

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
DECEMBER 16, 2013

On Monday, December 16, 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 Mark Reid, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Chris Hill, Precinct 3
Commissioner Duncan Webb, Precinct 4

Commissioner Hill led the Invocation.
Commissioner Webb led the Pledge of Allegiance.
Judge Self led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:31 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:04 p.m. and adjourned the meeting at 2:04 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:04 p.m. and adjourned the meeting at 2:04 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-37737 Change Order No. 1 to Services, Urinalysis Testing for Juvenile (RFP No. 2013-335) with Treatment Assessment Screening Center, Inc. to add items to the contract and further authorize the Purchasing Agent to finalize and execute same, Juvenile Probation.

2. AI-37756 Ratification of the County Judge's prior approval of Personnel Changes, Human Resources.

3. AI-37780 Personnel Changes, Human Resources.

FYI NOTIFICATION

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

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

a. **AI-37769** \$1,000 to establish the budget for the U.S. Secret Service's North Texas Electronic Crimes Task Force funds.

b. **AI-37742** \$1,200 for Lease Vehicle expense utilizing the 2014 IRS Task Force Grant funds.

c. **AI-37730** \$20,945 to establish the budget for the FY2014 Juvenile Accountability Block Grant SOAR (Successfully Opting for Accountability and Recovery) Program.

3. **AI-37728** Voluntary Terminations, Human Resources.

4. **AI-37767** Ratification of the County Judge's prior approval of the Elected Official Appointment(s), Human Resources.

2. Public Comments.

3. Presentation/Recognition:

a. Service Pins, Human Resources.

Bill Bilyeu, County Administrator, presented Nicole Gillespie, Administrative Services, with a service pin in recognition of 20 years of service. (Time: 1:33 p.m.)

Terry Box, Sheriff, came forward to commend the Jail Dispatch and Deputy Sheriffs for filling all shifts with on-duty personnel assignments during the recent ice storm. Sheriff Box praised the supervisors and employees in those departments. (Time: 1:34 p.m.)

4. Consent agenda to approve: Judge Self pulled item 4f1 and asked for comments on the consent agenda. Commissioner Webb pulled items 4e1, 4j7 and the disbursement to Schindler Elevator. A motion was made to approve the remainder of the consent agenda. (Time: 1:36 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

a. **AI-37764** Disbursements for the period ending December 10, 2013, Auditor.

All disbursements with the exception of Schindler Elevator were approved with the consent agenda vote.

COURT ORDER NO. 2013-1012-12-16

A motion was made to approve the disbursement to Schindler Elevator. Commissioner Webb did not participate in the vote. (Time: 1:36 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Cheryl Williams
Vote: 4 - 0 Passed
Abstained: Commissioner Duncan Webb

COURT ORDER NO. 2013-1013-12-16

b. AI-37743 Tax refunds totaling \$513,328.72, Tax Assessor Collector.

COURT ORDER NO. 2013-1014-12-16

c. Advertisement(s):

1. AI-37775 Services, I.T. PeopleSoft HCM 9.2 Upgrade (RFP No. 2014-106), Human Resources.

COURT ORDER NO. 2013-1015-12-16

d. Award(s):

1. AI-37759 Road Materials: Aggregate Material for Surface Treatment and Stone Rip Rap (IFB No. 2014-057) to TXI Operations, L.P., Public Works.

COURT ORDER NO. 2013-1016-12-16

e. Agreement(s):

1. AI-37748 Local Transportation Project Advance Funding Agreement for an RTR (SH121 Subaccount) Funded Project for FM 2551 from FM 544 to FM 2514 (County participation NTE \$40,970.40) and further authorize the County Judge to finalize and execute same, Engineering.

Commissioner Webb pulled this item to gain clarification as to where the funds for the County participation of \$40,970.40 are coming from and to address the lack of language stating the County's monetary responsibility in the funding agreement.

Tracy Homfeld, Engineering, explained that the funding will be reallocated from the City of Murphy's Betsy Lane bond fund. The Betsy Lane project received RTR (Regional Toll Revenues) dollars; therefore, the allocation of bond funds from the County will be reduced and reallocated to the FM 2551 project as the County's participation. An MOU (Memorandum of Understanding) or an interlocal agreement will be brought back to the Court explaining the reallocation of funds for the use as the County's participation in the FM 2551 project. This will also state that if there are any overages in the project that the funds will again be reallocated from the Betsy Lane project.

Commissioner Hill asked for the balance of the Betsy Lane bond fund and if there are sufficient funds to pull for reallocation. Ms. Homfeld stated, yes, there are several hundred thousand dollars in the bond fund.

Commissioner Webb commented that with a written agreement stating that funding for FM 2551 is being reallocated from the Betsy Lane project and that any overages will also be pulled from said project he would move to approve the item. (Time: 1:38 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-1017-12-16

2. AI-37750 Agreement for Release of Driver Records to Governmental Entities with the Texas Department of Public Safety (TXDPS) to access driver license records online and further authorize the County Judge to finalize and execute same, Human Resources.

COURT ORDER NO. 2013-1018-12-16

3. AI-37754 Vehicle Use Agreement with National Insurance Crime Bureau (NICB) to donate a 2003 Honda TRX 400 to be used for law enforcement purposes and further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2013-1019-12-16

4. AI-37752 Interlocal Agreement with the City of Allen for funding through the 4th Series – 2007 Parks/Open Space project Funding Assistance Program (Bond Project No. 07PG52) for construction of Cottonwood Creek Hike/Bike Trail in the City of Allen and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2013-1020-12-16

f. Amendment(s):

1. AI-37771 No. 1 to Services: Travel Agency (RFP No. 06308-12) with ARTA Travel 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, Auditor.

Judge Self asked Jeff May, Auditor, for results of the first year of the travel implementation. Mr. May explained that the County is still implementing this action and it will be included with the new travel policy that goes into effect January 1, 2014. Results can be presented to the Court in approximately six months.

Judge Self made a motion to approve this item.

Motion by: Judge Keith Self
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-1021-12-16

g. Ratification of the County Judge's prior approval:

1. **AI-37747** Disbursements for the period ending December 3, 2013, Auditor.
COURT ORDER NO. 2013-1022-12-16

2. **AI-37757** Personnel Appointments, Human Resources.
COURT ORDER NO. 2013-1023-12-16

3. **AI-37758** Personnel Changes, Human Resources.
COURT ORDER NO. 2013-1024-12-16

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

1. **AI-37741** \$4,800 to purchase required apps for the Judge's iPads and required data plans for April 2014 through September 2014, 296th District Court.
COURT ORDER NO. 2013-1025-12-16

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

1. **AI-37724** November 11, 2013 Special Session.
COURT ORDER NO. 2013-1026-12-16

2. **AI-37725** November 11, 2013.
COURT ORDER NO. 2013-1027-12-16

3. **AI-37745** November 18, 2013.
COURT ORDER NO. 2013-1028-12-16

4. **AI-37772** December 2, 2013.
COURT ORDER NO. 2013-1029-12-16

j. Miscellaneous

1. **AI-37706** 50/3 application for Winzer Corporation, Budget.
COURT ORDER NO. 2013-1030-12-16

2. **AI-37768** Amend the FY2014 Fee Schedule to waive fees for court appointed attorneys for copies on cases in which the attorney is assigned, District Clerk.
COURT ORDER NO. 2013-1031-12-16

3. **AI-37762** Early Voting locations, dates and times for the March 4, 2014, Primary Elections, Elections.
COURT ORDER NO. 2013-1032-12-16

4. **AI-37723** Purchase of a network printer from the Justice Court Technology Fund and budget amendment in the amount of \$662 for same, Justice of the Peace, Precinct 1.

COURT ORDER NO. 2013-1033-12-16

5. **AI-37766** Acceptance of a rebate check in the amount of \$5,421.43 for participating in The Local Government Purchasing Cooperative and BuyBoard Program and budget amendment for same, Purchasing.

COURT ORDER NO. 2013-1034-12-16

6. **AI-37755** Acceptance of the CoServ Charitable Foundation FY 2014 Grant in the amount of \$18,250, Sheriff.

COURT ORDER NO. 2013-1035-12-16

7. **AI-37701** Easement for Right-of-Way Water Transmission Pipeline North McKinney Pipeline Project No. 210 for a 30 foot wide permanent waterline easement across County owned property east of FM 1378 in Fairview; further authorize the County Judge to finalize and execute same, Special Projects.

Commissioner Webb pulled this item to question the impact on the County's use of easement at this location with future road improvements. If this does impact the County's easement, the Commissioner is hesitant to approve the item.

Jeff Durham, Special Projects, addressed the concern. The answer is no, it will not impact the ability to use the right-of-way for the purpose intended. There is a clause in the agreement for a nonexclusive easement allowing other utilities in the area as long as they do not interfere with the waterline. In the future when the new lanes of Stacy Road are ready to be built, North Texas Municipal Water District (NTMWD) will pay for the relocation of the waterline if there is no way for the County or NTMWD to work around them.

Judge Self asked why it is not assumed the road will be built there to ensure the waterline is not underneath the road. Mr. Durham said the only other option would be putting the waterline in the median of the six-lane divided road that has 120 feet right-of-way. Commissioner Williams stated that this is a crucial pipeline for the community. Mr. Durham agreed and said that other routes were looked at but the proposed plan was determined to be the best alignment. Commissioner Webb was comfortable moving forward with the item due to NTMWD taking responsibility for the relocation of the waterline if necessary in the future and made a motion to approve the item. (Time: 1:42 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2013-1036-12-16

8. AI-37781 Personnel Appointments, Human Resources.

COURT ORDER NO. 2013-1037-12-16

GENERAL DISCUSSION

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

Lonnie Simmons, Chief Deputy, Constable Precinct 3, came forward to discuss the item. The intended use of the wearable video cameras by the deputies is to record daily activities in the civil aspect of law enforcement. There were two occasions this year where officers were assaulted while executing writs of attachment for children. These incidents then turned into criminal cases and the use of wearable video cameras would have provided video documentation of those events. The use of wearable cameras during court ordered property seizure will be to video document the seized property for inventory, the condition of the property and the conduct of the defendants and the deputies involved. Another use is during Sheriff Sales; if there is a dispute on the sale of an item, the deputy can take off the camera and replay the video for proof of the sale.

The purchase of the cameras includes a one-year out of the box warranty and a two-year extended warranty. The vendor will upgrade the cameras, at no charge, during the warranty period if an upgrade was performed.

A policy is in place for the use of the cameras and is available for review. The procedure for video storage is if the video recorded is not for use in a criminal case, it will not be kept longer than 90 days. The video will be downloaded from the cameras and saved to a flash drive or CD (Compact Disc) as not to use County server space. The flash drive or CD will then be stored in the locked evidence room. Only one officer has a key to the evidence room so the video will be secure. It is very important to protect public interest and Chief Deputy Simmons believes we have a great product that is durable and will have a long life.

Judge Self asked if the cameras are hardened or militarized. Chief Deputy Simmons was unsure if the cameras are militarized but said they do have hard cases. The cameras also have a flap that covers the lens when not in use.

There was a brief discussion on how the video is downloaded from the cameras to the police car and to the office computers in order to save on flash drives or CDs. Funding for the purchase of the flash drives and CDs will come from the office supply fund. The discussion reiterated the video footage will be kept no longer than 90 days unless it is considered evidence in a criminal case. If the footage is used as evidence, it will be uploaded to the Odyssey system under the case file. All footage that is not used as evidence will be purged after the 90-day period. During the 90-day period all footage will be stored in the secure evidence room.

Commissioner Reid asked if there is any history on how often the vendor upgrades the cameras. Caren Skipworth, Information Technology, said she does not have that information but did note the wearable cameras will have more wear and body damage than the ones mounted in the vehicles. The Commissioner commented on the line item of the two-year extended warranty and noted the cost of the extended warranty is as much as it would be to replace damaged cameras and questioned the necessity. Judge Self agreed with the Commissioner and asked since the purchase is for a more durable camera, is there a need for the extended warranty. Ms. Skipworth stated that if the extended warranty is not purchased, a funding mechanism will need to be set up for repair or replacement of the cameras. Judge Self asked Ms. Skipworth to provide documentation on a different way to procure the cameras other than an extended warranty. Commissioner Hill asked if this line item could be set up as a contingency fund to self-insure the cameras. Ms. Skipworth confirmed that can be done. Judge Self recommended the approval of this item minus the two-year extended warranty

Monika Arris, Budget, came forward to remind the Court the cameras are being purchased with the short-term debt funds that go along with the court management system. The repair and replacement of cameras will then fall under the general fund if the extended warranty is not purchased.

Commissioner Williams made a motion to accept the purchase of the cameras with the exception of the extended warranty. The Commissioner asked Ms. Skipworth to bring back to the Court an assessment of the best option, to either purchase the warranty or put the warranty money into a contingency fund. (Time: 1:55 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Chris Hill
Vote 5 – 0 Passed

COURT ORDER NO. 2013-1038-12-16

6. AI-37761 Board/Committee Appointments, Commissioners Court:

a. Child Protective Services Board.

Commissioner Hill appointed Bruce Kendrick to the Child Protective Services Board.

b. Health Care Advisory Board.

Commissioner Hill appointed Brian Dale to the Health Care Advisory Board. Judge Self reappointed Diann Jones and Susan Fletcher to the Health Care Advisory Board.

c. Historical Commission.

Commissioner Hill reappointed Becky Airhart-Smith to the Historical Commission. Judge Self reappointed Loydell Seward to the Historical Commission.

d. Parks Foundation Advisory Board.

Commissioner Hill appointed Larry Offerdahl to the Parks Foundation Advisory Board. Judge Self reappointed Nancy Jones to the Parks Foundation Advisory Board.

e. Planning Board.

Commissioner Hill appointed Bill Mills to the Planning Board. Commissioner Williams appointed Todd Wintters to the Planning Board.

A motion was made to approve the appointments. (Time: 1:56 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Mark Reid

Vote: 5 – 0 Passed

COURT ORDER NO. 2013-1039-12-16

7. AI-33858 RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb presented the RTC (Regional Transportation Council) monthly update. There were two meetings in the month of December. One was a special meeting held on December 5, 2013. The most noteworthy item was the approval of the State Highway 360 partnership. This was where Texas Department of Transportation (TxDOT) offered a \$300 million loan to accelerate the toll construction of Highway 360 South at the Green Oaks intersection. TxDOT made the loan contingent on the RTC serving as a backstop or guarantor of the back end if toll revenues were not sufficient to cover the debt. The guarantee only includes West side funds. Ultimately this was approved and was precedent setting as the RTC has never been asked to serve as a guarantor. If the RTC is called upon to make good on the guarantee, the first funds would be coming from the federal fund allocation and would be gaining interest at the same rate TxDOT earns.

The item of interest at the regular meeting held on December 12, 2013, was TxDOT wanted the RTC to take the credit risks they signed off on for the I-35W 3A-3B collection bids. The RTC declined to do so. A motion was approved for the RTC not to take the risk. It was recommended to TxDOT if they want to get out of the collection risk, they need to change the way tolls are handled. The annual presentation of the Regional Outer Loop Corridor feasibility study was submitted. There will be a performance measures survey related to incident management sent out by COG (Council of Government) to help remedy issues to reduce time when there is an accident. The survey will be sent out to all fire, police, public safety, public representatives, and city managers.

Commissioner Williams and Judge Self were pleased with the response of the RTC approving the motion to not take on the risk proposed by TxDOT. (Time: 2:03 p.m.)

NO ACTION TAKEN

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

NO ACTION TAKEN

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

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being of further business of the Court, Judge Self adjourned the meeting of the Commissioners' Court at 2:04 p.m.



Keith Self, County Judge

Mark Reid, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Chris Hill, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

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