

State of Texas	§	Court Order
Collin County	§	2019-xxx-09-09
Commissioners Court	§	

An order of the Collin County Commissioners Court approving the minutes from August 12, 2019.

Judge Hill led the invocation.

Commissioner Webb led the Pledge of Allegiance.

Commissioner Williams led the Pledge of Allegiance to the Texas Flag.

1. Call to Order

Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and adjourned the meeting at 1:57 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 1:57 p.m. and adjourned the meeting at 1:57 p.m.

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

Decisions Mandated by Legal Entities Outside of Commissioners Court Authority:

1. AI-46955 Budget amendment in the amount of \$1,500 to host and attend a search warrant training course for law enforcement and prosecutors, District Attorney.

FYI Notifications

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

2. AI-46983 County overtime for the pay period ended July 28, 2019, Human Resources.

2. Public Comments

3. Presentation/Recognition

4. Consent agenda to approve

Judge Hill asked for comments on the consent agenda. Hearing no comments, a motion was made to approve the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 5 - 0 Passed

a. AI-46969 Disbursements for the period ending August 6, 2019, Auditor.

Court Order No. 2019-636-08-12

b. AI-46970 Indigent Defense Disbursements, Auditor.

Court Order No. 2019-637-08-12

c. Advertisement(s):

1. AI-46954 Construction, Door Replacements at Adult Detention and Minimum Security Facilities (IFB No. 2019-190), Facilities.

Court Order No. 2019-638-08-12

2 AI-46957 Road Materials, Asphaltic Concrete (IFB No. 2019-302), Public Works.

Court Order No. 2019-639-08-12

d. Amendment(s):

1. AI-46972 No. 1 to Personal Services Agreement, VALOR Program Coordinator (Contract No. 2019-280) with Brennan Jones to change start date to August 12, 2019, change annual amount to \$18,515, and further authorize the Purchasing Agent to finalize and execute same, 296th District Court.

Court Order No. 2019-640-08-12

e. Change Order(s):

1. AI-46952 No. 2 to Construction, Roof Recovery for Collin County Justice Center (IFB No. 2018-116) with JJ Red Commercial Roofing, LLC, to provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

Court Order No. 2019-641-08-12

f. Receive and File, Auditor:

1. AI-46965 Monthly Financial Reports for June 2019.

Court Order No. 2019-642-08-12

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

1. AI-46959 July 8, 2019.

Court Order No. 2019-643-08-12

h. Miscellaneous

1. AI-46986 Personnel Appointments, Human Resources.

Court Order No. 2019-644-08-12

2. AI-46988 Personnel Changes, Human Resources.

Court Order No. 2019-645-08-12

GENERAL DISCUSSION

5. AI-46981 Creation of a Special Road District, Administrative Services.

Bill Bilyeu, County Administrator, said this item and item 6 are petitions. The Transportation Code allows for the creation of a taxing district. The proceeds from that taxing district, if approved by the voters of that district, can only be utilized for public roads inside the district. The County Election Administrator validated the signatures on the petition to meet both thresholds. The first is to create the district and the second is to call the election. The Court has a ministerial duty to both create the district and call the election.

The road these citizens want repaired is not a county road. It was built under the County's subdivision regulations but was never submitted to the County to approve it. Commissioner Hale said it is a high-quality neighborhood, but the road has not been maintained. The amount in phase I is approximately \$22 million worth of taxable property value, so any tax the voters approve would generate a decent amount.

Commissioner Fletcher explained this is not the Commissioners Court asking to create a new tax. The Court is responding to a petition signed by a majority of the registered voters in the Trails of Blue Ridge requesting designation of a special road district. Commissioner Hale said the money generated from this tax can only be used for roads within this district. Mr. Bilyeu said this will be a November election, and if the voters approve it, it will be on their tax statement for the following year. Commissioners Court will adopt a budget for the utilization of those revenues. It will be about three years out before enough has been

collected to make it cost neutral. The Court will determine when it is ready to take action once the funds are available.

If the election fails, the district is still there because it is not dependent upon the tax being created. There is a statute that allows the Court to abandon the tax based on opposition and this could possibly be used to do away with the district. Mr. Bilyeu said the Court will determine the tax rate which is not to exceed 15 cents on the \$100 valuation of property. However, if the rate is ever lowered, it cannot go back up without an election. The Court is the Board and will fund the election and manage the funds. The tax lives on in perpetuity and would require a subsequent election to remove it. There was a brief discussion on the costs to the County. Bruce Sherbet, Elections Administrator, came forward to verify the signatures and petition were valid. With no further discussion, a motion was made to approve the item. (Time: 1:44 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 5 – 0 Passed

Court Order No. 2019-646-08-12

6. AI-46982 Order an election for the imposition of a Special Road Tax, Administrative Services.

Commissioner Hale had discussions with the County Attorney who said the Court could not bind future Commissioners Courts, but could include their intent to abolish this tax once the County was paid back the amount used to bring the roads up to County standards. This language is included in paragraph six of the court order. Judge Hill said this could create some confusion with the citizens. They should know before they cast a vote that they are in effect casting a vote to place a tax upon themselves in perpetuity since this Court cannot bind future Courts. There was a lengthy discussion regarding the fact that this must be a public road in order to utilize the funds to work on the road. Clarence Daugherty, Engineering, said a contractor would put up a performance bond allowing the County to file the plat which means the roads are accepted.

Judge Hill said this is a creative solution but wants the residents to understand they are putting a tax on themselves for perpetuity because a future court may decide to keep the tax for maintenance of the roads. With no further discussion, a motion was made to approve the item with the amendment that paragraph six be removed. (Time: 1:57 p.m.)

Motion by: Judge Chris Hill

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

Court Order No. 2019-647-08-12

7. Future agenda items 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 1:57 p.m.