

COURT ORDER NO. 2019-252-04-01

STATE OF TEXAS

**COMMISSIONERS COURT
MEETING MINUTES
MARCH 4, 2019**

COUNTY OF COLLIN

On Monday, March 4, 2019, 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 Chris Hill
Commissioner Susan Fletcher, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Darrell Hale, Precinct 3

Absent: Commissioner Duncan Webb, Precinct 4

Commissioner Fletcher led the Invocation.
Commissioner Hale led the Pledge of Allegiance.
Judge Hill led the Pledge of Allegiance to the Texas Flag.

1. Judge Hill called to order the meeting of the **Collin County Commissioners Court** at 6:00 p.m. and recessed the meeting at 8:02 p.m. The meeting was reconvened and immediately recessed into Executive Session at 8:03 p.m. The meeting was reconvened and adjourned at 9:59 p.m.

President Hill called to order the meeting of the **Collin County Health Care Foundation** at 8:02 p.m. and adjourned the meeting at 8:02 p.m.

President Hill called to order the meeting of the **Collin County Toll Road Authority** at 8:02 p.m. and adjourned the meeting at 8:03 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. **AI-46201** Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. **AI-46182** Addendum No. 1 to Construction, Collin County Justice Center, Replacement of Chilled Water Actuators and Valves (IFB No. 2019-084) to make various changes to the Invitation for Bid, Purchasing.

3. **AI-46179** Turnover, Human Resources.

4. **AI-46193** Voluntary Terminations, Human Resources.

2. **Public Comments.**

3. **Presentation/Recognition.**

4. **Consent agenda to approve:** Judge Hill pulled the disbursements on pages 122 and 123 of the court packet under item 4b for separate consideration and asked for comments on the remainder of the consent agenda. Hearing no comments, a motion was made to approve the remainder of the consent agenda. (Time: 6:01 p.m.)

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

a. **AI-46153** Disbursements for the period ending February 26, 2019, Auditor.

COURT ORDER NO. 2019-167-03-04

b. **AI-46154** Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2019-168-03-04

c. **Advertisement(s):**

1. **AI-46187** Renovations to Beverage Bars in Detention Center Cluster Four (IFB No. 2019-140), Construction & Projects.

COURT ORDER NO. 2019-169-03-04

d. **Award(s):**

1. **AI-45610** County Clerk Records Preservation Project (Coop Quote No. 2019-065) Project 1 – Historical Birth Records to NBS Holdings, LLC dba Data Preservation Solutions and Project 2 – Probate Case Files to Kofile Technologies, Inc., County Clerk.

COURT ORDER NO. 2019-170-03-04

2. **AI-46137** Signs, Sign Materials, & Barriers (IFB No. 2018-260) to various vendors, Public Works.

COURT ORDER NO. 2019-171-03-04

e. Agreement(s):

1. **AI-46178** Renewal No. 1 to the Intergovernmental Lease Agreement with the State of Texas Health and Human Services Commission for and on behalf of the Texas Department of Family and Protective Services for office space located at 2100 Bloomdale Road, McKinney, Texas, for a period of 60 months commencing November 1, 2019 through and including October 31, 2024, Construction & Projects.

COURT ORDER NO. 2019-172-03-04

2. **AI-46112** Interlocal Agreement with the City of Plano for the design and construction of Arterial Concrete Pavement Maintenance Rehabilitation from 2013 to 2018 and budget amendment in the amount of \$9,043,075 for same, Engineering.

COURT ORDER NO. 2019-173-03-04

3. **AI-46151** Funding Agreement with the Collin College Foundation to provide tuition assistance to paid and volunteer members of the various Fire Departments within Collin County for select courses provided by the Collin College Fire Science Program effective March 4, 2019 through and including September 30, 2019, Fire Marshal.

COURT ORDER NO. 2019-174-03-04

4. **AI-46176** Interlocal Dispatch Services Agreement with the Lowry Crossing Volunteer Fire Department effective October 1, 2018 through and including September 30, 2019, Sheriff.

COURT ORDER NO. 2019-175-03-04

5. **AI-46177** Interlocal Dispatch Services Agreement with the City of Princeton effective October 1, 2018 through and including September 30, 2019, Sheriff.

COURT ORDER NO. 2019-176-03-04

f. Receive and File, Final Audit Result(s), Auditor:

1. **AI-46111** Justice of the Peace, Precinct 2 (1st, 2nd, 3rd and 4th Quarter FY2017).

COURT ORDER NO. 2019-177-03-04

g. Miscellaneous

1. **AI-46175** Amend the FY 2019 Fee Schedule to include the addition of a Non-Disclosure fee of \$28 to the Justice Court Fee Schedule, Justice of the Peace, Precinct 1.

COURT ORDER NO. 2019-178-03-04

2. **AI-46202** Personnel Appointments, Human Resources.

COURT ORDER NO. 2019-179-03-04

3. **AI-46203** Personnel Changes, Human Resources.

COURT ORDER NO. 2019-180-03-04

GENERAL DISCUSSION

5. AI-46172 Public Power Pool (P3) Update, Commissioner, Precinct 1.

Commissioner Fletcher invited David Quin, Program Manager for P3 (Public Power Pool), to give the P3 update. P3 was set up in 2002 by the CUC (Conference of Urban Counties) as an effort to negotiate down electricity rates by purchasing in bulk to leverage in the market place and negotiate better contract terms to protect the needs of Texas counties and provide full contract services.

P3 has grown from four member counties to 98 political subdivisions across the state. The annual load of the group is 1,019,282 MWh worth about \$73 million. Savings to date are \$123 million against market. Collin County's savings against market since 2002 is \$2.4 million. Had members procured power alone, they would have paid 1/3 to 1/2 cent more per kWh.

Mr. Quin explained P3's procurement process. To make the process competitive, P3 invites every retailer wanting to provide electricity to the group. There are around 160 electricity retailers in the state. Of those, 38 responded in 2017 which was the last time the procurement process was done. Six of those were short-listed by the board as having the credit rating, back office support and willingness to comply with P3's contract terms. All members had 60 days to review the proposal and customized price targets and decide if they wanted to be a part of the procurement.

The target for Collin County was 3.56 cents/kWh for a three-year term – FY2020-FY2022. When the winning bid was transacted it was a 1/2 cent lower than the target at 3.05 cents/kWh. This is the lowest rate acquired for Collin County in the program's history. This will result in a reduction in costs of \$295,994 based on current consumption patterns. This will take effect in the next calendar year.

Mr. Quin reviewed reasons why P3 is Collin County's best option for purchasing power. Besides negotiating bulk discounts unavailable to individual entities, P3's contracts are the most member-friendly in the business. There are no penalties for consumption changes due to aggregate swing benefit provisions and no minimum use requirements. P3 has enhanced supplier performance standards and enforcement penalties. P3 also has unfettered member access to demand-side programs. P3 has a transparent aggregation fee of 59.3 cents/MWh which is the lowest in the business. They are a non-profit organization owned and operated by the members. The P3 board of directors includes the county judges from Tarrant, Harris and Dallas Counties and a county commissioner from Rockwall County.

Judge Hill asked if the county members in P3 are required to be members of the CUC in order to participate. Mr. Quin said they are not required to be members of the CUC. Of the 47 county members, 19 are members of the CUC.

Commissioner Hale asked if the aggregation fee is the cost of doing business. Mr. Quin confirmed and said the aggregation fee for 2019 is \$17,784 which is a line item on the County's bill. (Time: 7:42 p.m.)

NO ACTION TAKEN

6. AI-46194 Mental Health Managed Counsel impacts on jail population and County costs, Commissioners Court.

Alyse Ferguson, MHMC (Mental Health Managed Council), came forward to give a presentation on the MHMC program. The program was created to seek systemic solutions to get and keep mentally ill defendants out of the criminal justice system. The MHMC Office provides services which include EIMI (Early ID of Mental Illness), appointment of counsel specialized in mental health defense, indigent defense and appointment of all wheel attorneys, the mental health bond program, coordination of competency restoration of stabilization plans, case management and defendant advocacy.

Program activities include: being the recipient of the 2018 County Best Practices Award for Competency Restoration from the TAC (Texas Association of Counties); coordination of the annual Collin County Mental Health Symposium for the past five years; ongoing training on mental health related topics; ongoing state hospital liaison; and ongoing coordination with LifePath Systems' Jail Diversion Program and Crisis Respite Unit.

The number of inmates served since the program began in FY2014 has remained consistent. EIMI numbers have steadily increased with 34% of the jail population being identified as possibly having a mental illness or an intellectual disability. The number of cases served by MHMC has also continued to rise.

MHMC did 248 mental health bonds in FY2018. These bonds saved jail days by getting the defendants out of jail with conditions to probation for getting mental health services, taking medication and participating in programs.

In FY2012 the average number of days in custody for competency cases was 271 days per case. By FY2017 that number had reduced to an average of 140 days per case in custody. The average days in custody from clearinghouse fax to hospital transports has been significantly reduced since FY2012 and so has the average number of days from when an inmate returns from the hospital to jail release. Some inmates are being released within three days. The average number of days from arrest to disposition has decreased from an average of 190 days in FY2013 to an average of 120 days in FY2018 which is a significant savings.

Judge Hill asked Ms. Ferguson to further explain the role MHMC plays with the management of indigent defense and the appointment of all wheel attorneys. Ms. Ferguson said the Indigent Defense office was under the County Clerk until the year before last when it moved into the MHMC department for a better alignment in terms of management with the attorney aspect and the ability to appoint cases.

According to Ms. Ferguson, MHMC handles the wheels, the attorney eligibility for the wheels and appointments for all the people who ask for an attorney during an arraignment or when the court calls and tells MHMC a person needs an attorney. This is done for all cases directed to the MHMC as a result of magistration and/or court referrals for both the county and district courts.

Ms. Ferguson said some courts still appoint on their own. There is no court that strictly avoids using indigent defense, but sometimes there are circumstances where the judge may feel it is appropriate to appoint from the bench. Ms. Ferguson said judges have the ability to appoint from the wheel while on the bench. Judge Hill said some judges utilize direct appointments at a greater frequency than others.

Commissioner Williams said this program has been very effective and has done a great job reducing jail time and costs. She was very proud at what has been accomplished. She has been to a number of TAC conferences where the Indigent Defense Council has mentioned Collin County in presentations as an example on how to do mental health appointments correctly. Commissioner Fletcher agreed. (Time: 6:11 p.m.)

NO ACTION TAKEN

7. **AI-46196** Managed counsel or other options to more efficiently handle indigent defense, Commissioners Court.

General Discussion items 7 and 8 were discussed together.

NO ACTION TAKEN

8. **AI-46199** Intent to submit an application for the FY 2020 Discretionary Grant for a Managed Assigned Counsel Program through the Texas Indigent Defense Commission for the grant period from October 1, 2019 through and including September 30, 2020, 296th District Court.

Judge John Roach, 296th District Court, came forward on behalf of the district judges to discuss General Discussion items 7 and 8. He said the MHMC program began as a matching four-year grant through the TIDC (Texas Indigent Defense Commission). At the conclusion of the grant period, the Court determined the program was so effective that it should continue as a department. Somewhere in that time period it was also realized the management/oversight in the billing of other cases was not adequate and research began on finding efficiencies. Judge Roach has presented the Managed Assigned Council (MAC) program three times as a solution for the County. He believed one day there would be a situation where there was not appropriate oversight over these cases or pay sheets and now there is such a situation. The MAC concept helps in managing billing and maintaining the different attorney wheels which is a task the judges can't manage alone.

According to Judge Roach, A MAC would also aid with attorney complaints through the jail. For example, if an attorney hasn't seen their defendant in 45 days, the defendant can use a kiosk in the jail to make a complaint. That complaint would go to the MAC. The MAC would operate similarly to the MHMC and hopefully stop the current situation from happening again. Applying for this grant to create a MAC program like the MHMC would make the system more accountable to the taxpayers, more efficient and more accountable to the client. This would make sure the attorneys are doing everything they can for their client and are managing their money and time wisely.

Judge Hill said the situation Judge Roach referred to is a situation which involves one name over and over again. This situation came to Commissioners Court from the district courts. Judge Hill feels the situation is due to a breakdown in oversight and normal job functions being performed. He is not certain a MAC would solve the issue because there are cracks in the program and a situation could slip through again. The situation is full of direct appointments of one particular indigent defense attorney who was chosen hundreds of times "off" the wheel. The job of Alyse Ferguson, MHMC, is to make sure an efficient program is running "on" the wheel, but there are hundreds of instances in one fiscal year of one attorney being awarded cases "off" the wheel. The Judge asked if the Commissioners Court in partnership with the elected judges of the County design a system to hold the judges firmly to the program where they can't do what has happened. Judge Roach said it can be done by delegating the pay sheet authority to the MAC. However, judges will always retain the authority to make a direct appointment.

Judge Hill said if a direct appointment is made 400 times in one year that appears to be unreasonable. Why were so many cases given to one person? It would be reasonable for the Commissioners Court to ask that question. If a MAC program is put in place to govern the delivery of justice in the County and make sure it is efficient, judges can still say they retain the right to make direct appointments when they feel it is necessary. The investment put into the program wouldn't do anything to stop the current situation from happening. Judge Roach did not disagree except with the pay sheet issue. All the district judges have agreed to the MAC, meaning the judges would delegate the pay sheet authority to the MAC office and all pay sheets would be routed through that office. Judge Hill asked if Judge Roach could get a letter from all eleven judges agreeing to this. Judge Roach is confident he could get the letters from all eleven or thirteen when the two new courts come online.

Judge Hill does not want to spend taxpayer money to build a program to make the situation better if there are known cracks from the beginning. The hands of the judges can't be bound, and the Judge wouldn't presume to know best. He presumes the judges know best, but something has to be done for the situation to not happen again. Judge Roach said we have to plan for the bad apples, 99% of the attorney appointments were fine. Several of the programs/processes failed including the Auditor's office in not catching the anomaly. Having the pay sheets go through the MAC would put a process in place to catch an anomaly and question it. The current situation would have been caught so much sooner if a MAC was in place.

To confirm, Judge Hill said the pay sheets would allow for normal opportunity for reports revealing a situation as it begins rather than a year after it has happened. Judge Roach agreed. Other reporting metrics could include: number of appointments to each attorney; dollars paid to each attorney; and/or dollars paid or awarded by a specific judge.

Judge Roach said indigent defense is the only thing that can be done with this grant. The CPS (Child Protective Services) judges believe more oversight is needed with regard to appointments in CPS cases to have more continuity like with mental health cases. This is not included in the grant, but will be addressed with the Court later. A systemic change is wanted with systemic oversight over every dollar coming out of the courthouse and the judges are willing to do it.

Judge Hill said an intent to submit an application for the grant has been presented to the Court today which is the first step in the grant process. The intent must be submitted by March 11, 2019. He said this application is perfectly in line with what TIDC does so it is likely the letter of intent will be accepted and the application welcomed. The application will be due in May with the next milestone being in August with the budget workshop. Judge Hill asked if the Court were to move forward on the letter of intent, can the Court expect the district judges to work with the Court between now and May to design a system that allows for reporting metrics to prevent the current type of situation from happening again. Judge Roach believes there is no doubt this would happen.

Judge Hill asked if technology solutions, such as a pay sheet portal which produce regular reports, would accomplish the same solution. Judge Roach said it would not accomplish the same solution because a report means nothing until it is executed and followed through to conclusion. Judge Hill said we have all been held accountable in every job we have had and asked if a system can be designed, using technology, where the reports are sent to the Commissioners Court, Board of District Judges, et cetera to hold accountability. Judge Roach believes this can be done.

Judge Roach mentioned an electronic billing system which is being developed and in a test phase for attorney pay sheets using a portal. Judge Hill asked when this system is implemented and goes live are the district judges OK with the Commissioners Court receiving the reports and having professional and congenial accountability over the reports. Judge Roach said they would because the information is there. There just hasn't been a concerted effort to consolidate all the information into one location like a MAC or have anyone execute the program. Judge Hill said with that technology in place and accountability layered over it can it accomplish the same thing a MAC would seek to accomplish. Judge Roach again said it wouldn't without execution. Pay sheets are just one function of a MAC.

Judge Hill said we need to know when an assigned attorney hasn't been to see his client in 45 days. Other than detainee complaints through a portal, can this also be determined at the front door when an attorney checks in. Judge Roach said this is done and executed, for example, by the MHMC checking the logs and contacting attorneys when needed.

Judge Roach said it is this type of management of reports that technology won't do alone and is not currently in place. Judge Hill said how we use our technology and information gathering at the jail should be taken into account to support this effort as we move between March and May. Discussion continued.

Commissioner Williams said it is critical to hold attorneys accountable, and it will take a more hands on effort to do so. In order to get cases moving, how critical is the frequency and quickness defendants are seen by their attorneys. Judge Roach said it is hugely critical. The video visitation system was implemented to increase the contact between attorneys and their clients. It has been extremely effective, but there is always room for improvement and education through a MAC. Commissioner Williams said there has been huge success with the MHMC and believes there are tremendous opportunities with a MAC. She would like to see this move forward with slight revisions to the letter of intent relating to the governance. It is important to set expectations on how the MAC would be governed. This would potentially be by a committee to include the local administrative judge, county judge, and defense bar. Judge Roach said the judges have no issue with a governing body for oversight as long as the day to day supervision is done by a judge at the courthouse.

Commissioner Fletcher said the County has a wonderful judiciary, law enforcement community and district attorney's office. She said on occasion there are situations like the one we have now. She understands the line of delineation where it is not the Court's authority but the authority of the Board of District Judges to create a fee schedule. There was a situation before with the flat fee schedule and now there is a different situation which contributed to the current situation. She asked if a flat fee schedule is on the table with the Board of District Judges. Judge Roach said it is an active part of discussions with the Board of District Judges.

Commissioner Hale supports the grant application. He made the suggestion to simplify things as much as possible. Judge Roach agreed and said as the county grew the infrastructure was already in place; therefore, as growth continues it must be kept as simple as possible to manage appropriately.

Commissioner Hale asked where the electronic billing system for pay sheets is being developed. Judge Roach said it is being done by the Auditor's office in conjunction with Kim Alvarado, Court Administrator for the district courts. Judge Roach is signing the pay sheets electronically now and sending them directly to the Auditor's office. Commissioner Hale thanked Judge Roach for the discussion in explaining that the solution to the situation is not just a financial solution but one which includes legal, ethical and moral imperatives to act upon. He encouraged the tracking of hours if/when flat fees return.

Commissioner Williams would like to look at minor changes and bring this item back on March 11, 2019. She asked for the letter to outline looking at an oversight board rather than a selection committee and identify the minimum players to be a part of the board. She suggested the local administrative judge send a similar letter to what Judge Roach has included to submit along with the letter of intent.

Judge Roach again asked for the direct supervisor of the program director be a judge and for the oversight to be related to pay sheets and reporting only. Day to day operations in judiciary is not the business of an oversight board. Commissioner Fletcher agreed and said it is important for the Court to have access to information related to auditing in order to ask questions.

Judge Hill disagrees with his colleagues. He said he is looking for opportunities to work together on this and looking for a path forward to make things better. The situation has made him intent that there must be accountability which may bring discomfort between the Court and Board of District Judges. He believes the affairs of the citizens can be managed with excellence and professionalism even in the discomfort. It is incumbent on all of the elected officials to not take that too far or abuse it. There will have to be a degree of oversight that there hasn't been in the past. A system will be successful if it can be designed where a professional is hired, and all members of the team are equally involved in oversight. If that individual is going to report to one specific judge as supervisor, it will be to the detriment of the entire program from the prospective of the Court and all the other judges who don't get the opportunity to be the supervisor.

Judge Roach said oversight with regard to finances and accountability with regard to finances is 100% OK, but oversight with regard to legal work, qualifications for legal work and fees for legal work is within the purview of the district court judges. Judge Hill agreed and said he has no desire to step in that realm. However, there is one opportunity to set this program up, then it is turned over and becomes the program used. If the program doesn't go well, it is very hard to reign it back in. The Court does have the opportunity every year to defund it, but that would not be a congenial practice.

Judge Roach is not opposed to an oversight board, but he hopes the Court can see credibility in the efforts and ability to manage the MHMC process with the balance of the financial aspects versus the rights of the defendants and the accused.

Judge Hill said, as we work toward May he would like seven letters of support from the seven criminal judges. (Time: 7:09 p.m.)

NO ACTION TAKEN

9. AI-46197 Impact of twice daily magistration on jail population and whether the new process is meeting legal timelines for defendants, Commissioners Court.

Judge Paul Raleeh, JP (Justice of the Peace), Precinct 1, came forward to discuss the impact of twice daily magistration on jail population. The requirements are being met by the twice daily magistration with the cooperation of the Sheriff's Office and the municipalities. Municipal judges are now issuing warrants and making probable cause determinations so, when inmates do come to Collin County, the twelve-hour probable cause finding period has been met, or they are coming to the County within enough time for the magistrate to make the finding.

Judge Raleeh said this is a difficult docket in reference to time in the day and the number of staff. He is unsure the JPs are qualified to do what needs to continue in magistration. For example, someone in jail who has a \$2,500 bond but can't afford the 10% fee needs to be brought back to court for the magistrate to see what can be done to get the person out of jail. This hasn't been done because there isn't the time in the day to rehear some of these things. Commissioner Williams said this is why we are in Austin asking for the ability to hire magistrates.

Judge Hill said the opportunity to reconsider bonds would help the jail population. He asked if time was the only thing stopping this from being done. Judge Raleeh confirmed it is time for both the Sheriff's Office and the courts. An individual who comes into the jail will be under the jurisdiction of the magistrate until a case is filed and assigned to a court. In some cases it could be a month or more before a case is filed. It is a matter of identifying who is in custody and has not posted a bond or had a judicial review. The county and district courts, by statute, "shall" hold judicial reviews at 15 days on a class B misdemeanor, 30 days on a class A misdemeanor and 90 days on a felony.

Judge John Roach, 296th District Court, said if an individual is not officially charged by information or indictment they "shall" be released on those dates. If an individual is charged/indicted in a felony case before the 90 days the individual stays in jail and there will be no review. In that case a motion to review bond is filed by counsel. There is not an automatic review for bond. Discussion continued.

Judge Raleeh said magistration has grown tremendously over the 20 years he has been doing them. In the beginning there were eight to ten individuals per morning. Now, on average, there are 25-30 individuals per docket which is twice a day. He said it is very easy for someone to slip through the cracks.

Judge Hill asked if Judge Raleeh is ready to forgo the compensation for magistration duties if the County gains the ability to hire someone to do magistration. Judge Raleeh confirmed that to be true. Judge Raleeh doesn't believe the Commissioners Court should be involved with appointing magistrates. It should be done by the Board of District Judges. In saying that, he doesn't have a preference on how it happens, if a magistrate is appointed to the jail he would work hard to make the magistrate successful. He would be more than willing to turn over the funding and the staff.

Judge Raleeh said the County needs to plan for the future and continue to grow with the population growth in these processes which would be better handled with full-time magistration.

Judge Hill asked Judge Raleeh and the Court to look at Texas Government Code 27.055. This section says, "In a county that has a population of more than 800,000 and that has not more than five JPs, the county judge may appoint a qualified person to serve as a temporary JP to hold court when necessary to dispose of accumulated business in the precinct." It goes on to say the county judge can designate that authority as well.

The Judge asked Judge Raleeh to consider and/or give advice on whether or not magistration duties also fit within that description of business in the court and whether or not the county judge would have the authority to appoint temporary judges to handle the magistration duties under this statute. He said, even if the statute grants the authority to the county judge, the power of the purse comes from commissioners court.

Judge Raleeh said Representative Candy Noble has introduced HB3081 which expands on Government Code 27.055. This code also deals with appointing temporary JPs, but magistration is not a responsibility of a JP. It is something done above and beyond the duties. Judge Hill said we may find appointing temporary magistrates is not a workable solution.

Commissioner Fletcher is concerned with how soon individuals can get a bond hearing. There needs to be a rubric for individuals who are not a flight risk or threat and are not currently indigent. If they continue to sit in jail they could become indigent. Many people live paycheck to paycheck, and it is unjust for a person to lose their job because they are waiting for justice. She is not sure how to solve it, but it needs to be solved. Judge Raleeh agreed. (Time: 7:31 p.m.)

NO ACTION TAKEN

10. AI-46114 Discussion of future evening courts, County Judge.

Judge Hill presented two items for the Court's consideration regarding future quarterly evening court meetings. The first was the possibility of moving the evening court meeting to the historical courthouse in downtown McKinney. The second was to move the evening meetings back to the normal time of 1:30 p.m. The reason for the quarterly evening meetings was to allow citizens of the County to attend and participate in person. All meetings are recorded and are online for viewing.

Discussion continued on the impact to staff by moving the meeting offsite again and the lack of citizen attendance at evening meetings. The consensus of the Court was to not move the meetings offsite. A motion was made to return Commissioners Court meetings to 1:30 p.m. for all regularly scheduled meeting dates. The motion was seconded.

Judge Hill said a resolution and court order will likely be needed to amend the schedule. The motion was amended to include the amendment of the meeting schedule for the remainder of the year. With no further discussion, the motion carried with the amendment. (Time: 7:54 p.m.)

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

COURT ORDER NO. 2019-181-03-04

11. AI-46206 Boards & Commissions Appointments, Commissioners Court:

a. Child Protective Services Board

Commissioner Hale appointed John Snyder and Commissioner Williams appointed Susan Etheridge to the Child Protective Services Board. A motion was made to approve the appointments. (Time: 7:54 p.m.)

Motion by: Commissioner Darrell Hale
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2019-182-03-04

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

Judge Hill updated the Court on the NCTCOG (North Central Texas Council of Governments) Executive Board monthly meeting. Judge Hill had two items of interest. The first was Julie Monge, Teen Court Coordinator, was reappointed to the Criminal Justice Policy Committee for which she currently serves as the Vice Chair. The second was Judge Hill's appointment to the Emergency Preparedness Planning Council by the NCTCOG. (Time: 7:55 p.m.)

NO ACTION TAKEN

13. AI-45660 86th Legislative Agenda for 2019, Commissioners Court:

- a. Proposed Magistrate Bill
- b. Additional District Courts
- c. Creation of the Van Alstyne Municipal Utility District No. 2
- d. Creation of the North Celina Municipal Management District No. 3
- e. Lakehaven Municipal Utility District of Collin County
- f. Collin County Municipal Utility District No. 2
- g. SB2/HB2
- h. HB 1245
- i. HB 705
- j. Texas CUC – Principles of the Urban Counties Policy Platform

k. Texas CUC – Bills Filed

l. Any other legislative items

Commissioner Fletcher has reached out to Representative Jeff Leach asking him to look into what needs to be done to the Texas Open Meetings Act in order to secure the act in such a way there is no loose or too vague language. This is to protect the citizens of Texas when it comes to transparency. She was pleased to find out Representative Leach is already working on this issue.

Judge Hill added HB705 to the agenda. The bill proposes allowing counties to take to voters the proposition of imposing a sales tax up \$0.02 to completely take the place of the M&O (Maintenance and Operations) property tax in the county. This would definitely have implications on Collin County. As the bill is currently written, Collin County is one of the eligible counties to participate. Commissioner Fletcher asked if any metrics have been done to have an idea of what the impact will be.

Commissioner Hale said based on information from the Texas Comptroller's website, there was \$15,072,000,000 worth of sales eligible to state tax throughout the County in 2017. A \$0.01 tax on that would have been \$150 million and a \$0.02 tax would have been \$350 million.

Commissioner Fletcher was concerned if a recession hits and people stop purchasing. There has to be some type of mechanism for the County to operate. Commissioner Williams said in a metropolitan area like the County is in, what happens to purchases when taxes are \$0.02 higher than neighboring counties. Judge Hill said there are calls for this as a mechanism to do away with property taxes and adopt sales taxes. The property taxes we have here are consistent where sales taxes are much more fluid. If the County was completely funded by sales tax, we would be very susceptible to the winds of change in the economy and geographically. (Time: 8:02 p.m.)

NO ACTION TAKEN

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

Judge Hill recessed the meeting at 8:02 p.m. and called to order the meeting of the Collin County Health Care Foundation and the Collin County Toll Road Authority. Judge Hill reconvened the meeting at 8:03 p.m.

EXECUTIVE SESSION

Judge Hill recessed Commissioners Court into Executive Session at 8:03 p.m. in accordance with paragraph 551.071, Legal, to consult with an attorney regarding indigent defense payments to Marc Fratter.

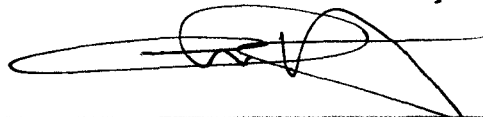
Judge Hill reconvened the meeting at 9:59 p.m.

Legal (551.071)

AI-46228 Marc Fratter Indigent Defense Payments.

NO ACTION TAKEN

There being no further business of the Court, Judge Hill adjourned the meeting at 9:59 p.m.




Chris Hill, County Judge



Not Present

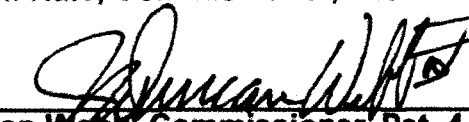
Susan Fletcher, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2

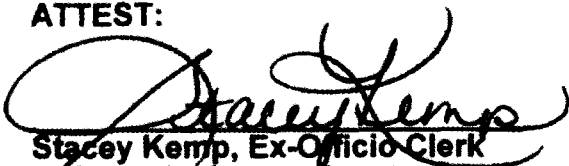


Darrell Hale, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4

ATTEST:



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