

COURT ORDER NO. 2019-142-02-18

**STATE OF TEXAS
COUNTY OF COLLIN**

**COMMISSIONERS' COURT
MEETING MINUTES
JANUARY 28, 2019**

On Monday, January 28, 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
Commissioner Duncan Webb, Precinct 4

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

1. Judge Hill called to order the meeting of the **Collin County Commissioners Court** at 1:30 p.m. and recessed the meeting at 2:24 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:25 p.m. The meeting was reconvened at 2:32 p.m. and adjourned at 2:33 p.m.

President Hill called to order the meeting of the **Collin County Health Care Foundation** at 2:24 p.m. and adjourned the meeting at 2:24 p.m.

President Hill called to order the meeting of the **Collin County Toll Road Authority** at 2:24 p.m. and adjourned the meeting at 2:24 p.m.

President Hill called to order the meeting of the **Collin County Housing Finance Corporation** at 2:24 p.m. and adjourned the meeting at 2:25 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. **AI-46011** Budget amendment in the amount of \$4,160 to purchase tactical equipment utilizing Federal Forfeiture Funds, Sheriff.
2. **AI-46066** Personnel Appointments, Human Resources.
3. **AI-46067** Personnel Changes, Human Resources.

FYI NOTIFICATION

1. **AI-34688** Outstanding Agenda Items, Commissioners Court.
2. **AI-46051** Amendment No. 4 to Insurance, Property, Boiler & Machinery (Contract No. 2017-271) with Arthur J. Gallagher Risk Management Services, Inc. to add additional equipment to the contract, Human Resources.
3. **AI-46026** Budget amendment in the amount of \$82,005 to establish the budget for the FY 2018 Emergency Management Performance Grant (EMPG), Auditor.
4. **AI-46018** P-Card Disbursements, Auditor.

2. Public Comments.

Ruth McGuffey, Plano, came forward to speak on behalf of the League of Women Voters of Collin County regarding item 4d2. The League of Women Voters supports the purchase of the new voting machines which will increase security and provide a voter verifiable paper trail. They also requested the County provide the public with information and training on the new machines so voters are comfortable with the change and can be confident their votes are counted accurately. (Time: 1:33 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Hill pulled item 4d2 for a public comment, held item 4i1, and pulled item 4i3 for discussion. Commissioner Webb pulled items 4i4, 4i5 and 4i6 for discussion. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

- a. **AI-46007** Disbursements for the period ending January 22, 2019, Auditor.

COURT ORDER NO. 2019-055-01-28

- b. **AI-46008** Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2019-056-01-28

- c. **AI-45966** Tax refunds totaling \$1,248,409.43, Tax Assessor/Collector.

COURT ORDER NO. 2019-057-01-28

d. Award(s):

1. **AI-45991** HVAC Replacement, 900 & 920 Park Buildings (Contract No. 2018-369) to Centennial Contractors Enterprises, Inc. and further authorize the Purchasing Agent to finalize and execute the Construction Agreement, Construction & Projects.

COURT ORDER NO. 2019-058-01-28

2. **AI-45984** Election Voting System & Services (RFP No. 2018-241) and further authorize the Purchasing Agent to finalize and execute the agreement, Elections.

After hearing a public comment in support of this item, Judge Hill commended the Elections Department for holding open houses for the public, Commissioners Court, the League of Women Voters, both political parties and the cities in order for the community to have a voice in the decision. With no further comments, a motion was made to approve the item. (Time: 1:34 p.m.)

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

COURT ORDER NO. 2019-059-01-28

3. **AI-45945** Grounds and Turf Equipment, Tractor and Flex Wing Rotary Mowers (Contract No. 2019-056) to Deere and Company, Public Works.

COURT ORDER NO. 2019-060-01-28

e. Agreement(s):

1. **AI-45989** Interlocal Agreement for the Provision of Ambulance Services with the City of Anna effective November 1, 2018 through and including October 31, 2019, Fire Marshal.

COURT ORDER NO. 2019-061-01-28

2. **AI-46037** Interlocal Agreement for the Provision of Ambulance Services with the City of Weston effective November 1, 2018 through and including October 31, 2019, Fire Marshal.

COURT ORDER NO. 2019-062-01-28

3. **AI-46002** Memorandum of Agreement with the City of North Richland Hills for reimbursement of overtime salary costs associated with the North Texas Anti-Gang Center Task Force, Sheriff.

COURT ORDER NO. 2019-063-01-28

f. Amendment(s):

1. **AI-46032** No. 1 to Consulting Services: Phase III Implementation P25 Trunked Radio System Replacement (Contract No. 2017-086) with Black & Veatch Corporation to extend the contract through and including November 30, 2019 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2019-064-01-28

2. **AI-46045** No. 2 for Assistance to Obtain Federal Financial Participation for SCAAP Funding (Contract No. 2017-198) with Justice Benefits, Incorporated to renew the contract for one (1) year through and including May 7, 2020 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2019-065-01-28

3. **No. 3 to the Interlocal Agreement for Environmental Services to extend the contract for one (1) year through and including September 30, 2019 and further authorize the Purchasing Agent to finalize and execute same, Development Services:**

a. **AI-45995** City of Anna.

COURT ORDER NO. 2019-066-01-28

b. **AI-45997** City of Lowry Crossing.

COURT ORDER NO. 2019-067-01-28

c. **AI-45996** City of Melissa.

COURT ORDER NO. 2019-068-01-28

d. **AI-46052** City of Wylie.

COURT ORDER NO. 2019-069-01-28

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

1. **AI-45982** \$6,589 for the purchase of electronic equipment for the magistration clerks and the Auxiliary B Courtroom utilizing the Justice Court Technology Fund, Justice of the Peace, Precinct 1.

COURT ORDER NO. 2019-070-01-28

2. **AI-45923** \$32,989 to support FirstNet Band 14 modem capability for all Sheriff's Office vehicles, Information Technology.

COURT ORDER NO. 2019-071-01-28

3. **AI-46038** \$95,887 to establish a budget in Fund 1031 (Economic Development Fund) for FY 2019, Budget.

COURT ORDER NO. 2019-072-01-28

4. **AI-46044** \$8,000,000 for right-of-way acquisition along the Outer Loop from the DNT to SH289, Engineering.

COURT ORDER NO. 2019-073-01-28

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

1. **AI-45985** December 17, 2018.

COURT ORDER NO. 2019-074-01-28

2. **AI-46041** January 7, 2019.

COURT ORDER NO. 2019-075-01-28

i. Miscellaneous

1. **AI-46046** Grant an exemption to the Purchasing Policy for the reimbursement request from the 219th District Court Judge in the amount of \$2,365.41, 219th District Court.

NO ACTION TAKEN

2. **AI-46056** Adoption of a Bond Reimbursement Resolution expressing intent to finance expenditures to be incurred, Budget.

COURT ORDER NO. 2019-076-01-28

3. **AI-45933** Sale of property located at County Road 330, McKinney, Texas (Block 3, Tract 188, .2582 acres of land out of Abstract A0157, H.T. Chenoweth Survey, Volume 4833, Page 2403) as recorded in the Collin County Deed Records to Gabriel Alarcon upon the payment of \$4,000, Commissioners Court.

Judge Hill said this property is located in McKinney on County Road 330 which runs parallel to US 380. This property was struck for failure to pay taxes but did not sell during the tax auction. This offer on the property is below the value of the outstanding taxes, and Judge Hill recommended the Court not accept the offer at this time. The property is located close to the US 380 corridor, and the Judge would like to hold on to the property until the alignment for the expansion of US 380 is determined. (Time: 1:35 p.m.)

NO ACTION TAKEN

4. **AI-46042** Acceptance of the portion of Hollyns Cove within The Hills of Lone Star, Phase 3/Hollyns Cove Pond subdivision for County maintenance, Engineering.

Commissioner Webb pulled this item because it requires the County to take on the responsibility of the residential streets. Continuing to take on the responsibility of these roads will become a burden to the County and taxpayers.

The Commissioner would like the policy regarding these roads to be completed soon. With no further discussion, a motion was made to approve the item. (Time: 1:36 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 4 – 1 Passed
Nay: Commissioner Duncan Webb

COURT ORDER NO. 2019-077-01-28

5. AI-46043 Acceptance of the roads within the Timberridge development (City of McKinney ETJ Subdivision) for County maintenance, Engineering.

Commissioner Webb said these streets would also become the responsibility of the County but were built to the City of McKinney's standards. The Commissioner would like to know the distinction between the County's standards and the City of McKinney's standards. Tracy Homfeld, Engineering, said the major difference is the City of McKinney requires a concrete road, curb and gutter while the County standard is a two-course chip seal with rural bar ditches. The drainage standards are a bit different but they accomplish the same thing. The city does not allow chip seal roads. Commissioner Webb asked about the difference in durability. Ms. Homfeld said the chip seal road can have the same lifespan as the concrete road but requires more maintenance.

The Commissioner asked if that is an option the County could impose for roads. Ms. Homfeld said the statute states that the County shouldn't impose standards that it doesn't follow itself. Clarence Daugherty, Engineering, said the current subdivision regulations do require concrete pavement under some conditions such as density, traffic and number of lots. If the lot size is less than an acre, the statute requires the road to be concrete. Commissioner Williams asked to see the statute that allows the County to do that. Commissioner Webb asked Jon Kleinhessel, Public Works, if the County had the ability to patch concrete roads. Mr. Kleinhessel said the County contracts out that work. With no further discussion, a motion was made to approve the item. (Time: 1:43 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 1 Passed
Nay: Commissioner Duncan Webb

COURT ORDER NO. 2019-078-01-28

6. AI-46050 Variance to the Collin County Subdivision Regulations to allow site grading prior to Final Plat submittals for Country Lakes Subdivision, as long as grading and drainage plans have been reviewed and approved by County Engineering staff, Engineering.

Commissioner Webb pulled this item saying it is within a MUD (Municipal Utility District) and asked if there was any precedence for allowing site grading prior to final plat approval. Tracy Homfeld, Engineering, said the preliminary plat has been approved. Preliminary

plats are only required if there are multi-phase subdivisions. In this situation, the County knows there will be three to four phases of this subdivision. The County has reviewed the grading and drainage plans and the flood study and will make sure that no one is adversely impacted upstream or downstream. The final plat is expected in a few weeks. There is very little risk to the County. Ms. Homfeld said the MUD will maintain the roads, and they will be built to the City of Princeton's standards which are concrete. With no further comments, a motion was made to approve the item. (Time: 1:47 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 4 – 1 Passed
Nay: Judge Chris Hill

COURT ORDER NO. 2019-079-01-28

7. AI-46034 Grant application for the FY 2019 Emergency Management Performance Grant (EMPG) from the US Department of Homeland Security through the State of Texas Department of Public Safety, Texas Division of Emergency Management, Emergency Management.

COURT ORDER NO. 2019-080-01-28

8. AI-46054 Acceptance of 1,469 cubic yards of asphalt road millings from the Texas Department of Transportation (TxDOT), Public Works.

COURT ORDER NO. 2019-081-01-28

9. AI-46036 Partial road closure (right lanes) of County Roads 132, 134, 135, 138, 176, 177, 178 and 179 on March 31, 2019 to facilitate the Texas High School Cycling League (THSCL) bicycle race, Public Works.

COURT ORDER NO. 2019-082-01-28

10. AI-45998 Acceptance of the rebate from National Intergovernmental Purchasing Alliance Company in the amount of \$1,111.16 to be deposited in the Going the Extra Mile Employee Incentive Program and budget amendment for same, Purchasing.

COURT ORDER NO. 2019-083-01-28

11. AI-46028 Joint Law Enforcement Operations Task Force Obligation Document and acceptance of the FY 2019 U.S. Marshals Service – Violent Offender Task Force Grant through the U.S. Department of Justice, United States Marshals Service, Sheriff.

COURT ORDER NO. 2019-084-01-28

12. AI-46068 Personnel Appointments, Human Resources.

COURT ORDER NO. 2019-085-01-28

13. AI-46069 Personnel Changes, Human Resources.

COURT ORDER NO. 2019-086-01-28

GENERAL DISCUSSION

5. AI-46009 Justice of the Peace end of year report represented by Judge Raleeh and Judge Ruckel, Justice of the Peace, Precinct 1.

Paul Raleeh, Justice of the Peace Precinct 1, and Chuck Ruckel, Justice of the Peace Precinct 3-1, came forward with a PowerPoint presentation. Judge Raleeh is the Administrative Judge for the five Justice Courts in Collin County. Among the five JP (Justice of the Peace) Courts, there was a total of 16,725 civil cases filed in FY2018. The total criminal case filings for FY2018 was 41,067 which includes jail magistrations. Without the jail, the criminal case filings totaled 30,233.

The five JP Courts have collected just over \$5 million for FY2018 with a total budget of \$2,466,770. Of the \$5 million, \$3.3 million went to Collin County and \$1.7 million went to the State. When compared to Denton County, the number of civil cases filed were very similar. For criminal cases, Collin County's total for FY2018 was 41,067 and Denton County's total was 26,262. However, Collin County's total includes the jail magistrations and Denton County's does not. The budget for Denton County is \$2.9 million while Collin County's budget is just under \$1.7 million. Denton County has six JP Courts and 32 staff. Collin County has five JP Courts and 30 staff.

Judge Raleeh reviewed the number of phone calls received in a year for each JP office. Using an average of four minutes per call, the amount of time spent answering calls was 806 hours for JP1 to 1,752 hours for JP3-2. Using an average of six minutes per clerk, Judge Raleeh then showed the estimated hours each clerk spent on cases for one year. This ranged from 547 hours for JP2 to 1,662 hours for JP1.

Collin County has \$730,743 budgeted for courthouse security and most of this budget is for personnel. Judge Raleeh pointed out that none of those funds are used for the JP Courts. Some of the security items Judge Raleeh suggested for the JP Courts were pole bollards to prevent people from driving vehicles into the court, protective glass for the front counters, metal detectors for the courtroom and judges' offices partitioned from the public. All the Justice Courts are functioning well and are caught up, and every case to be set has been set. They have passed all of their audits and are doing well with the resources they have.

The JP Courts are facing some legislation challenges this year. The legislature is for the third time trying to raise the jurisdiction limit of the Justice Courts which is currently \$10,000. There is some legislation to change this to \$50,000 and require all Justice Courts in urban areas be licensed attorneys. The rural areas would increase to \$20,000. Judge Raleeh is asking for the Court's support to help with the jurisdictional increase to \$20,000 but not requiring licensed attorneys or any type of bracket for population unless the bracket shows some type of fairness.

Commissioner Fletcher thanked the Judges and their staff for their fiscal stewardship and hard work. The Commissioner also commended Judge Ruckel after observing his mediation which he does once a month to help clear some cases from the docket. Judge Ruckel said this has been noticed by the State and the Supreme Court of Texas. The Pew Organization is looking for a beta site looking at mediation online to make it even easier for the participants to be able to settle. The Supreme Court is considering making it a mandated process at some point, and we are in the beginning stages of a possible two-year study to determine whether or not it will work. Judge Ruckel said they are pleased to be on the forefront of this and a part of Collin County's contribution to solving this problem statewide.

Commissioner Webb also thanked the JPs for their hard work, and said he is very supportive of increased jurisdiction even to \$50,000. There was a brief discussion regarding how the caseload might change if the jurisdiction went to \$20,000. Judge Ruckel said one of the reasons for doing this would be to reduce the caseload of County Court at Law.

Judge Hill asked what the average wait time was for a first court date. Judge Raleeh said once a case is filed and answered the law says he cannot set a date for 45 days. The average wait time after the 45 days is two months. Judge Hill asked if there were specific bills the JPs were following that they would like Commissioners Court to consider. Judge Raleeh will get that information to the Court.

Commissioner Williams referred back to the courthouse security budget which is for all courts in Collin County. The Commissioner asked if there was a Court Security Committee that meets to make recommendations. Judge Ruckel said there is and he is on the committee for the Justice Courts but has not yet been invited to a meeting. Judge Raleeh said he moves his high risk cases to the main Courthouse for security purposes, but the JPs in Plano and Farmersville cannot do that. (Time: 2:19 p.m.)

NO ACTION TAKEN

6. AI-46031 Board/Committee Appointments, Commissioners Court:

a. Health Care Foundation Advisory Board.

John Tanner and Pat Hatchell were reappointed and David Bowman was appointed to the Health Care Foundation Advisory Board.

b. Historical Commission.

Donna Jenkins and Janice Quick were reappointed to the Historical Commission.

c. LifePath Systems Board.

Doug Kowalski and Anne Bramlett were reappointed to the LifePath Systems Board.

d. Parks Foundation Advisory Board.

David Downs was appointed to the Parks Foundation Advisory Board.

e. Planning Board.

Rusty Glover and Bill Moore were reappointed to the Planning Board.

With no further discussion, a motion was made to approve the Commissioners' appointments. (Time: 2:21 p.m.)

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

COURT ORDER NO. 2019-087-01-28

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

HELD

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

Commissioner Fletcher proposed having the staff prepare a resolution for the Court's consideration to add two district courts. Judge Hill said that is already scheduled for discussion on the March 4, 2019 agenda. Commissioner Webb would like to have that discussion sooner. Commissioner Hale met with one of Collin County's representatives who recommended the Court expedite this matter and have it in process by the middle of February.

Commissioner Williams has a call scheduled with Representative Leach to discuss the ad litem issue. (Time: 2:24 p.m.)

NO ACTION TAKEN

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

Judge Hill recessed Commissioners Court at 2:24 p.m. and called to order the meeting of the Health Care Foundation, Collin County Toll Road Authority and the Housing Finance Corporation. Judge Hill reconvened Commissioners Court at 2:25 p.m.

EXECUTIVE SESSION

Judge Hill recessed Commissioners Court into Executive Session at 2:25 p.m. in accordance with Paragraph 551.072, Real Estate, of the Government Code, to discuss the Right of Way Acquisition for the Collin County Outer Loop from the Dallas North Tollway east to State Highway 289 (Preston Road), acceptance of the settlement amount and approval of the Temporary Access Agreement with Celina Tork (Parcel 7).

Real Estate (551.072)

AI-46055 Right of Way Acquisition for the Collin County Outer Loop from the Dallas North Tollway east to State Highway 289 (Preston Road), acceptance of the settlement amount and approval of the Temporary Access Agreement with Celina Tork (Parcel 7), Special Projects.

Judge Hill reconvened Commissioners Court at 2:32 p.m. A motion was made to accept the settlement offer with respect to the Right of Way Acquisition for the Collin County Outer Loop from the Dallas North Tollway east to State Highway 289 and approve the Temporary Access Agreement with Celina Tork (Parcel 7). (Time: 2:33 p.m.)

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

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There being no further business of the Court, Judge Hill adjourned the meeting at 2:33 p.m.





Chris Hill, County Judge



Susan Fletcher, Commissioner, Pct. 1



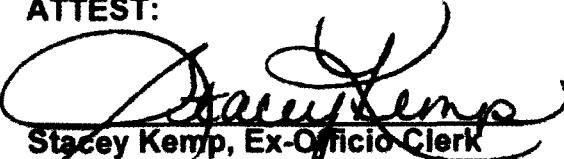
Cheryl Williams, Commissioner, Pct. 2



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