

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
AUGUST 1, 2016

COUNTY OF COLLIN

On Monday, August 1, 2016, 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 1:59 p.m. The meeting was reconvened and recessed into Executive Session at 2:00 p.m. The meeting was reconvened and immediately adjourned at 2:27 p.m.

President Self called to order the meeting of the **Collin County Health Care Foundation** at 2:00 p.m. and adjourned the meeting at 2:00 p.m.

President Self called to order the meeting of the **Collin County Toll Road Authority** at 2:00 p.m. and adjourned the meeting at 2:00 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. **AI-41887** Amendment No. 4 to Services: Offender Specimen Collection and Drug Testing (RFP No. 2015-200) with Treatment Assessment Screening Center, Inc. to extend the contract for one (1) year through and including August 31, 2017, Adult Probation.
2. **AI-41893** Proposed CSCD Budget for FY2017, Adult Probation.
3. **AI-41915** Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. Addenda:

a. **AI-41876** No. 1 to Construction, Myers Park Maintenance/Storage Building (IFB No. 2016-248) to make various changes to the Invitation for Bid, Purchasing.

b. **AI-41892** No. 1 to Professional Services, Appraisal Services (RFP No. 2016-241) to extend the due date, Purchasing.

3. **AI-41865** Budget amendment in the amount of \$40,000 for emergency repairs to the water well at the Adventure Camp (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Administrative Services.

Commissioner Hill pulled this item to clarify whether or not a vote was required. Linda Riggs, 1st Assistant Auditor, said the item was already approved and needed to be on the agenda as notification only. (Time: 1:35 p.m.)

4. **AI-41878** Voluntary Terminations, Human Resources.

2. Public Comments.

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Self pulled items 4b1 and 4i1 which are linked and then asked for comments on the consent agenda. Commissioner Hill pulled item 3 from FYI Notifications and 4g1a. Commissioner Webb pulled item 4f1. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:33 p.m.)

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

a. **AI-41863** Disbursements for the period ending July 26, 2016, Auditor.

COURT ORDER NO. 2016-531-08-01

b. Advertisement(s):

1. **AI-41886** Road Materials, Emulsified Asphalt (IFB No. 2016-296), Public Works.

The Court agreed to put this item back on the agenda for approval. (Time: 1:41 p.m.)

NO ACTION TAKEN

c. Award(s):

1. **AI-41838** Professional Services: Engineering, Rehabilitation of County Maintained Drainage Structures (RFQ No. 2016-149) and further authorize the Purchasing Agent to finalize and execute the Engineering Services Agreement, Public Works.

COURT ORDER NO. 2016-532-08-01

d. Agreement(s):

1. **AI-41891** Interlocal Agreement with the City of Richardson for the construction of Renner Road at US 75 Intersection Improvements (Bond Project No. 07-00-58) and budget amendment in the amount of \$410,000 for same. County participation NTE \$410,000, Engineering.

COURT ORDER NO. 2016-533-08-01

2. **AI-41846** Consent to Assignment and Assumption for Professional Services, Engineering, Rehabilitation of County Maintained Drainage Structures (RFQ No. 2016-149) and Professional Services, Engineering, Various Drainage Structures (RFQ No. 2015-088A) to change the name from Binkley & Barfield – C&P, Inc. to Binkley & Barfield, Inc. and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2016-534-08-01

e. Ratification of the County Judge's prior approval:

1. **AI-41881** Grant an exemption to the bid process for the purchase of helmets and vests for the Sheriff's office per VTCA LGC 262.024(A)(2) "an item necessary to protect the public health or safety of the residents of the county" and budget amendment in the amount of \$90,000 for same, Purchasing.

COURT ORDER NO. 2016-535-08-01

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

1. **AI-41880** \$150,000 to cover expense increases in Lab and Autopsy Services, Medical Examiner.

Commissioner Webb pulled this item to ask what is driving this huge increase in costs to require a budget amendment of \$150,000. The body count is up only 10% and price increases represent only 3%. Monika Arris, Budget, said the last time the Medical Examiner's budget was increased was in FY2014. Also, with the changes in drugs that people take it is not a simple drug panel that they are doing on the body. They have to do individual panels for designer-type drugs. This requires additional labs that weren't required in the past.

Commissioner Webb asked if appropriate adjustments will be made for the FY2017 budget. Ms. Arris said the Medical Examiner's budget has been increased for FY2017. With no further discussion, a motion was made to approve the item. (Time: 1:46 p.m.)

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

COURT ORDER NO. 2016-536-08-01

g. Receive and File, Auditor:

1. Final Audit Result(s):

a. AI-41860 Constable, Precinct 1 (1st & 2nd Quarter FY2015).

Commissioner Hill pulled this item not because of the amount but because of the control process. The write up suggests that a sample was pulled from the closed cases and it had a balance due. Also, the suggested internal control was to utilize a manual spreadsheet to track case/paper status to ensure the completion of a case prior to closure. The Commissioner asked if Odyssey is not sufficient to manage that control process. Linda Riggs, 1st Assistant Auditor, said there are standard procedures for controls. As far as the manual spreadsheet, Ms. Riggs will need to take that back to the Auditor to find out more about how Odyssey works and pulling reports on open and closed cases. The Commissioner recommended holding the item. (Time: 1:48 p.m.)

HELD

b. AI-41859 Justice of the Peace, Precinct 3-1 (1st & 2nd Quarter FY2015).

COURT ORDER NO. 2016-537-08-01

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

1. AI-41889 July 11, 2016.

COURT ORDER NO. 2016-538-08-01

i. Miscellaneous

1. **AI-41885** Reject all bids received for Road Materials, Emulsified Asphalt (IFB No. 2016-127), Public Works.

Michalyn Rains, Purchasing, explained that after the bids were opened and were in evaluation, she received a call from a vendor saying he was not notified of the bid. Ms. Rains discovered it was a mistake by her office in which the correct categories and commodities in the bid notification system were not selected. Vendors register themselves and select the categories or commodities they will bid on, and in this case the Purchasing office did not select the correct category. Therefore, many of the bidders that would possibly have bid on this item were not notified. This item is Ms. Rains attempt to notify all of the potential bidders in the community that there was a bid. In the meantime, Ms. Rains heard from one of the bidders that did bid and was not happy about this.

Jon Kleinheksel, Public Works, said they received bids on items 1 - 10 of the packet. These items are critical and used on a daily, weekly and monthly basis. Items 11 – 13 were not bid on and are only used when time allows. Due to lack of time, they haven't been used for the last few years. Two bids were received and they were correct. Judge Self said the bids are legitimate and feels the Court should award a bid. Commissioner Webb said this was a mistake on our part, and he has no problem correcting the mistake and rebidding this. The Judge said the issue is the prices on the bids are now public and would put the original bidders at a disadvantage. Commissioner Webb agreed.

Ms. Rains said the contract has a four-year term with the option to renew every year. Mr. Kleinheksel said the prices on these bids have come down dramatically from the last contract. Judge Self recommended putting this item back on the agenda to accept the bids. (Time: 1:41 p.m.)

NO ACTION TAKEN

2. **AI-41916** Personnel Appointments, Human Resources.

COURT ORDER NO. 2016-539-08-01

3. **AI-41917** Personnel Changes, Human Resources.

COURT ORDER NO. 2016-540-08-01

GENERAL DISCUSSION

5. **AI-41733** Tax Abatement Agreement for Reinvestment Zone No. 32 with One Bethany Development Partners LP for 50% of the taxable value of improvements for 10 consecutive years with a base year of 2016, Administrative Services.

Bill Bilyeu, County Administrator, said the Court received the draft of this agreement two weeks ago. Commissioner Webb reviewed it, made changes, and it is being brought back today for consideration. This is for a project on the west side of US75 at Bethany Road. Judge Self said the property value along US75 between I-635 and SH121 will grow to \$7.5 billion over the next 20 years if it continues at its current rate. The Judge said this is a \$25 million project and the County is not a big enough player.

Commissioner Williams said she would support the item because it meets the County's Tax Abatement Policy. The Commissioner will support anything that meets that policy until the Court changes the policy. She feels the Court should have a broader discussion before it starts denying tax abatement participation.

Commissioner Hill agreed that voting no on this would not be fair to this project. But he feels strongly that whether the County is in or not has no bearing on these projects moving forward considering all the growth in the County. The Commissioner does not see this policy having the role it was designed to have which is to drive development in our County. Development is driving itself with or without the policy. Commissioner Hill would also like to revisit the policy as a whole and favors the approach that Collin College District takes which is they don't abate properties or special projects.

Commissioner Williams reminded the Court that earlier in the year Commissioner Webb put this policy on the agenda to discuss. The Court declined to discuss it and left the policy in place. Commissioner Webb will support this because this project is substantially different than past abatement projects, and it meets all the requirements of the policy. This is a spec office building whereas others have been single-employer projects. The Commissioner is also interested in reassessing the abatement policy because he thought this policy was originally designed to get big employers like Toyota which would have a much bigger economic impact.

Commissioner Fletcher agreed with the other Commissioners. Commissioner Webb made the following change to the seventh line of Paragraph 5.4: adding "of the premises" after "Agreement shall be based upon the full Taxable Value." With no further discussion, a motion was made to approve the item. (Time: 1:59 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 3 – 1 Passed
Nay: Judge Keith Self
Abstain: Commissioner Chris Hill

COURT ORDER NO. 2016-541-08-01

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

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 2:00 p.m. in accordance with Chapter 551.071, Legal, to discuss pending claims and litigation against Collin County.

AI-41696 Pending claims and litigation against Collin County.

NO ACTION TAKEN

Judge Self reconvened Commissioners' Court at 2:27 p.m. With no further business of the Court, Judge Self adjourned the meeting at 2:27 p.m.



Keith Self

Keith Self, County Judge

Susan Fletcher

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams

Cheryl Williams, Commissioner, Pct. 2

Chris Hill

Chris Hill, Commissioner, Pct. 3

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

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