

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
OCTOBER 10, 2016

COUNTY OF COLLIN

On Monday, October 10, 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

Judge Self led the Invocation.

Commissioner Fletcher led the Pledge of Allegiance.

Commissioner Williams 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.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:21 p.m. and adjourned the meeting at 2:21 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:21 p.m. and adjourned the meeting at 2:21 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

FYI NOTIFICATION

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

2. Addenda:

a. AI-42246 No. 1 and 2 to Construction, Myers Park Maintenance/Storage Building (IFB No. 2016-317) to make various changes to the Invitation for Bid, Purchasing.

b. AI-42244 No. 1 and 2 to Online Auctioneering Services (RFP 2016-302) to make various changes to the Request for Proposal, Purchasing.

c. AI-42225 No. 1, 2 and 3 to Replacement of Vehicle Lifts at Service Center (IFB No. 2016-119) to make various changes to the Invitation for Bid, Purchasing.

3. AI-42259 Personnel Appointments, Human Resources.

4. AI-42260 Personnel Changes, Human Resources.

2. Public Comments.

Barbara Harless, Murphy, came forward to voice concern regarding the electronic voting machines used in Collin County and whether those machines comply with the Texas Election Code. Ms. Harless is not in favor of these machines because if she cannot see that her vote is being counted, how does she know it has been properly counted. She said Texas demands transparency in the democratic process and we must be able to inspect and verify the official records in an election. This ensures the voting process is accurate, secure and reflects each voter's intent. Ms. Harless would like the Commissioners' Court to be inspired to ensure the electronic voting machines used in Collin County do comply with the Texas Election Code so if there is a recount each vote cast can be validated. (Time: 1:39 p.m.)

3. Presentation/Recognition:

a. AI-42254 Certificate of Achievement for Excellence in Financial Reporting to the County Auditor, Auditor.

Judge Angela Tucker, 199th District Court, came forward to present Jeff May, County Auditor, and his staff with a plaque from the Government Finance Officers Association for the FY2015 Comprehensive Annual Financial Report. This is the thirty-eighth year the Collin County Auditor's office has received this certificate of achievement for excellence in financial reporting. (Time: 1:40 p.m.)

b. Service Pins, Human Resources.

Jeff May, County Auditor, presented Linda Riggs, 1st Assistant Auditor, with a 15-year service pin for her dedicated service to the County. (1:31 p.m.)

4. Consent agenda to approve: Judge Self pulled items 4j1 and 4h1 and asked for comments on the remainder of the consent agenda. Commissioner Hill pulled items 4d3 and 4j2. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:42 p.m.)

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

a. **AI-42209** Disbursements for the period ending October 4, 2016, Auditor.
COURT ORDER NO. 2016-767-10-10

b. **AI-42245** Tax refunds totaling \$306,143.64, Tax Assessor/Collector.
COURT ORDER NO. 2016-768-10-10

c. Advertisement(s):

1. **AI-42198** Insurance, Stop Loss for Medical and Pharmacy (RFP No. 2016-297), Human Resources.
COURT ORDER NO. 2016-769-10-10

d. Award(s):

1. **AI-42236** Road Materials, Emulsified Asphalt (IFB No. 2016-296) to various vendors, Public Works.
COURT ORDER NO. 2016-770-10-10

2. **AI-42154** Services, Fencing, Labor & Materials, All Inclusive (IFB No. 2016-165) to Bobby Robinson, Robinson Fence, Public Works.
COURT ORDER NO. 2016-771-10-10

3. **AI-42179** Cellular Antenna System for Myers Park Show Barn (RFP No. 2016-207), Special Projects.

Commissioner Hill pulled this item in order to take a separate vote. With no discussion, a motion was made to approve the item. (Time: 1:42 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 4 – 1 Passed

Nay: Commissioner Chris Hill

COURT ORDER NO. 2016-772-10-10

e. Agreement(s):

1. **AI-42224** Agreement to Contribute Right of Way Funds (Fixed Price) with the Texas Department of Transportation (TxDOT) for highway improvements on FM 455 at Bilderback Creek and Honey Creek and budget amendment in the amount of \$37,730 for same, Engineering.
COURT ORDER NO. 2016-773-10-10

2. **AI-42238** Interlocal Jail Services Agreement with the City of Lucas from October 1, 2016 through and including September 30, 2017, Sheriff.
COURT ORDER NO. 2016-774-10-10

f. Amendment(s):

1. **AI-42239** No. 2 to Teen Court Services (Contract No. 2014-140) with the City of Frisco to extend the contract for one (1) year through and including September 30, 2017 and further authorize the Purchasing Agent to finalize and execute same, Administrative Services.

COURT ORDER NO. 2016-775-10-10

2. **AI-42249** No. 3 to Law Enforcement Services (AGR No. 2015-149) with the City of Lucas for a total reimbursement cost for year two (2) in the amount of \$96,378, commencing October 1, 2016 through and including September 30, 2017 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2016-776-10-10

g. Contract Renewal(s):

1. **AI-42172** Professional Services, Engineering, General Civil Engineering Consulting (RFQ No. 2015-266) with Lamb-Star Engineering, L.P. to extend the contract for one (1) year through and including September 30, 2017, Engineering.

COURT ORDER NO. 2016-777-10-10

h. Receive and File, Auditor:

1. **AI-42231** Monthly Financial Reports for August 2016.

Judge Self referred to page 245 of the court packet and said there are quite a bit of old funds in the Capital Projects Funds. There is almost \$2 million in a 1999 fund and over \$1 million in a 2002 fund. Judge Self would like to review the option of consolidating the old funds to use up first. He then referred to page 269 in the court packet and pointed out the unsustainable insurance growth pattern. He said we have to come up with a way to reign in the spending. With no further discussion, a motion was made to approve the item. (Time: 1:45 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2016-778-10-10

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

1. **AI-42251** September 19, 2016.

COURT ORDER NO. 2016-779-10-10

2. **AI-42256** September 26, 2016.

COURT ORDER NO. 2016-780-10-10

j. Miscellaneous

1. **AI-42280** Order providing for the delegation of authority to the Director of the North Central Texas Fusion Center to execute Interlocal Agreements, Memorandums of Understandings and similar instruments for sharing data with other local jurisdictions; imposing conditions to such delegation of signature authority, Administrative Services.

Judge Self pulled this item to make sure the Court had received the revised language of the order providing for the delegation of authority to the Director of the North Central Texas Fusion Center. Hearing no comments, a motion was made to approve the item. (Time: 1:45 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2016-781-10-10

2. **AI-42252** Sale of property located in North Ridge Estates, Blue Ridge, Texas (Lot 3, Block 1, North Ridge Estates, Volume 4116, Page 2414) as recorded in the Collin County Deed Records to Alicia Hamman upon the payment of \$5,350, County Judge.

Commissioner Hill said this offer is on a piece of property which is in tax arrears. It is a nice property located on a cul-de-sac in a subdivision of Blue Ridge, Texas. It is empty and ready to be built on. The property appraises at \$17,500. The past due taxes are half of the appraised value and the offer to purchase is half of that amount. The Commissioner was uncomfortable with accepting an offer that is less than the tax amount. He would rather the Court not accept the offer and let someone come forward and pay the taxes owed to purchase the property which would not require Court approval. Bill Bilyeu, County Administrator, said the offer on the property has been approved by all the other taxing jurisdictions but the sale will not go through if the Court does not approve the sale. Judge Self suggested holding the item to counter the offer at the full tax amount. (Time: 1:52 p.m.)

HELD

3. **AI-42230** Adoption of the Collin County Comprehensive Emergency Management Plan, Emergency Management.

COURT ORDER NO. 2016-782-10-10

4. **AI-42253** Reimbursement of fencing materials in the amount of \$11,380.59 to Mr. Louis Gigliotti for property along CR 526, Public Works.

COURT ORDER NO. 2016-783-10-10

5. **AI-42189** FY2017 Compensation Plan, Human Resources.

COURT ORDER NO. 2016-784-10-10

6. AI-42261 Personnel Appointments, Human Resources.

COURT ORDER NO. 2016-785-10-10

7. AI-42262 Personnel Changes, Human Resources.

COURT ORDER NO. 2016-786-10-10

GENERAL DISCUSSION

5. AI-42235 Budget amendment in the amount of \$80,116 to pay a portion of the salary supplement for the 5th Circuit Court of Appeals Court Justices, Auditor.

Judge Self welcomed Chief Justice Carolyn Wright, 5th District of Texas Court of Appeals, to Commissioners' Court.

Jeff May, County Auditor, requested a budget amendment in the amount of \$80,116 to pay a portion of the salary supplement for the 5th District of Texas Court of Appeals Court Justices which was put in the contingency fund of the FY2017 budget. Collin County's portion is based on population with six counties. It is expected the amount will change as the County's population increases. Statute authorizes counties to provide a supplement to the Appellate Courts with a court order from the Commissioners' Court, but there is no law that requires it at this time. That could change if Dallas County were to take it to legislation.

Chief Justice Wright said Collin County has been a part of the 5th District of Texas Court of Appeals since the Court was formed in 1893. The Court originally had civil jurisdiction but in the 1980s it also obtained criminal jurisdiction. Dallas County has funded all the expenses of the Court for all the counties in the jurisdiction. Over the years Collin County has grown substantially and the number of cases filed in the Court has increased. In larger jurisdictions, like Houston, there is a provision for the other counties to apportion out all of the costs. Chief Justice Wright applauded Collin County for looking at this situation and making a determination. If approved she will let Dallas County know that it was done as a good faith effort to reduce some of the costs of the Court and that legislation is not needed at this time. With no further discussion, a motion was made to approve the item. (Time: 1:37 p.m.)

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

COURT ORDER NO. 2016-787-10-10

6. AI-42247 Private Grant Application for Secured Communications Private Law Enforcement Grant through Secured Communications, LLC, Sheriff.

Kelley Stone Ph.D., North Central Texas Fusion Center, came forward to ask for approval of the private grant application for the use of secure communication services for one year. This would be used with the 32 members of the Fusion Center Advisory Board and 170 Fusion Center Liaison Officers to share sensitive information. There would be a total of 208 licenses across the region with 10-12 in Collin County. Dr. Stone said the system would be assessed and evaluated for one year to see if it works well and is utilized. After the test year is complete and if the system is found to be beneficial to the region, the County would only be responsible for the 10-12 licenses. The IT department will also test the function of the system during the test year to make sure the system is doing what is necessary. With no further discussion, a motion was made to approve the item. (Time: 1:58 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2016-788-10-10

7. AI-42229 Adoption of the Collin County Hazard Mitigation Action Plan, Emergency Management.

Judge Self had concerns with the Collin County HazMAP (Hazard Mitigation Action Plan) with the most serious being on page 346 of 1192 (internal document page 344) of the HazMAP. The County action item says, "Implement results of the hazard and vulnerability assessment and inundation study on NRCS (Natural Resources Conservation Service) flood retention structures and rehabilitate structures found to be a high hazard." Since the plan was last updated in 2010, most of the dams in Collin County are nearing their end-of-life under the federal contract which releases the County from responsibility of the dams after 50 years. However, Texas says that is in perpetuity. After consulting with legal counsel, Judge Self said it is recommended, if the Court approves the plan, to add the language, "to the extent the County has a legal requirement to do so", to the discussion section on page 346. The Judge said there are other internal issues with the plan and he believes there could be fewer pages as a lot of them have nothing to do with hazard mitigation. If this is approved, the Judge requested the Emergency Management Coordinator prepare a useful summary of the plan for County staff so they know what to do.

James McCrone, Emergency Management Coordinator, and Melanie Devine, Emergency Preparedness Supervisor for NCTCOG (North Central Texas Council of Governments) came forward to ask for the adoption of the 2016 Collin County HazMAP. Mr. McCrone said the 2016 plan has been a very thorough and intense two-year project which has recently received FEMA (Federal Emergency Management Agency) approval. For the County to be eligible to receive federal funding for a variety of grant programs the County must adopt the plan.

Ms. Devine said the plan includes 20 jurisdictions/municipalities throughout the County. Each jurisdiction had to write and adopt a stand-alone plan with the Collin County plan being the foundation. The purpose of the plan is not only for grant funds but to make everyone aware of what the hazards are and what to do to help mitigate them. This plan does not obligate anyone to do anything. It is a planning document, but it does make the County and jurisdictions eligible for hazard mitigation grant funds that become available after a presidentially declared disaster in the state.

Commissioner Williams asked if the County does not adopt the plan, would it eliminate the jurisdictions from being able to seek federal funding. Ms. Devine has posed this question to FEMA but did not have an answer at the present time. She said the jurisdictions do refer to the base plan.

Commissioner Fletcher asked if the change suggested by the Judge would affect the approval received from FEMA. Ms. Devine said normally changes are not allowed once a plan has been accepted, but she does not see any reason the change would be a problem because it is a clarification that does not require a change in fundamental intent.

Discussion continued on holding the item until an answer to Commissioner Williams' question is received. Commissioner Webb said there is no downside to approving the plan. It gives the possibility to use mitigation funds if an opportunity occurs. The Commissioner agreed the recommended language should be added to the document. With no further discussion, a motion was made to approve the item with the added language to the discussion paragraph in the top item located on internal document page 344: "to the extent the County has a legal requirement to do so". (Time: 2:20 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 3 – 2 Passed

Nay: Commissioners Chris Hill and Cheryl Williams

COURT ORDER NO. 2016-789-10-10

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

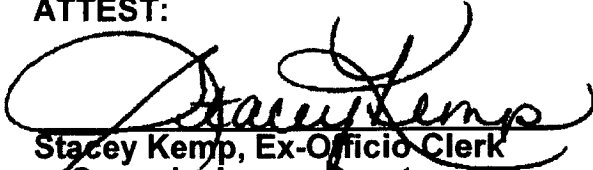
EXECUTIVE SESSION

Security (551.076)

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:20 p.m.



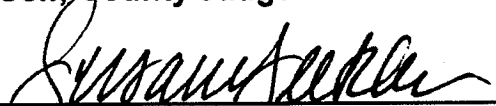
ATTEST:



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

Not Present

Keith Self, County Judge



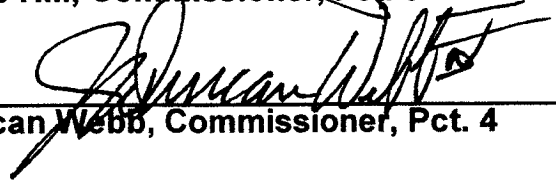
Susan Fletcher, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



Chris Hill, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4