

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
JANUARY 4, 2016

COUNTY OF COLLIN

On Monday, January 4, 2016, 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 Susan Fletcher, Precinct 1

Commissioner Cheryl Williams, Precinct 2

Commissioner Chris Hill, Precinct 3

Absent: Commissioner Duncan Webb, Precinct 4

Judge Self led the Invocation.

Commissioner Fletcher led the Pledge of Allegiance.

Commissioner Williams 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 adjourned the meeting at 2:33 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:33 p.m. and adjourned the meeting at 2:34 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-41021 Personnel Appointments, Human Resources.

2. AI-41022 Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. **AI-40792** Addendum No. 1 and No. 2 to P25 Trunked Radio System Replacement (RFP No. 2016-020) to make various changes to the Request for Proposal, Purchasing.

Judge Self pulled this item and asked Michalyn Rains, Purchasing, what the changes were to the 300-page proposal. Ms. Rains said the major changes were the location change to a new site in Anna and having cameras added to some of the tower sites. Ms. Rains will provide a redlined copy showing the changes. (Time: 1:35 p.m.)

3. **AI-40998** No bids received for Installation of Detention Center Walk-In Freezer (IFB No. 2015-154), Construction & Projects.

4. **AI-40937** P-Card Disbursements, Auditor.

5. **AI-41006** Voluntary Terminations, Human Resources.

6. **AI-40947** Budget amendment in the amount of \$30,000 to established the budget for the FY2015 Homeland Security Grant Program (HSGP) for the Fusion LinX (Law Enforcement Information Exchange) Data Sharing Project, Auditor.

2. Public Comments.

Cynthia Zinn, DaVita Dialysis in McKinney, returned to Court to ask for assistance for dialysis patients affected by the public transportation system shutdown. Ms. Zinn said someone needs to take ownership of the situation because patients are going to die. One of her patients was admitted to the hospital after missing two dialysis treatments due to the lack of public transportation. There has been no movement on this issue for the last two weeks. Judge Self said the RTC (Regional Transportation Council) has approved funds to have transportation provided and the Judge will give Ms. Zinn the information she needs for her patients. (Time: 1:34 p.m.)

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Self pulled FYI Notification 2, 4d1 and then asked for comments on the consent agenda. Hearing no comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:34 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 4 - 0 Passed

a. **AI-41002** Disbursements for the period ending December 29, 2015, Auditor.

COURT ORDER NO. 2016-001-01-04

b. **AI-41019** Tax refunds totaling \$212,137.43, Tax Assessor Collector.

COURT ORDER NO. 2016-002-01-04

c. Advertisement(s):

1. **AI-40995** Installation of Walk-In Freezer at Justice Center (IFB No. 2016-086), Construction & Projects.

COURT ORDER NO. 2016-003-01-04

2. **AI-41013** Design and Fabrication of Election Supply Carriers (IFB No. 2016-061), Elections.

COURT ORDER NO. 2016-004-01-04

3. **AI-41005** Herbicide Treatment of Roadside Right-of-Way and Encroachments (IFB No. 2016-052), Public Works.

COURT ORDER NO. 2016-005-01-04

4. **AI-40950** Cellular Antenna System for Myers Park Show Barn (RFP No. 2016-051), Special Projects.

COURT ORDER NO. 2016-006-01-04

d. Award(s):

1. **AI-41015** Supplies, OEM Toner Cartridges for Laser and Inkjet Printers (IFB No. 2015-344) to various vendors, Budget.

Judge Self pulled this item to ask if this is a bulk purchase or if individual departments will be purchasing toner cartridges. Monika Arris, Budget, said Support Services handles all the toner cartridges and they are purchased in bulk using a list of all the types of printers used in the County. This is done on an inventory account so a department is not charged until it places an order. (Time: 1:36 p.m.)

HELD

e. Agreement(s):

1. **AI-40933** Professional Services Agreement with LifePath Systems to provide services for Teen Court participants for treatment of substance abuse and mental health disorders, grant exemption from the competitive bid process per V.T.C.A. Local Government Code 262.024(a)(4) and further authorize the Purchasing Agent to finalize and execute same, Administrative Services.

COURT ORDER NO. 2016-007-01-04

2. **AI-41004** Interlocal Agreement with the City of Allen for funding through the 6th Series – 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG73) for improvements to Watters Branch Hike and Bike Trail, Special Projects.

COURT ORDER NO. 2016-008-01-04

f. Amendment(s):

1. **AI-40994** No. 1 to the Interlocal Agreement with the City of Wylie for GIS Services to extend the agreement for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, GIS/Rural Addressing.

COURT ORDER NO. 2016-009-01-04

2. **AI-41014** No. 4 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, 2016 and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2016-010-01-04

3. **AI-40986** No. 1 to the Interlocal Agreement with the City of Blue Ridge for Animal Control and Animal Shelter Services to set the rate for FY2016 for an annual amount of \$11,000, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-011-01-04

4. **AI-40966** No. 8 to the Interlocal Agreement with the City of Anna for Animal Control Services to set the rate for FY2016 for an annual amount of \$32,236, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-012-01-04

5. **AI-40980** No. 8 to the Interlocal Agreement with the City of Lucas for Animal Control Services to set the rate for FY2016 for an annual amount of \$19,030, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-013-01-04

6. **AI-40979** No. 8 to the Interlocal Agreement with the City of Lucas for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$14,970, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-014-01-04

7. **AI-40963** No. 9 to the Interlocal Agreement with the City of Anna for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$16,630, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-015-01-04

8. **AI-40971** No. 9 to the Interlocal Agreement with the City of Celina for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$10,503, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-016-01-04

9. **AI-40972** No. 9 to the Interlocal Agreement with the City of Celina for Animal Control Services to set the rate for FY2016 for an annual amount of \$20,318, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-017-01-04

10. **AI-40977** No. 9 to the Interlocal Agreement with the Town of Fairview for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$18,313, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-018-01-04

11. **AI-40984** No. 9 to the Interlocal Agreement with the Town of Fairview for Animal Control Services to set the rate for FY2016 for an annual amount of \$35,557, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-019-01-04

12. **AI-40970** No. 9 to the Interlocal Agreement with the City of Farmersville for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$6,733, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-020-01-04

13. **AI-40976** No. 9 to the Interlocal Agreement with the City of Frisco for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$215,653, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-021-01-04

14. **AI-40985** No. 9 to the Interlocal Agreement with the City of Lavon for Animal Control and Animal Shelter Services to set the rate for FY2016 for an annual amount of \$6,250, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-022-01-04

15. **AI-40960** No. 9 to the Interlocal Agreement with the City of McKinney for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$255,646, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-023-01-04

16. **AI-40968** No. 9 to the Interlocal Agreement with the City of Melissa for Animal Control Services to set the rate for FY2016 for an annual amount of \$17,974, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-024-01-04

17. **AI-40967** No. 9 to the Interlocal Agreement with the City of Melissa for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$9,291, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-025-01-04

18. **AI-40987** No. 9 to the Interlocal Agreement with the City of Nevada for Animal Control and Animal Shelter Services to set the rate for FY2016 for an annual amount of \$3,125, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-026-01-04

19. **AI-40978** No. 9 to the Interlocal Agreement with the Town of New Hope for Animal Control and Animal Shelter Services to set the rate for FY2016 for an annual amount of \$4,125, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-027-01-04

20. **AI-40975** No. 9 to the Interlocal Agreement with the City of Princeton for Animal Control Services to set the rate for FY2016 for an annual amount of \$25,007, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-028-01-04

21. **AI-40974** No. 9 to the Interlocal Agreement with the City of Princeton for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$12,860, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-029-01-04

22. **AI-40982** No. 9 to the Interlocal Agreement with the Town of Prosper for Animal Control Services to set the rate for FY2016 for an annual amount of \$36,534, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-030-01-04

23. **AI-40983** No. 9 to the Interlocal Agreement with the Town of Prosper for the Facility Construction and use of the Animal Shelter to set the rate for FY2016 for an annual amount of \$18,852, extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2016-031-01-04

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

1. **AI-41000** December 7, 2015.

COURT ORDER NO. 2016-032-01-04

h. Miscellaneous

1. **AI-41023** Personnel Appointments, Human Resources.

COURT ORDER NO. 2016-033-01-04

2. **AI-41024** Personnel Changes, Human Resources.

COURT ORDER NO. 2016-034-01-04

GENERAL DISCUSSION

5. AI-40996 Indemnification of Constable Precinct 4, Auditor.

Jeff May, Auditor, explained in August there was an accident with a constable vehicle. According to the policy, this needs to be brought to Commissioners' Court to indemnify the elected official because the piece of equipment is valued over \$20,000. Mr. May's responsibility is to make sure there was no negligence or criminal activity on the part of the elected official. Mr. May found nothing to indicate negligence or criminal activity on the part of Constable Joe Wright, Precinct 4. Therefore, Mr. May's recommendation is to replace the vehicle.

The accident occurred on Community Avenue in McKinney. The vehicle went off the road and struck a light pole which totaled the vehicle. The driver did have driving training in 2014, and there was no determination as to what caused the driver to veer off the road. The vehicle left the road 100 feet before it struck the pole, and there were no evasive maneuvers made or skid marks from braking. Mr. May said Constable Wright also investigated the scene as well as DPS (Department of Public Safety). Judge Self said something caused the accident and there are three possibilities. They are: 1) the driver had a medical condition; 2) the driver was doing something that distracted him; or 3) the vehicle, which was only one day old, could have malfunctioned. The Judge asked if forensics were done on the driver's medical condition and the vehicle. Mr. May said the driver was cleared by two doctors which ruled out a medical condition. The driver's phone log was reviewed and he was not on the phone or texting at that time. Jon Kleinheksel, Public Works, said the black box from the vehicle was not pulled because GPS showed the vehicle was traveling at the proper rate of speed and it would not have given any indication as to the cause of the accident. Cynthia Jacobson, Human Resources, said pulling the black box would cost \$1,000. The black box would show speed, braking and maneuvering. There was a witness who stated there were no evasive maneuvers made.

Commissioner Fletcher stated these questions could be answered if there were cameras in the car. There was a brief discussion regarding the DPS investigation. Judge Self asked Bill Bilyeu, County Administrator, for a future agenda item to explore using an independent agency for these types of investigations so there is no conflict of interest. With no further discussion a motion was made to approve the item. (Time: 1:55 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2016-035-01-04

6. Board/Committee Appointments, Commissioners Court:

a. AI-41025 Regional Aging Advisory Committee.

Judge Self said the Court needs to identify someone for this position to serve for three years and possibly up to six years with two consecutive terms. It will require quarterly meetings at NCTCOG (North Central Texas Council of Governments). The person holding this position cannot be employed by or have a financial interest in long term care facilities. (Time: 1:56 p.m.)

NO ACTION TAKEN

b. AI-41032 Planning Board.

Commissioner Fletcher appointed Rusty Glover and re-appointed Buddy Dean to the Planning Board. Commissioner Hill re-appointed Bill Cox and Joe Helmberger to the Planning Board, and Judge Self re-appointed Don Thoes to the Planning Board. With no further comments, a motion was made to approve the appointments. (Time: 1:57 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2016-036-01-04

7. AI-41045 Update on the December 26, 2015 storm activities, Commissioners Court.

Judge Self updated the Court on the recent tornados that tore through Collin County damaging homes and businesses. The Judge feels the County will meet the threshold for assistance. The Texas Department of Emergency Management completed their inspection last Friday. A disaster resource center was activated at the First Baptist Church of Farmersville and the volunteer sign-up center was held at the Best Community Center. There were over 500 volunteers registered and hundreds more than that actually volunteered. There were approximately ten volunteer organizations and RPMx Construction Company volunteered to take all of the debris to the landfill. Judge Self agreed under Emergency Management to pay RPMx's tipping fees at the Melissa landfill. RPMx donated hundreds of thousands of dollars in manpower and major equipment. There were three fatalities in Collin County – two in Copeville and one in Blue Ridge.

Jason Lane, Homeland Security, said there were 127 residences and 13 businesses affected. Of those, 56 suffered major damage or total destruction, 35 had moderate damage and 49 had minor damage. They are still in the process of identifying those who had insurance since that will factor into the Disaster Declaration for individual assistance. A tour of the damage was conducted with the State, FEMA (Federal Emergency Management Agency) and the SBA (Small Business Administration). Mr. Lane is optimistic that FEMA would declare this for individual assistance.

The FEMA Disaster Declaration includes both public and individual assistance. Individual assistance would provide assistance directly to those affected by the storms. On the public assistance side, the County would get reimbursed for the expenses it incurs. The threshold for public assistance is \$2.85 million and Mr. Lane feels confident that will be met. Agricultural assistance involves a Disaster Declaration with the USDA (U.S. Department of Agriculture). There is a local committee in the County based out of the Farm Services Agency which assesses the reports on agricultural damage. Mr. Lane does not believe there was enough agricultural damage to meet the threshold. For businesses affected by the storms, the SBA primarily provides low interest loans. Mr. Lane recommended directing those in need of individual assistance to his office stating what their needs are. Those in need of agricultural assistance should contact the County Extension Agent or the USDA. Businesses should also contact Mr. Lane's office for guidance.

Commissioner Fletcher would like to better communicate the County's role in emergencies. Most citizens don't realize that the County cannot take its equipment onto private property. The Commissioner suggested looking at the legislative agenda and possibly opening up these limitations during a disaster declaration. The Commissioner would also like to receive real-time texts sent to the Court, law enforcement and Public Works during these times.

Mr. Lane showed a map of the storm tracks and said GIS (Geographic Information Systems) is working with the Central Appraisal District on the post tornado aerial view. Judge Self said the Chief Appraiser is appraising the damaged properties.

Mr. Lane briefly explained VOAD (Voluntary Organizations Active in Disaster) is a group of volunteer organizations that coordinates the teams for disaster recovery. Commissioner Fletcher wanted to publicly thank the Collin County Association of Realtors and especially Matt Hilton for their work in responding to the disaster. Commissioner Williams would like Commissioners impacted by a disaster to be given notice of the VOAD meetings. There was a lengthy discussion regarding staff notifying the entire Court about what is going on during an emergency in the future. (Time: 2:33 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

There being no further business of the Court, Judge Self adjourned the meeting at 2:33 p.m.



ATTEST:

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

Keith Self, County Judge

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Chris Hill, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4