

State of Texas	§	Court Order
Collin County	§	2022-1241-11-14
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the October 17, 2022 minutes.

On Monday, October 17, 2022, 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 Williams led the Pledge of Allegiance.
Judge Hill led the Pledge of Allegiance to the Texas Flag.

Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and adjourned the meeting at 2:06 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 2:06 pm and adjourned the meeting at 2:06 pm

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-53058 Personnel Changes, Human Resources.

FYI NOTIFICATION:

1. AI-53033 Intra- County account transfers transmitted September 30, 2022, Auditor.
2. AI-53044 Addendum No. 1 to Services, Semi-Annual Multi-Surface Floor Cleaning (IFB No. 2022-260) to make various changes to the Invitation for Bid, Purchasing.

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

a. AI-52901 \$31,792 to supplement two (2) officer salaries assigned to the Federal Task Force utilizing Federal Forfeiture Funds, Sheriff.

COMMISSIONERS COURT BUSINESS:

Public comments related to an item on the Agenda.

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

Motion by: Commissioner Duncan Webb

Second by: Commissioner Cheryl Williams

Vote: 4 – 0 Passed

a. AI-53016 Disbursements for the period ending October 7, 2022, Auditor.

COURT ORDER NO. 2022-1120-10-17

b. AI-53017 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2022-1121-10-17

c. **Award(s):**

1. AI-53012 FY2023 Maintenance for VMware Software (Coop Contract No. 2022-457) to Unique Digital Technology, LLC through DIR Cooperative Contract No. DIR-TSO-3763, Information Technology.

COURT ORDER NO. 2022-1122-10-17

2. AI-52930 Heavy Equipment, Gradall XL4100 (Contract No. 2023-011) to Kirby-Smith Machinery, Inc. through Tarrant County Cooperative Contract No. 2022-011, and budget amendment in the amount of \$25,400 for same, Public Works.

COURT ORDER NO. 2022-1123-10-17

3. AI-53010 Road Materials, Flexbase (IFB No. 2022-324) to various vendors, Public Works.

COURT ORDER NO. 2022-1124-10-17

4. AI-53011 Road Materials, Aggregate for Surface Treatment (IFB No. 2022-333) to various vendors, Public Works.

COURT ORDER NO. 2022-1125-10-17

5. **AI-53066** Agreement, Cooperative: Uniform/Misc Rental and Laundry (Contract No. 2022-458) to Cintas Corporation, utilizing Omnia Partners Cooperative Contract No. R-BB-19002 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2022-1126-10-17

d. Agreement(s):

1. **AI-53024** Interlocal Agreement with LifePath Systems (Agreement No. 2023-044) for an annual amount of \$2,747,781 to be paid in quarterly installments commencing October 1, 2022 through and including September 30, 2023, Budget.

COURT ORDER NO. 2022-1127-10-17

2. **AI-53042** Interlocal Cooperation Agreement for Road and Bridge Improvements (Agreement No. 2022-424) with the City of McKinney, Public Works.

COURT ORDER NO. 2022-1128-10-17

3. **AI-53043** GIS Multi-Function Copier/Printer Lease Agreement (Contract No. 2022-397) with Xerox Corporation, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2022-1129-10-17

4. **AI-53032** Dealer Deputy Agreement between the Collin County Tax Assessor-Collector and McDavid Plano - Acra, LLC d/b/a Park Place Acura to perform motor vehicle titling and registration services, Tax Assessor-Collector.

COURT ORDER NO. 2022-1130-10-17

5. **AI-53034** Tax Collection Services Agreement between the Collin County Tax Assessor-Collector and Uptown Municipal Utility District No. 1, Tax Assessor-Collector.

COURT ORDER NO. 2022-1131-10-17

6. **AI-53035** Tax Collection Services Agreement between the Collin County Tax Assessor-Collector and Collin County Municipal Utility District No. 4, Tax Assessor-Collector.

COURT ORDER NO. 2022-1132-10-17

7. **AI-53036** Assessment Collection Services Agreement between the Collin County Tax Assessor-Collector and the City of Celina for the Legacy Hills Public Improvement District, Tax Assessor-Collector.

COURT ORDER NO. 2022-1133-10-17

8. **AI-53037** Assessment Collection Services Agreement between the Collin County Tax Assessor-Collector and the City of Celina for the Hillside Village Public Improvement District, Tax Assessor-Collector.

COURT ORDER NO. 2022-1134-10-17

9. **AI-53038** Assessment Collection Services Agreement between the Collin County Tax Assessor-Collector and the City of Celina for the Celina Hills Public Improvement District, Tax Assessor-Collector.

COURT ORDER NO. 2022-1135-10-17

e. Amendment(s):

1. **AI-52906** No. 2 to Insurance, Life and AD&D (Contract No. 2018-340) with Gary Insurance Services, Inc. to extend the contract for one (1) year through and including December 31, 2023, and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2022-1136-10-17

2. **No. 3 to Interlocal Agreement for Fire Inspection and Fire Plan Review to extend the contract for one (1) year through and including September 30, 2023, and further authorize the Purchasing Agent to finalize and execute same, Fire Marshal:**

a. **AI-53025** City of Blue Ridge (Contract No. 2019-375).

COURT ORDER NO. 2022-1137-10-17

b. **AI-53026** City of Farmersville (Contract No. 2018-286).

COURT ORDER NO. 2022-1138-10-17

c. **AI-53028** City of Josephine (Contract No. 2019-374).

COURT ORDER NO. 2022-1139-10-17

d. **AI-53027** City of Lavon (Contract No. 2019-151).

COURT ORDER NO. 2022-1140-10-17

e. **AI-53029** Town of New Hope (Contract No. 2019-376).

COURT ORDER NO. 2022-1141-10-17

f. **AI-53030** Town of St. Paul (Contract No. 2019-144).

COURT ORDER NO. 2022-1142-10-17

f. **Contract Renewal(s):**

1. AI-52848 Group Benefits Administration/Insurance for Short & Long Term Disability (Contract No. 2019-304) with Blue Cross Blue Shield of Texas/Dearborn Life Insurance Company to extend the contract for one (1) year through and including December 31, 2023, Human Resources.

COURT ORDER NO. 2022-1143-10-17

g. **Receive and File, Auditor:**

1. AI-53050 Monthly financial reports for August 2022.

COURT ORDER NO. 2022-1144-10-17

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

1. AI-53003 September 19, 2022.

COURT ORDER NO. 2022-1145-10-17

i. **Miscellaneous:**

1. AI-53039 Local Assistance and Tribal Consistency Fund up to \$100,000 through the U.S. Department of Treasury, Auditor.

COURT ORDER NO. 2022-1146-10-17

2. AI-53041 Conference of Urban Counties membership and payment of annual dues in the amount of \$37,957, Commissioner, Precinct 1.

COURT ORDER NO. 2022-1147-10-17

3. AI-53040 Accept the roads within Hunter Lakes Phase II for county maintenance, Engineering.

COURT ORDER NO. 2022-1148-10-17

4. AI-52990 Deposit proceeds totaling \$842,412.14 from the Collin County online auction held August 25, 2022 per Local Government Code 263.156, Purchasing.

COURT ORDER NO. 2022-1149-10-17

5. AI-53060 Authorize an exemption to the bid process for various utility services pursuant to Texas Local Government Code 262.024(a)(7), and rescind Court Order No. 2003-466-06-24, Purchasing.

COURT ORDER NO. 2022-1150-10-17

6. AI-53059 Personnel Appointments, Human Resources.

COURT ORDER NO. 2022-1151-10-17

2. **General Discussion Items:**

a. AI-53045 **Public Hearing** - Proposed revision to the Collin County Thoroughfare and Transit Plan, Engineering.

Clarence Daugherty, Engineering, presented the plan to change a pair of roadways on the County's Thoroughfare Plan. The proposal is to replace a road as requested by the City of Lavon.

Judge Hill opened the hearing at 1:34 p.m. and asked for public comments.

Judith Dishong, Plano, asked Mr. Daugherty to identify where the intersections are and where they come to a point. Mr. Daugherty acknowledged the map provided at the hearing had inadequate labeling. He said the new east-west roadway comes together at FM 6. The roadway to the south end of the road being removed is FM 2755, and FM 541 goes east from there. Judge Hill recognized City of Lavon Mayor, Vicki Sanson, who was present at the hearing. Judge Hill closed the Public Hearing at 1:35 p.m.

With no further comments, a motion was made to approve the proposed revision to the Thoroughfare Plan. (Time: 1:35 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 4 – 0 Passed

COURT ORDER NO. 2022-1152-10-17

b. AI-53046 **Public Hearing** - Re-plat of Lots 10A, 10B and 18R of Evergreen Park, Engineering.

Clarence Daugherty, Engineering, said the owners of lots 10A, 10B, and 18R asked to reconfigure the lots in order to have lots that are 5.99 acres, 1.66 acres, and 6.25 acres. These reconfigurations comply with subdivision regulations and septic requirements. Therefore, Mr. Daugherty recommends approval of this plan.

Judge Hill opened the Public Hearing at 1:36 p.m. and asked for public comments.

Joshua Murray, Lavon, said, if the replotting and breaking up of these lots is meant to develop single family homes in an ETJ (Extra Territorial Jurisdiction), it is imperative sufficient animal control services are available. He requested an assessment of the current animal control facility to ensure the county can

support the population growth. Since July 2019, the number of animals euthanized by the county has increased nearly 300%. However, intakes have increased less than 5%. In July of 2019, over 40 animals were euthanized. Whereas, in July of 2022, upwards of 150 were euthanized which could indicate a capacity issue at the facility. As planning is done for these new single family homes, Mr. Murray said it is important the county also ensures proper planning to provide services to these areas.

Judge Hill asked Bill Bilyeu, County Administrator, to review animal control services for this area. Mr. Bilyeu agreed. Judge Hill closed the Public Hearing at 1:38 p.m.

With no further comments, a motion was made to approve the re-plat of lots 10A, 10B and 18R of Evergreen Park. (Time 1:38 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 4 – 0 Passed

COURT ORDER NO. 2022-1153-10-17

c. **AI-53049 Public Hearing** - Re-plat of Lots 18A & 18B of Maina Estates, Engineering.

Clarence Daugherty, Engineering, presented the plan to subdivide lot 18 of Maina Estates into two lots – 18A and 18B. Lot 18A would be 8.87 acres, and lot 18B would be 1.02 acres. Mr. Daugherty said the resulting lots would meet all regulations, and he sees nothing wrong with the proposal.

Judge Hill asked Mr. Bilyeu to determine if the division of this lot would also increase the burden on animal services. Mr. Bilyeu will assess this area as well.

Judge Hill opened the Public Hearing at 1:39 p.m. and asked for public comments.

Joshua Murray, Lavon, said, given the geographical location and development of this land on the outer edge on the far eastern portion of the ETJ, the county needs to ensure public safety requirements can be met. This would include not only patrol, but also the courts, capacity levels for the jail, staffing levels for the detention center, and maintenance operations for those areas. Mr. Murray wants to make sure the county has the infrastructure to support these developments.

Judge Hill asked Chief Deputy Lincoln if the Sheriff's Office had any objections to the plan for these lots. Chief Deputy Lincoln said the Sheriff's Office has no objections. Judge Hill closed the Public Hearing at 1:42 p.m.

With no further comments, a motion was made to approve this item. (Time: 1:42 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Cheryl Williams

Vote: 4 – 0 Passed

COURT ORDER NO. 2022-1154-10-17

d. AI-33858 Regional Transportation Council monthly update, Commissioner, Precinct 4.

Commissioner Webb provided an update on last week's meeting which had a very positive outcome for Collin County. One significant item was regarding modifications to the TIP (Transportation Improvement Program). They were able to add \$850 million to the US380 and the SPUR 399 projects. The total to complete both projects in the next ten years is approximately \$3.2 billion. Commissioner Webb has been able to secure \$1.4 billion from the RTC (Regional Transportation Council) and TxDOT (Texas Department of Transportation) which leaves an additional \$1.8 billion to meet the total amount required. Commissioner Webb believes he has enough planning money and ROW (Right-of-Way) money to start the projects once they are both environmentally cleared. He anticipates the SPUR 399 project to be cleared within the next month or two and US380 to be cleared by the first quarter of next year. At that point, US380 will be divided into five design segments. Unlike most TxDOT projects, they will start the design immediately and push all five designs concurrently.

Commissioner Webb was pleased to report the RTC allocated another \$8.5 million to the FM 1378 project, \$8.2 million to the FM 428 project, \$1.7 million to the FM 3286 project, and \$1.3 million to the FM 544 project which is also known as County Club Lane. It was a big day for Collin County projects in terms of design and construction funding.

The council also adopted, as part of its new Management and Safety Program, putting \$7 million into speed enforcement and \$2 million into speed education. These local monies will be primarily grant funded so local entities can apply to the RTC or COG (Council of Governments) for funds. The Council might also consider contracting directly with law enforcement since the RTC and TxDOT are working together to promote traffic safety. The two highest contributing factors for fatalities and serious injuries are speeding and distracted driving. This has led the Council to focus on both education and enforcement by providing announcements and literature and contracting with cities to add more officers along the major corridors to enforce the speeding laws.

The RTC had their first reading on their legislative program. Under the Adequately Fund Transportation and Utilized Tools section, Commissioner Webb was able to add to the allocated funds for the existing Texas Rail Relocation and Improvement Fund. This is a fund that was authorized but has never been funded. Since it is now on the RTC agenda, Commissioner Webb will be pushing hard to finally get it

funded. Commissioner Webb was also able to add a discussion topic to the Expand Transportation Options in Mega-Metropolitan Regions. Collin, Denton and Rockwall Counties and other fast-growth suburban counties have had issues whereby a corridor has been identified for a freeway, and developers build in the proposed corridor before they are environmentally cleared. The goal of this legislative item is to provide counties and cities with expanded tools for land use controls to preserve future transportation corridors. It would be for a limited period of time when the freeway corridor is identified through when it is environmentally cleared. (Time: 1:50 p.m.)

NO ACTION

3. Executive Session Items:

Public Comments not related to an item on the Agenda.

Zabrina Tipton, Public Information Officer for the SBA (Small Business Administration) and Office of Disaster Assistance, gave a public announcement regarding the agency declaration by Governor Abbott for the storms and flooding that occurred on August 22 – 25, 2022. Due to the severe storms, there are federal low-interest loans as well as a federal program to assist with physical and economic loss or injury. Ms. Tipton came to let Collin County residents know this program is available to them. For homeowners who sustained damage to their property, there are loans of up to \$200,000 available. Homeowners and renters are eligible for up to \$40,000 to repair or replace personal property like furnishings or vehicles. Businesses may borrow up to \$2 million to repair or replace damaged or destroyed real estate, machinery, equipment, inventory and other business assets. Right now, the SBA has four business applicants from Collin County who are asking for economic assistance. The physical damage application deadline is November 14, 2022. The economic application can take a while to complete, and its deadline is in June of 2023. Ms. Tipton will email PDF versions of her handouts as well as her contact information to Judge Hill, the Commissioners, and the Collin County Clerk's office.

Judith Dishong, Plano, thanked Commissioner Webb for the wonderful news he reported from the RTC meeting especially regarding Country Club Lane. Last week when she discussed the problems with the audit and the fact that the results had not been released, Judge Hill said the Secretary of State was in charge of the release. In response to those comments, Ms. Dishong said Judge Hill is in charge of the elections, and she would like to have everyone confident regarding elections. Collin County has been subjected to an extensive audit paid for by county taxes. The initial report was provided back in January, and Ms. Dishong has been reaching out to various sources in an attempt find out when the final report would be released. She has not received an answer from the Secretary of State. However, she received information from a Dallas reporter who said it would be released sometime in December. Ms. Dishong felt this is not proper especially since the audit was at taxpayers' expense and there is an important upcoming election.

Judge Hill clarified his statement from last week regarding the audit. It was conducted by the Secretary of State and, therefore, Collin County couldn't provide an answer regarding when it would be released. The Judge was glad to hear Ms. Dishong was able to finally get an answer and that she shared it with the Court.

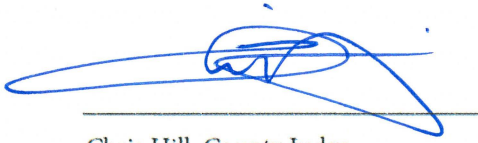
Joshua Murray, Lavon, said last week he informed the Court about his concerns regarding Judge Hill making a motion to use \$200,000 of taxpayer money to renovate part of the administration building for the Judge's predecessor. This included his concern with Judge Hill's predecessor, or a political campaign acting on his behalf, contributing at least \$27,500 to the Judge's campaign. Mr. Murray said the response from Judge Hill was to interrupt, make accusations, and then have Mr. Murray removed from the courtroom. After Mr. Murray left the building, he said the Judge was heard in the hallway by county staff and other people calling Mr. Murray a liar. Mr. Murray said the Judge is uninformed on how commercial real estate works and how this renovation does benefit the Judge's predecessor as a potential vendor. When potential tenants rent commercial real estate whether new construction or existing, the landlord does not renovate without altering the terms of the lease. A tenant who can only sign a two-year lease would have their rates increased much higher than those able to do a five-year lease. Also, he said few landlords would consider a two-year lease on a new construction building. If the county wants to be a landlord, it needs to find the best tenant. In his opinion, the one being considered is not it. He asked the members to make a motion for this topic to be added as a future agenda item so Judge Hill can address the concerns regarding this issue. Mr. Murray said the only reason Judge Hill wants to give this \$200,000 renovation to his predecessor is because of the contribution, and the Judge hopes to continue to be his predecessor.

Judge Hill said, due to Mr. Murray being the Democratic candidate for the Collin County Judge seat, he cannot speak to the voracity of Mr. Murray's comments.

Bill McKenna, McKinney, came forward to address the Court on election integrity. He attended the Collin County logic and accuracy testing in October which was open to the public. When the machines were made ready, attendees were allowed to choose to cast ballots for any precinct. Mr. McKenna decided to cast a ballot for his own precinct because he wanted to see how it would look on Election Day. At the bottom of the ballot was a race for the Princeton ISD school board, and it allowed for two selections for this candidate. Mr. McKenna only chose one and did not fill in the second selection. While reviewing his ballot before printing, it showed his choice along with "no selection" on his ballot. After printing, he noticed bar codes on the side of the ballot. He counted the bar codes and noticed the number matched the number of candidates on the ballot. This indicated to him that each bar code stood for each name. Then he discovered the Princeton ISD section on his ballot was showing two bar codes instead of just one. He brought this to the attention of one of the Collin County employees who suggested he try again with a different ballot. He went through the process again, and it came out as expected though he never found out what happened with the first ballot. The count was sorted out accurately, and the two Collin County employees signed off on the test, but Mr. McKenna still had some concerns. He stated the only way to restore confidence and accuracy is to have hand-counted paper ballots.

Rick Worrel, McKinney, followed up on his comments from last week regarding the logic and accuracy test of the voting machines. Mr. Worrel believes the idea of accuracy is a fallacy because it is not possible to thoroughly test the complex embedded electronic system without knowing how the software is coded. Since it appears for this year's elections that Collin County will still be using the same machines, the logic and accuracy test does not test under all the same conditions that occur on election day. Without knowing line by line the software code being used, we don't know what conditions are left untested. Based on his experience on designing and testing electronic systems, he advised running a hand count in parallel with the machine count. To meet our culture's need for immediate results, the machine count could be provided to the media. The certification of the results could be withheld until both counts are reconciled and all differences understood and explained. Although many may not like the idea of going back to hand counts, Mr. Worrel said the reliance on advanced technology is not always the answer especially when adversaries know ways to exploit vulnerabilities to our machines. He has heard rumors that a hand-count cross-check might also be implemented on the machine counts for this upcoming election, and he would support this being included in the election plan.

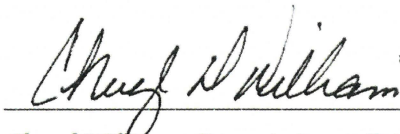
The Court did not recess into Executive Session. There being no further business of the Court, Judge Hill adjourned the meeting at 2:06 p.m.



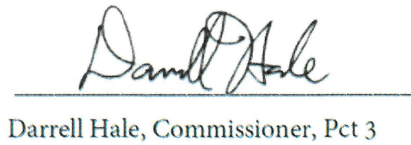
Chris Hill, County Judge

Not Present

Susan Fletcher, Commissioner, Pct 1



Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3



Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk