

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
NOVEMBER 3, 2014

On Monday, November 3, 2014, 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 1:30 p.m. and recessed the meeting at 2:22 p.m. The meeting was reconvened at 2:23 p.m. and adjourned at 2:24 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:22 p.m. and adjourned the meeting at 2:22 p.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 2:23 p.m. and adjourned the meeting at 2:23 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-39061 Grant award for the FY2015 Juvenile Accountability Block Grant in the amount of \$14,729 through the Governor's Criminal Justice Division to assist in the operation of the Juvenile Drug Court SOAR Program, Juvenile Probation.

2. AI-39103 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. AI-39059 Budget amendment in the amount of \$16,102 to establish the budget for the State Criminal Alien Assistance Program (SCAAP) fund, Auditor.

3. **AI-39016** P-Card Disbursements, Auditor.
4. **AI-39090** Voluntary Terminations, Human Resources.

2. Public Comments.

Public comments were heard under General Discussion Item 6.

3. Presentation/Recognition:

- a. **AI-39070** Proclamation bringing awareness to Pancreatic Cancer, Commissioner, Precinct 1.

Commissioner Reid presented Erica Trejo Cremar, Pancreatic Cancer Action Network, with a proclamation stating the Collin County Commissioners' Court, on behalf of the citizens of Collin County, recognize the Pancreatic Cancer Action Network and designate the month of November as Pancreatic Cancer Awareness Month. (Time: 1:32 p.m.)

- b. Service Pins, Human Resources.

4. **Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Hearing none, a motion was made to approve the consent agenda. (Time: 1:34 p.m.)

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

- a. **AI-39088** Disbursements for the period ending October 28, 2014, Auditor.
COURT ORDER NO. 2014-839-11-03

- b. **AI-39066** Tax refunds totaling \$493,776.21, Tax Assessor Collector.
COURT ORDER NO. 2014-840-11-03

c. Advertisement(s):

1. **AI-39080** Maintenance/Repair/Operations Parts, Supplies and Related Services (IFB No. 2015-010), Facilities.
COURT ORDER NO. 2014-841-11-03

d. Award(s):

1. **AI-39067** Collection of Delinquent Fines (RFP No. 2014-248), Justice of the Peace, Precinct 3-1.
COURT ORDER NO. 2014-842-11-03

e. Agreement(s):

1. **AI-39087** Interlocal Agreement with the City of Plano concerning improvements along Dallas Parkway and the Dallas North Tollway between the President George Bush Turnpike (SH 190) and Headquarters Drive (2007 Bond Project No. 07-059), budget amendment in the amount of \$3,000,000 (County participation NTE \$5,000,000) and further authorize the County Judge to finalize and execute same, Engineering.

COURT ORDER NO. 2014-843-11-03

2. **AI-39071** Host Agency Agreement with Experience Works for the purpose of a joint engagement in the Senior Community Service Employment Program (SCSEP) and further authorize the County Judge to finalize and execute same, Human Resources.

COURT ORDER NO. 2014-844-11-03

3. **AI-38949** Interlocal Agreement with the City of Celina (Agreement No. 2014-322) for road and bridge improvements and further authorize the County Judge to finalize and execute same, Public Works.

COURT ORDER NO. 2014-845-11-03

4. **AI-38921** Interlocal Agreement with the City of Lowry Crossing (Agreement No. 2014-291) for road and bridge improvements and further authorize the County Judge to finalize and execute same, Public Works.

COURT ORDER NO. 2014-846-11-03

5. **AI-38922** Interlocal Agreement with the City of Royse City (Agreement No. 2014-298) for road and bridge improvements and further authorize the County Judge to finalize and execute same, Public Works.

COURT ORDER NO. 2014-847-11-03

6. **AI-39073** Interlocal Agreement with the Town of Fairview for Child Abuse, Investigation Services, Law Enforcement Services for an annual amount of \$6,000 and further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2014-848-11-03

f. Amendment(s):

1. **AI-39086** No. 1 to Interlocal Agreement for Environmental Services with the City of Anna to extend the contract for one (1) year through and including September 30, 2015 and further authorize the Purchasing Agent to finalize and execute same. Payments will be made in quarterly installments for an annual amount of \$8,200, Development Services.

COURT ORDER NO. 2014-849-11-03

2. **AI-38964** No. 3 to Insurance, Long Term Care (Contract No. 07710-09) with Unum Life Insurance Company of America to extend the contract for one (1) year through and including December 31, 2015 and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2014-850-11-03

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

1. **AI-39078** October 13, 2014.

COURT ORDER NO. 2014-851-11-03

h. Miscellaneous

1. **AI-39091** Acceptance of the FY2015 Firehouse Subs Public Safety Foundation grant in the amount of \$19,984, Auditor.

COURT ORDER NO. 2014-852-11-03

2. **AI-39060** Grant application for the ASPCA/Subaru Dealership Event Grants in the amount of \$2,500 for a Low-Cost Vaccination/Microchip Clinic and Adoption Event, Development Services.

COURT ORDER NO. 2014-853-11-03

3. **AI-39104** Personnel Appointments, Human Resources.

COURT ORDER NO. 2014-854-11-03

4. **AI-39105** Personnel Changes, Human Resources.

COURT ORDER NO. 2014-855-11-03

GENERAL DISCUSSION

5. **AI-39082** Review of quarterly reporting statistics, Medical Examiner.

Dr. William Rohr, Medical Examiner, came forward to give a brief overview on quarterly reporting statistics for the Medical Examiner's office. Dr. Rohr shared charts that included statistical data for FY2010-FY2014 on the number of deaths investigated, deaths investigated per field agent, external exams performed, death certificates issued, field agent overtime, scene visits, autopsies performed and types of deaths investigated. Dr. Rohr stated the number of deaths investigated will continue to rise as the population of Collin County increases. In FY2014 four field agents each investigated 840 deaths. The number of deaths investigated per agent as well as agent overtime will be reduced in FY2015 with the addition of a fifth field agent. Dr. Rohr stated external exams make up approximately 40% of the caseload.

This typically consists of photographing and x-raying the body, drawing blood for toxicology and fluids for chemistry. Death certificates issued for individuals that come through the office as well as deaths ruled traumatic have increased. Scene visits and types of deaths investigated have remained constant over the last few years whereas the number of autopsies performed has fluctuated. (Time: 1:47 p.m.)

NO ACTION TAKEN

6. AI-38955 City of Celina's Bond Project No. 07-014, CR 5 (Frontier Parkway) from the DNT to SH 289, Engineering.

Clarence Daugherty, Engineering, stated earlier in the month the Commissioners' Court directed the Engineering Department to bring back a status report regarding the review of concept plans for a possible grade separation on Frontier Parkway. At this time an estimate of cost has been submitted. A meeting was held with the engineering and planning staffs of the cities where a concept plan was submitted. The plan has been reviewed but has not been accepted by a city. The plan was to be used for discussion at the property owner meetings. One property meeting has been held with three more scheduled.

Commissioner Reid stated the estimate of the funding gap has increased to the range of \$2-2.5 million from \$1.5 million with the addition of an estimated \$4 million for the property acquisitions. The Commissioner would like to expedite the project as much as possible in order to keep the costs low and to preserve the funds that have already been allocated for this project.

Judge Self asked for public comments at 1:51 p.m.

Clint Yeager, Republic Property Group, came forward to speak on the Prairie Crossing project. Prairie Crossing (CR 51) is a four-lane undivided thoroughfare that is two-thirds complete. The cost of Prairie Crossing to date is \$2 million with an additional \$1.6 million for completion. A separated crossing and the additional right-of-way will not benefit Light Farms as it will limit usability of a large portion of the property that fronts Frontier Parkway. Because the plans show a system of U-turns to negotiate through and around the grade separated crossing Mr. Yeager believes future residents will want to avoid the crossing. This will result in residents cutting through the Light Farms community. (Time: 1:54 p.m.)

David Quick, Prosper, stated he and his wife own property along Frontier Parkway on both sides of the BNSF (Burlington Northern Santa Fe Railway) track. Mr. Quick is also the trustee of the Graham Stelzer Trust that owns property at the corner of the railroad and Frontier Parkway. Mr. Quick supports efforts to improve Frontier Parkway to a multilane concrete road; however, he objects to the grade separated railroad crossing proposed. Mr. Quick objects to the grade separation as a taxpayer and as an affected landowner. As a taxpayer he sees the grade separation as a frivolous waste of taxpayer money. He stated there have been several warrant studies performed and none conclude a bridge is warranted.

The unwarranted bridge would destroy the usefulness of the newly constructed section of CR 51 by causing it to dead-end into the side of bridge supports. As an affected landowner, the bridge will destroy millions of dollars of commercial value that currently vests in the properties. This cost alone will likely render the bridge economically unfeasible. Mr. Quick also said taking away funding for the expansion of Frontier Parkway over the issue of the unwarranted bridge is not in the best interest of Collin County citizens. (Time: 1:56 p.m.)

Mayor Sean Terry, Celina, stated Celina has never said a bridge is wanted in this location. Celina is trying to be a good neighbor to Prosper and wants to come to an agreement. The City would like more time to look at the concept plan and take it to the landowners to see if there is a solution. Mayor Terry stated Celina wants to protect the landowners but also understands the need for mobility in that area. Celina is committed to spend the money on Frontier Parkway but there is more work to be done for both sides to come to an agreement. (Time: 1:59 p.m.)

David Bristol, Prosper, stated he was on the Prosper Town Council through 2006 and sat on the Collin County Bond Commission when bond money was discussed for this project. Mr. Bristol said this piece of property has been under negotiation for many years in terms of improving the traffic flow and is now at a critical point for Prosper and Prosper ISD. Both sides of Frontier Parkway feed into Prosper ISD. The bridge, which would be less than one-quarter mile away from the only high school, would alleviate major stoppage of traffic and safety issues. Mr. Bristol understands the commercial aspect and has heard discussion on the road being moved to the south in order to not affect the commercial values to the north. Because the school district has sites on either side of the railroad track Mr. Bristol does not believe it would be a feasible option. Mr. Bristol stated the funding which was passed for Frontier Parkway needs to be preserved in order to achieve an effective conclusion for the entire community. Preserving the funding will keep Celina and Prosper working together toward a common goal. (Time: 2:02 p.m.)

Judge Self asked for a brief review of the funding being discussed. Mr. Daugherty stated the estimate provided to the Court included two options both acquiring the right-of-way needed for grade separation. The first option was to build the four-lane divided roadway without a grade separation and the second option included one-half of the full bridge built. The estimate for the right-of-way needed, assuming it would all be purchased, is \$4 million. The estimated cost for the four-lane roadway at-grade is \$10 million. The addition of the grade separation would increase the estimate by \$4 million for approximately \$18 million total. The funding gap for the four-lane roadway without the grade separation is approximately \$6.3 million. The funding gap with the bridge is \$6.7 million. Mr. Daugherty noted that the money available from Prosper is through a bond election that was specifically for a grade separation; therefore, those funds cannot be applied to an option with no grade separation.

Judge Self asked how building half of the bridge now would work. Mr. Daugherty stated a bridge plan has yet to be determined but explained there could be two bridges, one for each direction of traffic, or one solid bridge built. Either way half can be built at one time. In this case, half a bridge would be for a total bridge project of six lanes. The first bridge would have two wide lanes with shoulders which would go across the bridge connecting to a four-lane roadway. No traffic would bypass the bridge but would be narrowed down to the two lanes until a second bridge is built. Commissioner Hill asked if this would cause a bottleneck. Mr. Daugherty stated if a four-lane roadway is to be built in the near future it would be because it is the only practical way to build the first stage of a major thoroughfare like this for the area. It would have plenty of capacity and would not cause a bottleneck now. The bridge would be monitored to avoid capacity issues. When capacity concerns arise, the initiation of the second bridge would begin.

Judge Self stated the issue before the Court is not what to build but whether or not to preserve the \$3.5 million bond funds as the process moves forward. Commissioner Reid stated the Court has responsibility for countywide mobility. In looking at this BNSF railway, every major east/west thoroughfare that crosses this railway has grade separation. A grade separation is not yet warranted for this location and may not be for some time, but the Commissioner would like to be proactive before there are capacity issues. The funds need to be preserved and a plan made to fill the funding gap in order to build what is going to be built.

There was a brief discussion on whether a vote is needed to preserve the \$3.5 million committed to this road project. The preservation of the bond funds would restrict the cities from any further reallocation to other projects. Mayor Terry came forward to clarify the \$1.5 million that was previously reallocated from this project was used on other County projects. Commissioner Webb agreed with keeping the funds on this project but if an agreement between the cities cannot be made for a long-term solution he is willing to look at other areas to put the funding toward. A key component is preserving sufficient right-of-way so that in 30 years a grade separation can be done if the road is built at-grade now. Judge Self stated the issue is the landowners do not want to give the right-of-way now for any bridge. The cities need to come to an agreement because in the future crossing the railroad will cause problems without a grade separation. Judge Self said he would like to preserve the funds and for the cities to reach an agreement.

Commissioner Williams stated the Court has to be cautious when preserving the right-of-way for projects that may not occur for as long as 30 years. There could be problems in doing this from a legal standpoint. The Commissioner also stated when Celina reallocated the bond dollars it was only done because the Court asked them to participate in neutral boundary roads. Judge Self agreed that there are problems in preserving rights-of-way for a long period of time; however, there may not be another opportunity to do so.

Commissioner Reid asked for Engineering to come back in 30 days with an evaluation of the property owner meetings. (Time: 2:21 p.m.)

NO ACTION TAKEN

7. AI-39115 Board/Committee Appointments, Commissioners Court:

a. Child Protective Services Board

Commissioner Williams reappointed Linda Carrington to the Child Protective Services Board.

b. Historical Commission

Commissioner Williams reappointed Joy Gough to the Historical Commission.

c. Planning Board

Commissioner Williams reappointed Mardy Brown to the Planning Board and Judge Self reappointed George Z. Marshall to the Planning Board.

A motion was made to approve the board appointments. (Time: 2:24 p.m.)

Motion by: Judge Keith Self

Second by: Commissioner Mark Reid

Vote: 5 – 0 Passed

COURT ORDER NO. 2014-855-11-03

8. AI-38856 84th Legislative Agenda for 2015, Commissioners Court.

Bill Bilyeu, County Administrator, stated there will be a discussion next week which will include legislative planks. Mr. Bilyeu has been in contact with Representative Jodie Laubenberg's office to set a date for a workshop. This will be a luncheon with the House and Senate delegation. (Time: 2:22 p.m.)

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 no further business of the Court, Judge Self adjourned the meeting at 2:24 p.m.



Keith Self

Keith Self, County Judge

Susan Fletcher

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams

Cheryl Williams, Commissioner, Pct. 2

Chris Hill

Chris Hill, Commissioner, Pct. 3

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, TEXAS