being a valuable asset to the Records Department. (Time: 1:37 p.m.)

4. Consent agenda to approve: Judge Self pulled items 4g1 and 4g3 and then asked for comments on the consent agenda. Commissioner Fletcher pulled item 4a1, and Commission Webb pulled items 4e1 and 4e3. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:38 p.m.)

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

a. AI-42532 Disbursements for the period ending January 3, 2017, Auditor.

COURT ORDER NO. 2017-001-01-09

1. AI-42601 Blackard and Paxton Litigation.

Commissioner Fletcher pulled this item saying her position remains the same, and she will vote against it. With no further comments, a motion was made to approve the item. (Time: 1:39 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Duncan Webb
Vote: 4 – 1 Passed
Nay: Commissioner Susan Fletcher

COURT ORDER NO. 2017-002-01-09

b. AI-42534 Tax refunds totaling \$888,672.56, Tax Assessor/Collector.

COURT ORDER NO. 2017-003-01-09

c. Advertisement(s):

1. AI-42589 Collin County Courthouse Parking Lot Gate Replacement (IFB No. 2017-087), Construction & Projects.

COURT ORDER NO. 2017-004-01-09

d. Award(s):

1. **AI-42393** Collin County Maintenance for Cisco Hardware (COOP No. 2017-068) to Netsync Network Solutions, Inc., approval of an agreement with Key Government Finance, Inc. and further authorize the Purchasing Agent to finalize and execute the Payment Plan Agreement and the County Judge to finalize and execute the Purchaser's Certificate, Information Technology.

COURT ORDER NO. 2017-005-01-09

2. **AI-42568** Image Network Attached Storage Solution (RFP No. 2016-332), Information Technology.

COURT ORDER NO. 2017-006-01-09

e. Agreement(s):

1. **AI-42562** Memorandum of Understanding with Granicus, Inc. and Indecomm Global Services for Electronic Recording and further authorize the Purchasing Agent to finalize and execute same, County Clerk.

Commissioner Webb pulled this item and referenced page 377 of the Court packet. When comparing this contract to previous contracts with Granicus, the Commissioner noted there was a new paragraph which states, "In no event will Granicus' liability hereunder exceed \$1,000 regardless of the form of the claim, including without limitation, any contract, product liability, or tort claim (including negligence, statutory or otherwise)." Stacey Kemp, County Clerk, came forward to say Granicus agreed to accept the contract with that paragraph removed. With no further discussion, a motion was made to approve the item with this paragraph removed. (Time: 1:39 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2017-007-01-09

2. **AI-42588** Consent to Assignment and Assumption of Contracts for Road Materials, Asphaltic Concrete (IFB No. 2014-324) to change the name from APAC-Texas, Inc. to Oldcastle Materials Texas, Inc. and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2017-008-01-09

3. **AI-42560** Consulting Services Agreement with Black & Veatch Corporation for the phase III implementation and completion of the P25 trunked radio system replacement project, grant an exemption from the bidding process in accordance with Local Government Code 262.024(a)(4) and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

Commissioner Webb pulled this item because the agreement does not have a provision awarding attorneys' fees to the prevailing party in the event of default. The Commissioner spoke with Greg Hudson, Legal Counsel, who agreed the provision should be in the agreement saying it was an oversight on his part. Greg Munchrath with Black & Veatch Corporation said he would check with his legal team and get back to the Court with their response. Michalyn Rains, Purchasing, said they have the standard paragraph to insert into the contract. With no further discussion, a motion was made to approve the item with the standard default paragraph put into the agreement. (Time: 1:43 p.m.)

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

COURT ORDER NO. 2017-009-01-09

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

1. **AI-42561** \$53,303,839 for the encumbrance rollover from FY2016 to FY2017, Auditor.

COURT ORDER NO. 2017-010-01-09

g. Miscellaneous

1. **AI-42585** Revised list of payables to be released outside of the normal process of accounts payable check runs and without an early release approval to avoid late charges and penalties, Auditor.

Judge Self pulled this item because the procurement card limit went from \$75,000 to \$130,000, and the Judge feels this is too high. Jeff May, Auditor, explained if this is not approved, there is an early release process which would require Judge Self's signature. A motion was made to approve the item with the procurement card limit reduced from \$130,000 to \$75,000. (Time: 1:44 p.m.)

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

COURT ORDER NO. 2017-011-01-09

2. **AI-42587** Grant application for the FY 2018 Cities Readiness Initiative (CRI) Grant through the Texas Department of State Health Services (TDSHS), Emergency Management.

COURT ORDER NO. 2017-012-01-09

3. **AI-42586** Grant application for the FY 2018 Public Health Emergency Preparedness (PHEP) Grant through the Texas Department of State Health Services (TDSHS), Emergency Management.

Judge Self pulled this item and asked James McCrone, Emergency Management, if the County would be responsible for the maintenance of the equipment after the grant term expires. Mr. McCrone said the County would not be responsible for the equipment because this is all grant funding for the MRC (Medical Reserve Corps.) They are in the process of gathering equipment to make electronics available for the 24 pod locations. The equipment will not be replaced, maintained or serviced by the County. When the life of the equipment expires, it is up to the grant to replace it. The Judge asked Mr. McCrone to work with the staff to make sure the equipment is properly accounted for and annotated correctly. With no further discussion, a motion was made to approve the item. (Time: 1:45 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

COURT ORDER NO. 2017-013-01-09

4. **AI-42577** Re-designation of Private Road 5595 to Schwartz Lane (with associated address updates), GIS/Rural Addressing.

COURT ORDER NO. 2017-014-01-09

5. **AI-42581** Trim brush and tree limbs on private property at the southeast corner of CR 409 and CR 412 to restore line of sight visibility for approaching traffic, Public Works.

COURT ORDER NO. 2017-015-01-09

6. **AI-42576** Acceptance of a rebate check in the amount of \$17,467.16 for participation in The Local Government Purchasing Cooperative and BuyBoard Program to be deposited in the Going the Extra Mile Employee Incentive Program and budget amendment for same, Purchasing.

COURT ORDER NO. 2017-016-01-09

7. **AI-42598** Personnel Appointments, Human Resources.

COURT ORDER NO. 2017-017-01-09

8. **AI-42599** Personnel Changes, Human Resources.

COURT ORDER NO. 2017-018-01-09

GENERAL DISCUSSION

5. AI-42580 85th Legislative Agenda for 2017, Commissioners Court.

Judge Self asked the Court for any issues for the legislative agenda. Commissioner Fletcher said the judges expressed concern over the amount of time required for pro se litigants. The Commissioner was also made aware that the JP (Justice of the Peace) Courts are considering increasing claim amounts from \$10,000 to \$20,000. The last time this happened the JP Courts were inundated with more work which put a strain on the staff. While this may provide some relief for the County Court at Law courts, it may put too much strain on the JP Courts and require increased staff. The Commissioner wondered whether Commissioners' Court should support this. Lastly, the Commissioner is concerned about property-tax funded indigent defense and indigent costs overall. The costs continue to rise and the unfunded mandates continue to grow.

Commissioner Webb's concerns are related to finding more funding at the State level for transportation. Also, back in July, the RTC (Regional Transportation Council) took the position that more formula allocation funds for transportation should go to congestion mitigation. There was a brief conversation regarding CDAs (Comprehensive Development Agreement) and the RTC's resolution to oppose any future CDAs. Judge Self said there has been a major change in the state leadership regarding this and would like to see how successful they are with this.

Commissioner Fletcher asked Jim Skinner, Sheriff, to update the Court on his concerns regarding Chapter 59 of the Code of Criminal Procedure. This chapter dictates asset forfeiture procedures in the State of Texas and is a powerful tool used against drug traffickers. The Sheriff's Office is in the process of putting in place certain law enforcement operations in Collin County that would require the use of forfeiture monies to assist in these endeavors. However, Sheriff Skinner was told by State Representative Jeff Leach that there will be legislation introduced affecting Chapter 59 whereby asset forfeitures would go to the State as opposed to staying local. Sheriff Skinner is hoping to find a compromise when it comes to the forfeiture statute that will work for everyone.

Stacey Kemp, County Clerk, came forward to address an issue that will affect both the County and District Clerks' Offices. The Texas OCA (Office of Court Administration) has created re:SearchTX, a web portal allowing access to a consolidated database of case information that has been e-Filed. The sole purpose of the e-File system developed by the OCA was to provide a delivery system for attorneys to file documents electronically to the courts and the information would only be retained for thirty days. However, the records have not been deleted after the thirty-day period. The OCA is now retaining information filed within the e-File System and plans to make it available to attorneys and the public for a fee through re:SearchTX. This will cut into the Clerks' revenues.

Also, The County and District Clerks are the designated custodians of court records and are responsible for the management, preservation and access of court records. The County and District Clerks' Association across the state is asking their Commissioners to approve resolutions to send to Austin letting them know they will not stand behind this. Commissioner Webb said this would have a material impact on the County in terms of controlling how the information is accessed and is another situation where the state is trying to drive the money down to Austin. There was a brief conversation regarding redacted information, expunctions, and information being made public that should not be. With no further discussion, a motion was made to accept the resolution. (Time: 2:05 p.m.)

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

COURT ORDER NO. 2017-019-01-09

Commissioner Williams said the Court also needs to work on a resolution regarding the ongoing funding for methadone treatment. When Collin County made the transition from NorthSTAR, the mental health authority covering several counties, to having its own mental health authority, the County inherited a significant number of people who are in a methadone treatment program. State regulations currently require people in those programs to remain in the program for their lifetime. As a result, Collin County currently does not have adequate funding from the state to cover those costs. Since the state is mandating that this service be carried on indefinitely, the Court will need to be very active in making sure there is adequate state funding to cover those costs. The reality is, if the County does not get this funding, it will drastically affect its ability to provide ongoing mental health services. The Commissioner will prepare a resolution for the Court. Judge Self said the resolution should also include the option to move patients to a less expensive alternative and to have more authority as to whether or not they go into the program to begin with.

Judge Self referenced item 22 on the list of proposed legislative issues. This related to rules adopted by the Texas Department of Motor Vehicles and would move a lot of the registration fees to Austin. This is the same type of issue the County and District Clerks are facing. (Time: 2:08 p.m.)

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

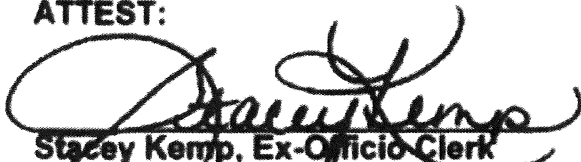
Judge Self asked to have another discussion in two weeks on the LARs (Limited Access Roadways) priorities and funding process. The Judge would like the chart that was shown to the Planning Board. (Time: 2:10 p.m.)

EXECUTIVE SESSION

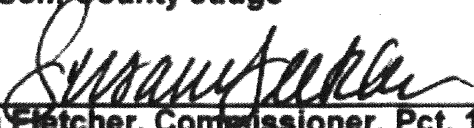
The Board did not recess into Executive Session. There being no further business of the Board, Judge Self adjourned the meeting at 2:10 p.m.



ATTEST:

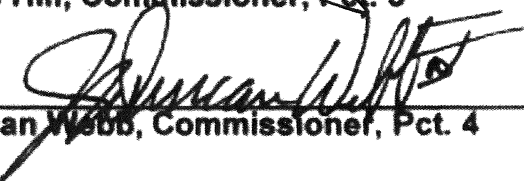

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, TEXAS


Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4