

COURT ORDER NO. 2019-309-04-22

STATE OF TEXAS

**COMMISSIONERS COURT
MEETING MINUTES
APRIL 1, 2019**

COUNTY OF COLLIN

On Monday, April 1, 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 Cheryl Williams, Precinct 2
Commissioner Darrell Hale, Precinct 3
Commissioner Duncan Webb, Precinct 4

Absent: Commissioner Susan Fletcher, Precinct 1

Commissioner Hale led the Invocation.
Commissioner Webb 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 1:30 p.m. and adjourned the meeting at 1:56 p.m.

President Hill called to order the meeting of the **Collin County Health Care Foundation** at 1:56 p.m. and adjourned the meeting at 1:56 p.m.

President Hill called to order the meeting of the **Collin County Toll Road Authority** at 1:57 p.m. p.m. and adjourned the meeting at 1:57 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. **AI-46328** Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. **AI-46316** Amendment No. 6 to Frontier Parkway Improvements (Agreement No. 2016-229) with Birkhoff, Hendricks & Carter L.L.P. to make various changes to the contract, Engineering.

3. Notification of budget adjustment(s)/amendment(s), Auditor:

a. **AI-46205** \$31,800 to establish the budget for the FY2019 Teen Court - Substance Abuse and Mental Health Evaluation and Treatment grant through the Office of the Governor, Criminal Justice Division (Contract 3261402), Auditor.

b. **AI-46223** \$6,000 to reallocate funds to the Dispatch department, Sheriff's Office.

4. **AI-46302** Turnover, Human Resources.

5. **AI-46303** Voluntary Terminations, Human Resources.

2. Public Comments.

TAC (Texas Association of Counties) County Relations Officer and former Navarro County Judge, Alan Bristol, came forward to address the Court and make them aware of the free cyber security training available. Judge Bristol also congratulated Collin County on their participation in the Leadership 254 Program. Commissioner Fletcher went through the program last year, and this year there are three people in the program. Those three are Constable Shane Williams, County Clerk Stacey Kemp, and District Attorney Greg Willis.

Judge Hill asked when the County renews its contract with TAC. Judge Bristol said they are on an annual budget year, so the dues notices would have gone out in January. The cost to the County is \$2,440 which gives access to all of the educational program and legislative efforts. After listening to the counties, Judge Bristol said they are not taking a stand on revenue caps this year, but they are taking a stand on unfunded mandates. Judge Hill's concern is the propensity for some county associations to take a stance different than the stance of a county's own constituents. Taking citizens tax dollars to pay the dues to an organization that takes a position adverse to a county's taxpayers is of concern to Judge Hill. He was glad to hear that TAC did not take a position on HB 1 or SB 1. Judge Bristol said the total dues collected by TAC is under \$250,000 and no dues money is used for lobbying efforts. (Time: 1:37 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Hill pulled item 4b for discussion and deleted items 4e2, 4d1, 4i4 and 4i5 from the agenda. Commissioner Hale pulled item 4i3. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:38 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 4 - 0 Passed

a. **AI-46332** Disbursements for the period ending March 26, 2019, Auditor.

COURT ORDER NO. 2019-237-04-01

b. **AI-46339** Indigent Defense Disbursements, Auditor.

Judge Hill said these are indigent defense payments to attorney Marc Fratter. Last week the Court voted and reached a settlement with Mr. Fratter and agreed to release these checks. Commissioner Williams explained these payments will go into the County treasury and be held as a credit against outstanding payments that Mr. Fratter owes to the County. Mr. Fratter has agreed he owes the taxpayers \$140,000 and will work to pay that back to the County. The County agrees that it owes Mr. Fratter some funds for work that he is doing and has done for the County. These payments represent work that Mr. Fratter has already done for the County. With no further comments, a motion was made to approve the item. (Time: 1:40 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Judge Chris Hill

Vote: 4 – 0 Passed

COURT ORDER NO. 2019-238-04-01

c. **Advertisement(s):**

1. **AI-46321** Construction, Relocation of Collin County Tax Office, 900 E. Park, Plano (IFB No. 2019-174), Construction & Projects.

COURT ORDER NO. 2019-239-04-01

d. **Award(s):**

1. **AI-46293** Services, Jail Kitchen Grease Trap Replacement (Contract No. 2019-175) to Brandt Companies, LLC utilizing the Buyboard Cooperative Contract No. 558-18 in the amount of \$63,092 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

HELD

e. **Agreement(s):**

1. **AI-46295** Professional Services Agreement with LifePath Systems to provide services for Teen Court participants for treatment of substance abuse and mental health disorders, grant exemption to the competitive bid process per V.T.C.A. Local Government Code 262.024(a)(4) and further authorize the Purchasing Agent to finalize and execute same, Administrative Services.

COURT ORDER NO. 2019-240-04-01

2. **AI-46307** Sanitary Sewer Easement Agreement to grant an easement to the City of McKinney on County owned property, Construction and Projects.

HELD

3. **AI-46304** Interlocal Agreement/License Agreement with the North Central Texas Council of Governments (NCTCOG) for the use of digital aerial photography, Information Technology.

COURT ORDER NO. 2019-241-04-01

f. Amendment(s):

1. **AI-46264** No. 3 to Professional Services, Psychological Assessment (Contract No. 2015-227) with Kristi Compton Ph.D., PC to extend the contract through and including September 30, 2020 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2019-242-04-01

g. Receive and File, Auditor:

1. Final Audit Result(s):

a. **AI-46310** Constable, Precinct 1 (1st, 2nd, 3rd and 4th Quarter FY2017).

COURT ORDER NO. 2019-243-04-01

2. FY2018 Annual Inventory:

a. **AI-46318** Computer Parts Warehouse.

COURT ORDER NO. 2019-244-04-01

b. **AI-46312** Facilities and Janitorial Supplies.

COURT ORDER NO. 2019-245-04-01

c. **AI-46315** Parts Warehouse.

COURT ORDER NO. 2019-246-04-01

d. **AI-46317** Public Works - Fuel.

COURT ORDER NO. 2019-247-04-01

e. **AI-46319** Public Works - Stockpiles & Culverts.

COURT ORDER NO. 2019-248-04-01

f. **AI-46313** Sheriff Office - Jail and Minimum Security Kitchens.

COURT ORDER NO. 2019-249-04-01

g. **AI-46314** Sheriff's - Quartermaster.

COURT ORDER NO. 2019-250-04-01

h. **AI-46308** Support Services.

COURT ORDER NO. 2019-251-04-01

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

1. **AI-46280** March 4, 2019.

COURT ORDER NO. 2019-252-04-01

i. Miscellaneous

1. **AI-46320** Reject all bids received for Construction, Relocation of Collin County Tax Office, 900 E. Park Blvd., Plano (IFB No. 2019-032), Construction and Projects.

COURT ORDER NO. 2019-253-04-01

2. **AI-46297** Deem Jacobs Engineering Group, Inc. as the most qualified firm to provide design services for Outer Loop East Bound Service Road from SH289 to FM2478 and enter into scope and fee negotiations, Engineering.

COURT ORDER NO. 2019-254-04-01

3. **AI-46291** Amend the FY2019 Fee Schedule to increase the Building/Site Plan Review fee from \$0.12 to \$0.20, Fire Marshal.

Commissioner Hale pulled this item to ask why the fee has almost doubled in a one-year period. Bill Bilyeu, County Administrator, said they are making substantial changes in permit processing. Development Services is being pulled out so that fee is being dropped and no longer enforced. The Fire Marshal will take over all of the commercial permitting. With no further comments, a motion was made to approve the item. (Time: 1:40 p.m.)

Motion by: Commissioner Darrell Hale
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2019-255-04-01

4. **AI-46346** Acceptance of a donation in the amount of \$10,000 for the Collin County Sheriff's Office K9 Program, Sheriff.

HELD

5. **AI-46347** Acceptance of a donation in the amount of \$2,000 for the Collin County VALOR Program, Sheriff.

HELD

6. **AI-46329** Personnel Appointments, Human Resources.

COURT ORDER NO. 2019-256-04-01

7. **AI-46330** Personnel Changes, Human Resources.

COURT ORDER NO. 2019-257-04-01

GENERAL DISCUSSION

5. **AI-46244** **Public Hearing** for proposed changes to the Collin County Subdivision Regulations and further approve proposed changes, Engineering.

Clarence Daugherty, Engineering, explained they are requesting that the Maintenance Bond requirements in the current Collin County Subdivision Regulations be changed from a 10%, two-year bond to a 100%, two-year bond.

Judge Hill opened the Public Hearing at 1:41 p.m. and asked for comments. Hearing no comments, Judge Hill closed the Public Hearing at 1:41 p.m. Commissioner Williams asked if a survey was done of other counties. Mr. Daugherty said most counties do go with 100%. There was only one county that was less, and some that were even more than 100%. The expectation of the Maintenance Bond is to cover the cost of repairs or reconstruction before the roads are turned over to the County. This is not expected to be used very often, but it puts the County in a better position. With no further comments, a motion was made to approve the item. (Time: 1:44 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 4 – 0 Passed

COURT ORDER NO. 2019-258-04-01

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

Judge Hill said there were two items of interest from the last meeting. The first was a project to redo a website called tryparkingit.com. This website has been used in the region for quite some time and assists commuters in locating carpool and vanpool ride matches.

The second item of interest was appointing a legislator as an Ex-Officio member of the board. There was extensive discussion on this topic because one of the executive board members stated that he did not want to have anyone whose views were too conservative as that legislator. There was discussion regarding a litmus test for a legislator to serve on the board. The board eventually moved away from this concept and returned to drawing a name out of a hat to avoid any controversy. A County of Dallas representative who is a democrat was selected to be invited to sit on the board of the transportation committee. (Time: 1:47 p.m.)

NO ACTION TAKEN

7. 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

Former Mayor of Celina, Corbett Howard, came forward to say this is an in-city district that they have been working on for years, and both parties have signed term sheets. Ross Martin, Winstead PC, came forward to speak on the North Celina MMD (Municipal Management District) and the Lakehaven MUD (Municipal Utility District). Regarding the North Celina MMD No. 3, a portion of the district is in the city's ETJ (Extraterritorial Jurisdiction). As a result of the creation of the district and the execution of the development agreement, they have agreed to bring that portion into the city to be fully annexed. Mr. Martin said this is a good deal for both the property owner and the city. Judge Hill asked if the property owner has agreed to be annexed. Mr. Martin said the property owner has agreed. With no further comments, a motion was made for the Court to provide a resolution of support to Mr. Martin and any legislators in Austin to this MMD since there is full support from the City of Celina. (Time: 1:51 p.m.)

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

COURT ORDER NO. 2019-259-04-01

e. Lakehaven Municipal Utility District of Collin County

Mr. Martin said this district is currently a municipal utility district in an unincorporated area of the County located near Farmersville. The legislation proposed for the MUD would add road powers to that district to allow it to construct and maintain its roadways. After talking to Bill Bilyeu, County Administrator, Mr. Martin was told the Court had requested from a different MUD that there be language regarding supplemental services for fire, emergency services and animal control. They have taken that language from the other MUD and put it into this legislation. Judge Hill did receive an email stating this has the updated language. Commissioner Williams said this is an existing MUD so they did not have to add things like fire, police and animal control but she appreciates that they did this. It adds a great service to the people who will be living there. Mr. Bilyeu confirmed the language for fire, police and animal control is in the revised legislation.

Mr. Martin confirmed that road powers means the district will take over the responsibility for the roads within the district. The MUD will also have permitting authority and the ability to do licenses and environmental permits. This will be filed with local and consent calendar. Commissioner Hale read the material before court and confirmed the language regarding fire, police and animal control was included. With no further comments, a motion was made to support the revised legislation. (Time: 1:56 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Darrell Hale
Vote: 4 – 0 Passed

COURT ORDER NO. 2019-260-04-01

- f. Collin County Municipal Utility District No. 2
- g. Walker Farms Municipal Utility District
- h. SB2/HB2
- i. HB 1245
- j. HB 705
- k. Texas CUC – Principles of the Urban Counties Policy Platform
- l. Texas CUC – Bills Filed
- m. Any other legislative items

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

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Hill adjourned the meeting at 1:56 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