

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
MAY 8, 2017

COUNTY OF COLLIN

On Monday, May 8, 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 recessed the meeting at 2:01 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:02 p.m. The meeting was reconvened and adjourned at 3:20 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:01 p.m. and adjourned the meeting at 2:02 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:02 p.m. and adjourned the meeting at 2:02 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-43080 Donation of \$2,000 to Hope's Door utilizing the District Attorney State Forfeiture Fund and budget amendment for same, District Attorney.
2. AI-43109 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2 AI-43092 Change Order No. 1 to Replacement of Vehicle Lifts at Service Center (IFB No. 2016-119) with Reeder Distributors, Inc. to extend the project completion date by 51 calendar days from April 19, 2017 to June 9, 2017, Construction & Projects.

3 AI-43035 P-Card Disbursements, Auditor.

2. Public Comments.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled item 4e3 and Commissioner Hill pulled item 4d1. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:30 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

a. AI-43063 Disbursements for the period ending May 2, 2017, Auditor.

COURT ORDER NO. 2017-315-05-08

b. AI-43064 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2017-316-05-08

c. AI-43026 Tax refunds totaling \$404,879.51, Tax Assessor/Collector.

COURT ORDER NO. 2017-317-05-08

d. Agreement(s):

1. AI-43083 Interlocal Agreement with the City of Dallas for funding through the 7th Series – 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG95) for improvements to Moss Glen Park, Special Projects.

Commissioner Hill pulled this item in order to have a separate vote. He is not opposed to the project but is opposed to the way the project was brought to the Court; therefore, he will be voting against the item. This item was brought to the Court as an exception item and was not on the list of recommended projects to support. This item was pulled off of the agenda and supported by a Commissioner on the day of the vote. It was passed with a 2-1 vote when two members of the Court were absent. Commissioner Hill believes this is bad precedence for the Court to set by advocating for special projects in Commissioners' precincts not on the recommended project list. He would like to see this project go through the appropriate process with appropriate approval from the citizen committee. The committee did have reservations about this project which is why it was not recommended.

Commissioner Hill said other Commissioners had projects in their precincts that did not make the recommended list, but unfortunately they were not present at the time to advocate for them. With no further discussion, a motion was made to approve the item. (Time: 1:32 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 4 – 1 Passed
Nay: Commissioner Chris Hill

COURT ORDER NO. 2017-318-05-08

e. Receive and File, Auditor:

1. **AI-43107** Investment Report (1st Quarter FY2017).

COURT ORDER NO. 2017-319-05-08

2. **AI-43082** Monthly Financial Reports for October 2016.

COURT ORDER NO. 2017-320-05-08

3. **AI-43112** Monthly Financial Reports for November 2016.

Commissioner Webb pulled this item to ask the Auditor about a change on the insurance claims graph for period two on page 285 of the Court packet. In 2014 it shows only \$16,000 left and a negative in 2015 which has changed since the last time the Court saw this graph. Jeff May, County Auditor, explained the change was due to a change of accounting practices for the way in which insurance claims are accrued. Previously the first 45-60 days of the new fiscal year were put into the prior year because the specific claims were unable to be identified. Mr. May's office has worked with United Healthcare this year to achieve a more accurate number which has resulted in the accrual of fewer claims. Because of this more claims are occurring this year instead of last year. This could impact the budget this year but will wash out the same in the fund balance. Commissioner Webb asked why there was such an impact to 2014 and 2015 and not 2016. Mr. May said it was due to timing. The chart only reflects the first two periods of each year for the last five years. Claims for October and November were being posted to the prior year so there weren't any shown in the first two periods except the last week or two. This all depended on when the payables were closed out for the year. Judge Self said the severe drops in periods 12 and 13 of 2013 and 2014 led to severe increases in the first two periods of 2015 and 2016 otherwise they would have been flatter. Mr. May agreed and said from now on it will be more normalized. A motion was made to approve the item.

Following the motion, discussion continued. Judge Self said he was concerned if the high fund balance for this year reflects a true picture of claims. He asked if claims are going down.

Cynthia Jacobson, Human Resources, said claims this year are fairly stable. Claims are up slightly, but not significantly. With no further discussion, the motion carried. (Time: 1:40 p.m.)

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

COURT ORDER NO. 2017-321-05-08

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

1. **AI-43078** April 17, 2017.

COURT ORDER NO. 2017-322-05-08

g. Miscellaneous

1. **AI-43114** Acceptance of the Juvenile Probation Department Financial and Compliance Audit Reports for the year ended August 31, 2016, Auditor.

COURT ORDER NO. 2017-323-05-08

2. **AI-43066** Consent to Assignment and Assumption of Contracts for Road Striping (IFB No. 2016-126) to change the name from Flat Line, Inc. to Hartley Investments, Inc. and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2017-324-05-08

3. **AI-43110** Personnel Appointments, Human Resources.

COURT ORDER NO. 2017-325-05-08

4. **AI-43111** Personnel Changes, Human Resources.

COURT ORDER NO. 2017-326-05-08

GENERAL DISCUSSION

5. **AI-43126** Designation and ballot drawing of nine public members (in Lieu of nine elected officials) and eighteen alternate members from the 2016 Grand Jury members to be appointed and serve on the 2017 Salary Grievance Committee and any action, Commissioners Court.

The Court drew nine names from the ballot box to serve as public members of the 2017 Salary Grievance Committee. The nine individuals drawn to serve as public members are Jeanette Cummings, Lauren Fincannon, Rhonda Blackburn, Joey Herald, Christopher Cade, Adam Townsend, Amna Soomro, Roberta King and Elise Spain. The Court drew 18 names from the ballot box to serve as alternate members of the 2017 Salary Grievance Committee.

The 18 individuals drawn to serve as alternate members are Randall Strickland, Latoya Gray, Anne Rieman, Steve Kamler, Julia Lewis, Eric Washington, Patrick Varnado, Kenkade Grant, Marva Tucker, Kevin Brady, Tracy Brooks, Mario Jimenez, Natalie Montoya, Clair Schwendeman, Tom Mokake, Jr., Chris Sealy, Edward Ballard and Mary

Fink. With no further discussion, a motion was made to approve the item.
(Time: 2:02 p.m.)

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

COURT ORDER NO. 2017-327-05-08

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

Judge Self gave a brief update on the NCTCOG (North Central Texas Council of Governments) Executive Board meeting. He said there was discussion on NCTCOG's investments in TexPool and TexSTAR. The Judge told the Board that Collin County thinks LOGIC and TexasClass are two investment pools that have a lot of return. The Board believes those two are riskier investments. He would like the County's Investment Committee to discuss this. Jeff May, County Auditor, said the difference between the investment pools is commercial paper.

NCTCOG has put out their population estimate on their website. As of January 1, 2017 the population estimate for Collin County was 937,000.

The closing report on TAPS (Texoma Area Paratransit System) was given at the meeting. All vehicles have been identified and repurposed. If the NCTCOG pays for vehicles in the future they will be painted white. (Time: 1:45 p.m.)

NO ACTION TAKEN

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

a. AI-43095 HB 303 Repayment of money contributed by the Texas Department of Transportation or the Texas Transportation Commission for toll projects.

NO ACTION TAKEN

b. AI-43102 SB 812 Repayment of money contributed by the Texas Department of Transportation or the Transportation Commission for toll projects.

Judge Self said HB 303 and SB 812 are companion bills. HB 303 is going nowhere, but SB 812 may have life in the Senate; however, it is not expected to be signed into law. No resolution was proposed. (Time: 1:46 p.m.)

NO ACTION TAKEN

c. AI-43093 HB 2702 Interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses and the confinement or release of those individuals prior to prosecution.

Commissioner Williams said a proposed resolution was sent to the Court which she supports. There was a typo identified within the resolution to be fixed. The Commissioner moved to approve the resolution.

Following the motion, discussion continued. Judge Self said HB 2702 was left pending in committee on April 11, 2017, and is pretty much dead. Commissioner Williams said the bill is so significant in the way it adversely impacts law enforcement that there is value in making a comment on it. Commissioner Fletcher suggested talking to legislators about this for the next legislative session. Commissioner Webb said this bill is a mixed bag. If it comes back next session, maybe it will come back as a more specific bill(s) to build a consensus. Commissioner Fletcher said when the Court speaks, she wants it to be heard. If the Court speaks on everything, it may lessen the impact of things the Court is speaking on. Therefore, if the bill is truly dead it should be put on a list for the next session. If it is critical to speak on at this time, she is in support of doing so. Commissioner Williams agreed. The motion failed for lack of a second. (Time: 1:51 p.m.)

NO ACTION TAKEN

d. AI-43098 SB 68 Eligibility for service retirement annuities from the Employees Retirement System of Texas of certain elected officials convicted of certain offenses.

NO ACTION TAKEN

e. AI-43100 SB 83 Protection of energy critical infrastructure from electromagnetic, geomagnetic, terrorist, and cyber-attack threats.

Judge Self said SB 83 is not going anywhere, but the Court may want to educate people. The Chief of Staff of the Congressional EMP (Electromagnetic Pulse) Commission pointed out the North Korean missile launch that was said to have been a failure may not have been a failure. While we thought it was an ICBM (Intercontinental Ballistic Missile) launch, if it were an EMP launch it would have been perfect. An EMP is one of the most dangerous things that could happen in America. Texas is fairly well protected with three ICBMs. Judge Self said this is a bill that will eventually make a lot of sense. Probability is low, but the consequences are unthinkable. He would like the Court to show support in protecting the grid. Commissioner Fletcher asked who is responsible for paying to protect the grid. Judge Self said the utility companies are responsible, but cost would go to the consumer. (Time: 1:53 p.m.)

NO ACTION TAKEN

f. AI-43101 SB 399 Nontolled lanes on a highway that has been converted from a nontolled highway to a toll project.

Judge Self said SB 399 is a great bill. It explains that nontolled lanes on a highway cannot include frontage roads. The bill passed the House on April 27, 2017, but it may not make

it through the Senate. With no further discussion, a motion was made to approve a general resolution of support for SB 399. (Time: 1:55 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Duncan Webb
Vote: 5 – 0 Passed

COURT ORDER NO. 2017-328-05-08

g. AI-43103 SB 891 Prohibition on converting state highway lanes to tolled or other types of managed lanes.

Judge Self said SB 891 is a little bit different than SB 399 and recommended the Court not support it. (Time: 1:56 p.m.)

NO ACTION TAKEN

h. AI-43059 SB 1383 Overweight Milk Trucks on County Roads.

Commissioner Fletcher said she crafted language for a resolution against SB 1383 and sent it to TAC (Texas Association of Counties). She received a message from Jim Allison, General Counsel, County Judges & Commissioners Association of Texas, saying it was a great draft resolution. The draft resolution has now gone across the state and other Commissioners' Courts are using much of the same language. The Commissioner said it is important for the Court to speak on this bill because if it passes it will spread across the state and put more onto the taxpayers. These companies could haul less freight to do less damage. They need to figure out their business models to make money and not put more on taxpayers to maintain the roads. Commissioner Webb agreed and was supportive of the resolution. With no further discussion, a motion was made to adopt the drafted resolution. (Time: 1:58 p.m.)

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

COURT ORDER NO. 2017-329-05-08

i. AI-41696 Pending claims and litigation against Collin County.

Commissioner Williams suggested the Court adopt a resolution of support to ensure mental health priorities are funded in the final version of the appropriations bill. This will include: 1) \$62.6 million for outpatient mental health treatment to eliminate outpatient wait

list for adults and children and address disparities in access to services; 2) \$50 million for the creation of a matching grant program to county-based community collaboratives to reduce recidivism and decrease wait times for forensic commitments; and 3) funding to address the shortages for inpatient psychiatric care. The resolution if passed will be sent to the budget conferees, Speaker of the House and Lieutenant Governor. With no further discussion, a motion was made to adopt a general resolution of support for mental health priority funding listed above. (Time: 2:00 p.m.)

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

COURT ORDER NO. 2017-330-05-08

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

Judge Self said the CUC (Conference of Urban Counties) has asked the Court to send a representative to the CUC Membership Luncheon where there will be a discussion on a consolidated buy of election equipment in the future. Commissioner Williams said that she would be attending. The Judge would like an update on the next Court agenda. (Time: 2:01 p.m.)

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 2:02 p.m. in accordance with Paragraph 551.071, Legal to discuss: Case No. 401-03649-2015 the City of McKinney, Texas, vs. Custer Storage Center, LLC as well as pending claims and litigation against Collin County.

Judge Self reconvened Commissioners' Court at 3:20 p.m.

Legal (551.071)

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

NO ACTION TAKEN

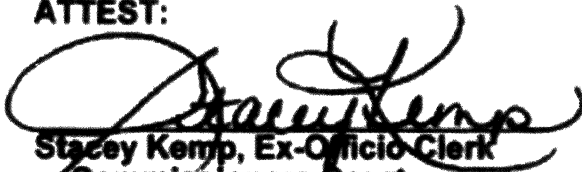
AI-41696 Pending claims and litigation against Collin County.

NO ACTION TAKEN

There being no further business of the Court, Judge Self adjourned the meeting at 3:20 p.m.



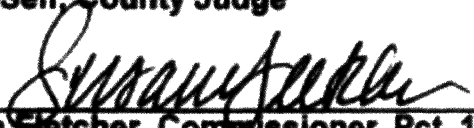
ATTEST:




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




Keith Self, County Judge



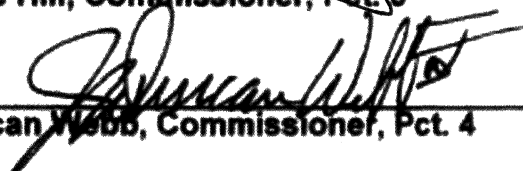
Susan Fletcher, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



Chris Hill, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4