

STATE OF TEXAS

COMMISSIONERS' COURT  
MEETING MINUTES  
OCTOBER 28, 2013

COUNTY OF COLLIN

On Monday, October 28, 2013, 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 Matt Shaheen, Precinct 1  
Commissioner Chris Hill, Precinct 3  
Commissioner Duncan Webb, Precinct 4

Absent:  
Commissioner Cheryl Williams, Precinct 2

Judge Self led the Invocation.  
Commissioner Shaheen led the Pledge of Allegiance.  
Commissioner Hill 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.

**DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:**

1. AI-37530 Personnel Appointments, Human Resources.
2. AI-37592 Personnel Changes, Human Resources.

**FYI NOTIFICATION**

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

**2. AI-37522** Purchase wearable video cameras for the Constable Deputies utilizing CIJS funds in the amount of \$41,314, Information Technology.

Commissioner Shaheen feels that the purchase of wearable video cameras is not a good use of tax dollars. Caren Skipworth, Information Technology, explained that thorough testing of the system and research on different vendor products was performed. Monika Arris, Budget and Finance, commented that this issue was discussed a year ago during the FY 2013 budget workshop. The decision at that time was to use CIJS (Common Integrated Justice System) funds, not tax dollars, to purchase the product. IT and the Sheriff's Office then began researching products.

Lonnie Simmons, Chief Deputy Constable, Precinct 3, was asked to come forward to speak. The purpose of this product is to have video documentation of the officers' actions when executing writs of possession, orders of sales for taxes, et cetera. This will also be a tool for video documentation or proof in such instances of assaults on officers or vice versa. The video can then be uploaded into Odyssey for a judge to view if a complaint is brought against an officer.

Commissioner Shaheen felt a hand held camera would suffice and could not support this purchase. The Commissioner asked what other law enforcement agencies use this type of equipment.

Sheriff Terry Box stated that currently two county motor officers wear the cameras and that other cameras are mounted in patrol cars. The cameras in the patrol cars automatically record.

Judge Self asked about the status of the purchase. Michalyn Rains, Purchasing, informed the Court that the cameras have not been purchased pending this item. This is to show how the CIJS funds are being spent. Also there is not a formal bid process because the item falls under \$50,000, but a process was used to determine the best price of the cameras.

Commissioner Shaheen said that CIJS funds are for software and hardware in relation to the county case management system. Ms. Skipworth explained that Odyssey has the ability to allow for URL links to video, attachments of images and documents creating a one-stop shop for a case. This will allow the County to tie in video from a patrol car to the relevant case.

Judge Self stated that this is an FYI item and needs to be brought back with documentation of the decision from the previous minutes or video recording.  
(Time: 2:28)

**HELD**

**3. AI-37560** Enhanced requirements for the position of Deputy Sheriff, Sheriff.

4. **AI-37601** Letter from the State of Texas Office of the Governor Criminal Justice Division regarding a request for Grant Application Waiver for Prostitution Prevention Program under S.B. 484, County Judge.

5. **AI-37573** Nomination of David Bristol to serve as a member on the Texas Workforce Development Board, County Judge.

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

a. **AI-37517** \$17,202.25 to establish the budget for the 2014 High Intensity Drug Trafficking Area/Department Enforcement Administration (HIDTA/DEA) Agreement.

b. **AI-37525** \$26,000 to establish the budget for the 2014 IRS Task Force Grant.

c. **AI-37523** \$57,780 to establish the budget for the FY2014 Specialty Drug Court Programs Grant.

d. **AI-37557** \$200,000 to establish the budget for the 2013 Urban Area Security Initiative Grant (UASI) Program Grant.

2. Public Comments. Comments were heard under item 4e3.

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Self deleted item 4b1 and moved item 4f3 to General Discussion. (Time: 1:30 p.m.)

Returning to the consent agenda, Judge Self asked for comments. Commissioner Shaheen pulled FYI 2 for discussion. Hearing no other comments, a motion was made to approve the remainder of the consent agenda. (Time: 2:11 p.m.)

Judge Self noted that the vote did not include the Protest and Demonstration Policy or item 4b1.

Motion by: Commissioner Chris Hill  
Second by: Commissioner Matt Shaheen  
Vote: 4 – 0 Passed

a. **AI-37590** Disbursements for the period ending October 22, 2013, Auditor.

**COURT ORDER NO. 2013-867-10-28**

**b. Advertisement(s):**

1. **AI-37490** Supplies: Veterinary and Animal Care (RFP No. 2013-337), Development Services.

**HELD**

**c. Agreement(s):**

1. **AI-37487** Interlocal Agreement with the Farmersville ISD for Dispatch Services through and including September 30, 2014. Payment to be made in quarterly installments of \$118.57 (totaling \$474.28) and further authorize the County Judge to finalize and execute same, Sheriff.

**COURT ORDER NO. 2013-868-10-28**

2. **AI-37521** 2014 Aerial Photography Licensing Agreement with the North Central Texas Council of Governments (NCTCOG) for Digital Aerial Photography, budget amendment in the amount of \$61,999 and further authorize the County Judge to finalize and execute same, Information Technology.

**COURT ORDER NO. 2013-869-10-28**

**d. Amendment(s):**

1. **AI-37491** No. 1 to Agreement, Professional Services Spaying and Neutering (Contract No. 2013-203) with Taylor Tillery, DVM, PLLC to extend the contract for one (1) year through and including September 30, 2014 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

**COURT ORDER NO. 2013-870-10-28**

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

1. **AI-37526** October 7, 2013.

**COURT ORDER NO. 2013-871-10-28**

**f. Miscellaneous**

1. **AI-37565** Amend the FY2014 Fee Schedule to add a Birth Certificate–Election Identification Certificate (EIC) fee of \$3, County Clerk.

**COURT ORDER NO. 2013-872-10-28**

2. **AI-37555** Amend the FY2014 Fee Schedule to remove a \$5 Certification Fee from Beverage Cartage Permit Fee and Local Cartage Permit Fee, County Clerk.

**COURT ORDER NO. 2013-873-10-28**

3. **AI-37371** Adoption of a Protest and Demonstration Policy, Homeland Security.

Kelley Stone, Homeland Security, came forward to present a Protest and Demonstration Policy for the Court's consideration. The process used to research this policy was a survey of other governments and universities to determine what type of policies are used. The first draft of the policy was taken to the Courthouse Security Committee for input. The draft was then reviewed by Greg Hudson, County Attorney, who made additional changes.

Judge Self asked what problem is being solved with this policy. Mr. Stone explained that in the last year there have been more requests to the County Administrator's office for protests. The idea is to have a policy to ensure rights and privileges and to protect the county operations with reasonable access and locations which allows county government to function while protecting free speech of county citizens.

Judge Self also questioned what legal risks have been identified to address the need for the policy. Mr. Stone stated Mr. Hudson mentioned that there has been litigation on free speech issues. Policies and guidelines lay out expectations to employees and the public through consistency and treating everyone the same, while ensuring free speech rights and protecting the operations and the professionalism expected in Collin County.

Bill Bilyeu, County Administrator, came forward to comment on the background of the need for the policy. One protestor wanted to be on the courthouse steps which would impede access to the building. Requests were made for peaceful protests to be held at the courthouse. Unless a policy is adopted, areas cannot be designated for the protests.

Following a lengthy discussion, Judge Self agreed with the need for location, but felt the County had everything else in place: city permits, the Sheriff and the Fire Marshal.

There was a brief discussion regarding littering, loitering, and alcohol consumption on county property. It was determined that laws are already in place for these issues and that this proposed policy is setting expectations to the public for use on county property. (Time: 1:48 p.m.)

David Batson, Lucas, came forward to talk about the proposed protest policy saying that the issue goes back to the First Amendment. It is clear that no rules or regulations are to be made that would prohibit peaceable assembly and the right to address the government. The people of Collin County are lucky to have a Court of honorable and just men. In the future the citizens could have a policy that would have the potential to allow Courts to reject a request due to disagreeing with the topic. That would violate the first constitutional amendment right. Lastly, Mr. Batson addressed item e of the Protest and Demonstration Policy, the requirement to carry official identification. Mr. Batson understands identification cards are required for purchasing alcohol, driving, traveling by airplane, and for voting but disagrees with the requirement of identification to protest. (Time 1:51 p.m.)

Charles Molyneaux, Parker, came forward. Mr. Molyneaux is very displeased with the policy Mr. Stone has brought to the attention of the Commissioners' Court. Mr. Molyneaux believes this is pushed by Homeland Security and that the Commissioners' Court has the opportunity to protect the rights of the citizens by opposing the policy. (Time 1:52 p.m.)

Cindy Meyer, Parker, was the next speaker. Government's number one responsibility is to protect the freedom of the people of this country. Ms. Meyer feels strongly against this issue and believes that the federal government should not be setting county policy. Ms. Meyer suggests that because Mr. Stone is an employee of the federal government, there is a proactive initiative to set county policy with this document. Judge Self clarified that Mr. Stone has been an employee of Collin County for 28 years and remains so. (Time 1:55 p.m.)

Mark Reid, Plano, appreciates the approach the Court has taken on the protest policy. Mr. Reid commented that the First Amendment outlines freedoms in one sentence where this policy is three pages long and has 12 maps showing free speech zones. This is offensive as this country is a free speech country. Mr. Reid has faith in the laws and law enforcement as well as in the judicial system and believes in holding citizens accountable. Mr. Reid feels that a policy designating free speech zones and requiring identification is inappropriate and requests the Court to vote against this policy unanimously in favor of far less restrictions on citizens' rights. (Time 1:58 p.m.)

Barbara Harless, Murphy, has an issue with the proposed maps of free speech areas and states that where an individual is standing is a free speech area. This policy is limiting free speech by limiting the amount of space in the proposed designated areas as is the requirement of a 72-hour request to a county judge prior to an event. Ms. Harless feels that Mr. Stone and the Commissioners' Court need to sit down with the concerned citizens and discuss this issue further before a policy is put into place. (Time 2:01 p.m.)

Judge Self asked for discussion from the Court.

Commissioner Webb agrees with Commissioner Shaheen on the issue of asking for consent. The Commissioner wanted to know what laws the City of McKinney has in place for disorderly conduct, littering, and loitering and what the county's responsibilities are on this matter. Commissioner Webb is against spending county resources to clean up a protest site littered with trash and waste in areas the county is responsible for that will hinder the ability of the citizens to access the services of the county. The Commissioner asked what support the city ordinances give and where the county is vulnerable, if at all, without a policy. Judge Self stated that the county must abide by building codes.

Mr. Bilyeu came forward to inform the Court that the policy was initiated by him. Mr. Stone was asked to draft a policy and to poll local governments and universities.

Commissioner Shaheen pointed out that the county objective is to enable people to protest in a manner that does not disrupt county business. The Commissioner suggested beginning at the starting point of the policy and eliminating all items in the policy except item d and items e3, 4 and 5. This will enable citizens to protest while keeping county operations running. This should be posted on a future agenda as an update giving citizens the opportunity to provide feedback.

Commissioner Hill agreed with Commissioner Shaheen and would like an expectation list for citizens to follow. The Commissioner would also like to know if the County is covered by the city municipal ordinances to an extent that the County could handle disorderly conduct.

Judge Self feels that the County needs a simplified policy and that there needs to be a clear distinction between policy and law. Judge Self requested that Mr. Bilyeu revise and resubmit the proposed policy.

**HELD**

4. **AI-37531** Acceptance of the 2014 Crime Victim Advocate Grant, approval of a Memorandum of Understanding to partner with the City of Frisco for a shared full-time Victim Advocate for grant period beginning September 1, 2013 through and including August 31, 2014, budget amendment in the amount of \$1,704 for County Match and further authorize the County Judge to finalize and execute same, Sheriff.

**COURT ORDER NO. 2013-874-10-28**

5. **AI-37593** Personnel Appointments, Human Resources.

**COURT ORDER NO. 2013-875-10-28**

6. **AI-37594** Personnel Changes, Human Resources.

**COURT ORDER NO. 2013-876-10-28**

**GENERAL DISCUSSION**

5. **AI-37591** Board/Committee Appointments, Commissioners Court:

a. Planning Board.

Commissioner Webb reappointed Gerald Vokolek to the Planning Board.  
(Time: 2:20 p.m.)

Motion by: Commissioner Duncan Webb  
Second by: Commissioner Matt Shaheen  
Vote: 4 – 0 Passed

**COURT ORDER NO. 2013-877-10-28**

6. **AI-35285** Medicaid 1115 Waiver, Regional Health Partnership, Administrative Services.

**NO ACTION TAKEN**

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

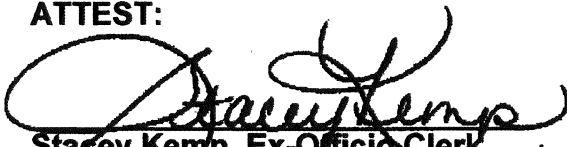
Judge Self would like the letter from KCS (Kansas City Southern Railroad) on a future agenda.

## EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting of the Commissioners' Court at 2:21 p.m.



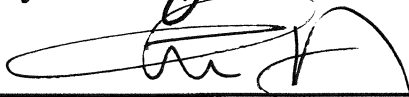
ATTEST:

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

  
Keith Self, County Judge

  
Matt Shaheen, Commissioner, Pct. 1

  
Cheryl Williams, Commissioner, Pct. 2

  
Chris Hill, Commissioner, Pct. 3

  
Duncan Webb, Commissioner, Pct. 4