

STATE OF TEXAS

COMMISSIONERS' COURT SPECIAL SESSION

MEETING MINUTES

COUNTY OF COLLIN

APRIL 27, 2017

On Thursday, April 27, 2017, the Commissioners' Court of Collin County, Texas, met in Special 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

Absent:

Commissioner Cheryl Williams, Precinct 2

Commissioner Duncan Webb, Precinct 4

1. Judge Self called to order the Special Session meeting of the Collin County Commissioners' Court at 3:00 p.m.

2. Public Comments.

3. Consent agenda to approve:

a. AI-43086 Amendment to the FY 2017 Fee Schedule to reduce the Passport Overnight Fee from \$25.00 to \$23.75, District Clerk.

Judge Self recognized Lynne Finley, District Clerk, to discuss the amendment to the FY2017 Fee Schedule.

Ms. Finley thanked the Court for calling a special session to address the issue and then briefed the Court on the timeline of events. At 3:39 p.m. on Friday, April 21, 2017, the District Clerk received an email from the Dallas Passport Office which oversees the Collin County Passport Office. This email said Ms. Finley's office was suspended from issuing passports until further notice based on a charge in the fee schedule for overnight requests. This fee was established in 2013 and set at \$25 for applicants who requested overnight mailing of their passport application to the State Department. There was no clarification as to why the fee was an issue. Numerous calls were made to the Dallas Passport Office and State Department, but the District Clerk did not receive a response. On Sunday Ms. Finley spoke with Judge Andrea Thompson, 416th District Court, who was the District Clerk at the time the fee was set, and with Bill Bilyeu, County Administrator, on how to move forward to resolve this issue for the citizens.

The option decided upon was an administrative order by a district judge which would lower the overnight fee, in the interim, to \$23.75, identical to what is charged by the post office.

At 8:00 a.m. on Monday, April 24, 2017, Ms. Finley contacted the Customer Service Representative with the Dallas office to discuss the issue in order to get back up and running. The idea was to try to move forward and then go back and address the reason behind the suspension. The Representative seemed comfortable with the solution of an administrative order and said he would get back to Ms. Finley. By 10:00 a.m. the District Clerk had not received a response; therefore, she went to the Dallas office in order to speak to the Director of the office face-to-face. Ms. Finley expressed her concern to the Director for the citizens and for the employees of her passport office. The Director was comfortable with an administrative order by a district judge as an interim solution until the Commissioners' Court could meet. Ms. Finley came back to the courthouse and by 12:45 p.m. an administrative order was signed by Judge John Roach, 296th District Court, and in the hands of the State Department. The order set the fee at \$23.75 until the Commissioners' Court could meet to officially lower it.

Unfortunately, the Director questioned the validity of the order because it was not certified or notarized. Ms. Finley explained to her that administrative orders are not certified or notarized. The Director still wanted to review the matter further. By that afternoon the office of Congressman Sam Johnson was involved and had a conference call with the State Department and the Dallas office on behalf of Collin County. Donald Davidson out of the Washington, D.C., office was also looking into the suspension. That afternoon the District Clerk had the Commissioners' Court, District Court Judges, the County Administrator and the Congressman involved in resolving this issue for the people of Collin County. This is the reason the passport office was reopened Wednesday morning.

Judge Self said we still do not know what we were violating. Ms. Finley confirmed his statement. The email sent to the District Clerk saying the office could reopen simply stated Collin County's practice in reference to the charging of USPS (United States Postal Service) fees to passport customers was not consistent with established guidelines. She has asked for clarification on which guideline was being violated because she cannot find it. She has also asked for a regulation, a procedure, or a policy, but that has not been provided from the state. Judge Self believes this is something Congressman Johnson's office could assist in. Ms. Finley agreed and said she has asked, once things are completed to the satisfaction of the State Department, for meetings to discuss what the problem is and where it came from. She wants to make sure every document her office is preparing is acceptable to the State Department, and, if not, she wants to see exactly where a violation can be shown. Ms. Finley said each county does things a little differently, but her office is audited and has been through numerous audits since the fee was set.

Commissioner Fletcher thanked Ms. Finley for her leadership and diligence through this issue. Judge Self asked the District Clerk to draft a letter, from the two of them, to Congressman Johnson's office asking for a formal inquiry into the matter.

With no further discussion, a motion was made to reduce the passport overnight fee from \$25.00 to \$23.75. (Time: 3:08 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Chris Hill

Vote: 3 – 0 Passed

COURT ORDER NO. 2017-293-04-27

There being no further business of the Court, Judge Self adjourned the meeting at 3:08 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