

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
APRIL 17, 2017

COUNTY OF COLLIN

On Monday, April 17, 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

Absent: Commissioner Duncan Webb, Precinct 4

Commissioner Hill led the Invocation.

Judge Self led the Pledge of Allegiance.

Commissioner Fletcher 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 1:41 p.m. The meeting was reconvened and immediately recessed into Executive Session at 1:42 p.m. Judge Self reconvened the meeting at 2:41 p.m. and adjourned the meeting at 3:26 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 1:42 p.m. and adjourned the meeting at 1:42 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 1:42 p.m. and adjourned the meeting at 1:42 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-43002 Acceptance of the FY 2017 Grant R – Diversion Alternative Plan through the Texas Juvenile Justice Division, Juvenile Probation.

2. AI-43021 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. Public Comments.

3. Presentation/Recognition:

- a. **AI-43037** Recognition of Junior League of Collin County's Go Govern Program, Commissioner Pct. 1.

Commissioner Fletcher recognized members of the Junior League of Collin County's Go Govern Program and former Texas State Senator, Florence Shapiro. The Junior League is committed to raising present and future generations of women who are dedicated to public service, volunteerism and developing Collin County's best and brightest to continue to serve as leaders. The Commissioner presented the Junior League with a proclamation signed by the Court and thanked them and Senator Shapiro for leading by example. (Time: 1:33 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Williams pulled item 4b. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:33 p.m.)

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

- a. **AI-42979** Disbursements for the period ending April 11, 2017, Auditor.
COURT ORDER NO. 2017-266-04-17

- b. **AI-43018** Indigent Defense Disbursements, Auditor.

Commissioner Williams pulled this item to question some of the indigent defense payments. The Commissioner referenced page 55 of the Court packet and asked if the payments of \$675 and \$325 on check #453741 were for separate items. Jeff May, Auditor, said they were on the same pay sheet and explained Sec. 7.03(b) which allows judges discretionary up to \$1,250 which was exercised to pay this.

The next question was on page 57 regarding check #133. Mr. May said this was an electronic payment, and the judge had noted on the pay sheet this was \$500 for a plea, \$500 for a writ and \$750 discretionary split between the two cases totaling \$875 each. This would fall within the plan.

On page 59, the Commissioner asked about a \$2,500 payment on check #453811. Mr. May explained this was for a jury trial which falls under the plan on 7.03(a)(3). Lastly, on page 62, Commissioner Williams questioned check #453717 for \$550. Mr. May said that was for a DWI (Driving While Intoxicated) plea and falls under the plan. With no further comments, a motion was made to approve the item. (Time: 1:37 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2017-267-04-17

c. Advertisement(s):

1. **AI-42989** Painting of Security Barriers at Justice Center (IFB No. 2017-184), Facilities.
COURT ORDER NO. 2017-268-04-17

2. **AI-42987** Fuels (IFB No. 2017-128), Public Works.

COURT ORDER NO. 2017-269-04-17

d. Award(s):

1. **AI-42992** Services, Detention Slider Door Repairs (IFB No. 2017-161) to ISI Detention Contracting Group Inc. DBA Argyle Security Group, Facilities.
COURT ORDER NO. 2017-270-04-17

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

1. **AI-42996** \$700 to reallocate funds to cover the expenses for supplemental training pay, Sheriff.

COURT ORDER NO. 2017-271-04-17

2. **AI-42999** \$20,050 to reallocate funds to cover the expenses for supplemental training pay for the remainder of FY 2017, Sheriff.

COURT ORDER NO. 2017-272-04-17

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

1. **AI-42997** March 27, 2017.

COURT ORDER NO. 2017-273-04-17

g. Miscellaneous

1. **AI-42988** Declare Dominion Voting Systems, Inc. as the sole source provider for Election Management Services and grant an exemption from the competitive bid process per V.T.C.A. Local Government Code 262.024(a)(7)(A), Elections.

COURT ORDER NO. 2017-274-04-17

2. **AI-43006** Final Plat for The Hills of Lone Star Phase 7B/NorthGate, Lots A2-A9, Engineering.

COURT ORDER NO. 2017-275-04-17

3. **AI-43022** Personnel Appointments, Human Resources.

COURT ORDER NO. 2017-276-04-17

4. **AI-43023** Personnel Changes, Human Resources.

COURT ORDER NO. 2017-277-04-17

GENERAL DISCUSSION

5. **AI-43007** County overtime for the pay period ended April 9, 2017, Human Resources.

This item was held until after Executive Session so Sheriff Skinner could be present.

Cynthia Jacobson, Human Resources, addressed the Court regarding overtime which has continued to increase at just over \$100,000 for the last pay period. The majority of overtime is from the Sheriff's Office with housing and deputy sheriffs being the two main areas. Ms. Jacobson showed statistics from the Sheriff's Office for January 2017 and March 2017 because the difference in overtime was significant. The overtime was due to open positions and PTO (Paid Time Off). On January 16th, there were 40 hours of open positions and 16 hours of PTO which meant they were short 56 hours that day. A total of 7.5 hours of overtime was used to fill those 56 hours. Then on March 27th, they were short for a total of 72 hours and 30.5 hours of overtime was used. This shows they are still understaffed but are using more overtime. The jail has learned to get by on less. When they can get more people, they do which runs up the costs. Some employees are working extremely long hours. Ms. Jacobson explained that detention officers have to agree to be available to work every single day of the week or they are not hired. Exit interviews conducted by HR have shown the frustration with overtime issues. This has prompted the next agenda item for a deputy sheriff temporary pool and part time detention officers.

Sheriff Jim Skinner came forward to address the overtime issue. Aside from record numbers of open positions, especially at the jail, other reasons for the overtime include

PTO, sick leave, catastrophic leave, military reserve time and the unexpected. The average daily population in the Collin County jail on April 16, 2016 was 856, and one year later the average daily population has increased to 1,019. The addition of these 163 inmates accounts for two and a quarter additional pods that need to be manned. Sheriff Skinner created a Fugitive Apprehension Team on February 6, 2016 because of the high number of outstanding warrants. Two deputies were assigned to two United States Marshals and they have arrested 1,054 felony fugitives. When added to the regular deputies' arrests, the total is 2,806. To stay in compliance, the Sheriff's Office had an academy from February 6th through March 6th for seven individuals. For each of these seven individuals, someone had to be taken away from the jail to be an instructor. Sheriff Skinner said progress is being made in filling the open positions and all open positions within the Sheriff's Office are down to single digits. The Sheriff is including 22 candidates who have accepted job offers but have not been processed yet. Sheriff Skinner commended HR for their help in speeding up the hiring process.

Judge Self asked the Sheriff about the temporary pool and part time detention officer program suggested by Human Resources. Sheriff Skinner said he is meeting with six new employees next week and the situation is on its way to being solved. The Sheriff is not in favor of the idea because of the amount of money required to train these people and would prefer to stay focused on filling the positions with full-time employees. While the program is a great idea and good alternative, the Sheriff does not think this is the most optimal time for the program.

Commissioner Hill commended the Sheriff on the fugitive apprehension efforts and does not want to see the County handle the overtime issue by keeping felons on the street. As more people are apprehended and the population of the jail grows, it will be up to the Court to adjust accordingly. Commissioner Fletcher reminded the Court about SB1338 regarding non-violent criminals being released on personal recognizance which could change the numbers in the jail. Sheriff Skinner said stat calls have gone up 56% since 2012, and he has deputies who are going from call to call all night long. Also, we have one deputy in a patrol district by themselves. The Sheriff has started one-plus staffing by taking detectives and paying them overtime to put on a uniform and work during the busy hours on the weekends.

Commissioner Williams said she is fully supportive of the Sheriff's efforts to bring in fugitives, especially felony fugitives, and reducing response times. These are critical issues for the safety of our officers and the public that need to be addressed. If this requires more overtime, the Commissioner is okay with that. Commissioner Hill agreed but is concerned about the burden excessive overtime is putting on the employees. The Commissioner commended the Sheriff's Office for making the streets safer and said it is the Court's responsibility to provide the resources necessary to staff the Detention Center.

The Sheriff also has an initiative where he has approached the MUDs (Municipal Utility District) and SUDs (Special Utility District) which are taxing entities and asked them to participate by providing the cost of a deputy and a fully-equipped vehicle. In the future

these entities will bring a crushing amount of pressure on the Sheriff's Office to provide law enforcement. The ultimate goal is to put nine extra deputies on the street as a result of these negotiations. Currently, the response time is 22 minutes.

There was a brief conversation regarding funding for the temporary and part time detention officers' program and the use of reserves. The Sheriff reiterated his goal of staying focused on getting 100% staffed. Once that is accomplished, he may want additional part-time employees to help fill the gaps. (Time: 3:25 p.m.)

NO ACTION TAKEN

6. AI-43004 Establish a pilot program staffed with Deputy Sheriff temporary pool and part time Detention Officers and budget amendment in the amount of \$310,347 for same, Human Resources.

After discussing this item in conjunction with the item above, Judge Self recommended HR and the Sheriff's Office continue discussions on the program and bring it back on a future Court. (Time: 3:26 p.m.)

NO ACTION TAKEN

7. AI-43003 Building permits in the ETJ, County Judge.

Harlan Stauffer, Bedford, came forward to address the Court regarding his property in the McKinney ETJ (Extraterritorial Jurisdiction). The Stauffers own approximately 48 acres in the ETJ or unincorporated area of McKinney and were in the process of building their home on the property when the project was shut down. The subcontractors stopped working due to actions taken by the City of McKinney. Judge Self said the Court would be discussing this item in Executive Session and would have comments when the Court was back in open session. (Time: 1:41 p.m.)

The Court was recessed into Executive Session at 1:42 p.m.

Commissioners' Court was reconvened at 2:41. Judge Self said the Court believes the law is very clear on this. Our 455 Agreement deals only with flat permits and how flat land is dealt with. It has nothing to do with vertical permitting in the ETJ. With no further discussion, a motion was made for the Court to authorize the County's attorney to write a cease and desist order to be sent to the City of McKinney specifically on the Stauffer's property. (Time: 2:44 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2017-278-04-17

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

a. **AI-42824** SB 292 Creation of a grant program to reduce recidivism, arrest, and incarceration of individuals with mental illness.

HELD

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

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 1:42 p.m. under Paragraph 551.071, Legal to discuss (1) Arch Resorts, LLC v. The City of McKinney, (2) The City of McKinney v. Custer Storage Center, LLC, and (3) building permits in the ETJ (Extraterritorial Jurisdiction).

Legal (551.071)

AI-42473 Case No. 219-01855-2015 Arch Resorts, LLC v. The City of McKinney, Texas, Commissioners Court.

NO ACTION TAKEN

AI-42504 Case No. 401-03649-2015 The City of McKinney, Texas, vs. Custer Storage Center, LLC, Commissioners Court.

NO ACTION TAKEN

AI-43003 Building permits in the ETJ, County Judge.

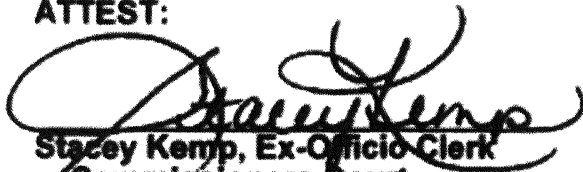
See item 7 on General Discussion for the Court's determination.

Commissioners' Court was reconvened at 2:41 p.m.

With no further business of the Court, Judge Self adjourned the meeting at 3:26 p.m.

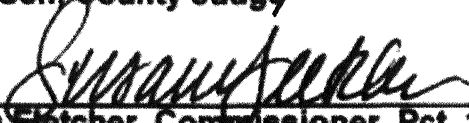


ATTEST:



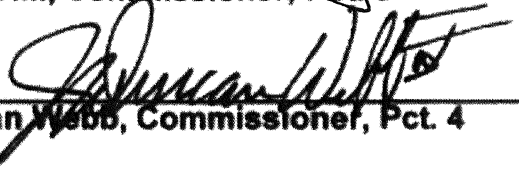
Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S


Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4