

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
NOVEMBER 7, 2016

On Monday, November 7, 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:

Commissioner Susan Fletcher, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Chris Hill, Precinct 3
Commissioner Duncan Webb, Precinct 4
Absent: Judge Keith Self

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

1. Commissioner Webb called to order the meeting of the Collin County Commissioners' Court at 1:30 p.m. and recessed the meeting at 1:47 p.m. The meeting was reconvened and immediately recessed into Executive Session at 1:48 p.m. The meeting was reconvened at 1:58 p.m. and adjourned at 1:59 p.m.

Trustee Webb called to order the meeting of the Collin County Health Care Foundation at 1:47 p.m. and adjourned the meeting at 1:47 p.m.

Director Webb called to order the meeting of the Collin County Toll Road Authority at 1:47 p.m. and adjourned the meeting at 1:48 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-42359 Contract between the Collin County Juvenile Board and Parker County Juvenile Probation Department acting through the Parker County Juvenile Board to provide residential services pursuant to contractual terms and sanction guideline level five (5) progressive sanctions model for youth adjudicated for sex offenses, Juvenile Probation.

2. AI-42358 Contract between the Collin County Juvenile Board and Rockwall County Juvenile Probation Department through the Rockwall County Juvenile Board for residential services pursuant to contractual terms and sanction guideline level five (5) progressive sanctions model for youth adjudicated for sex offenses, Juvenile Probation.

3. **AI-42357** Contract between the Collin County Juvenile Board and Rockwall County Juvenile Probation Department acting through the Rockwall County Juvenile Board for detention services for pre-adjudicated youth pursuant to contractual terms and all applicable provisions of the Texas Family and Administrative Codes, Juvenile Probation.

Commissioner Webb pulled items 1, 2 and 3 under Decisions Mandated by Legal Entities Outside of Commissioners Court Authority because the contracts for all three items state Collin County is the responsible party which it is not. The CCJB (Collin County Juvenile Board) is the responsible party because it is an independent organization under Texas statute. The contracts should be between the CCJB and the Juvenile Boards of Parker and Rockwall Counties. The Commissioner would like these contracts and/or any future contracts modified to state the CCJB is the responsible party. Commissioner Hill agreed with Commissioner Webb and asked Bill Bilyeu, County Administrator, if a vote to reject Collin County being a party in the contracts would serve any purpose. Mr. Bilyeu said legally it would have no effect but it would send a message. A motion was made to amend the contracts, if possible, removing Collin County as one of the performers under the contracts. (Time: 1:37 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Chris Hill
Vote: 4 – 0 Passed

4. **AI-42394** Personnel Appointments, Human Resources.

5. **AI-42395** Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. Addenda:

a. **AI-42334** No. 1 and 2 to Image Network Attached Storage Solution (RFP No. 2016 332) to make various changes to the Request for Proposal, Purchasing.

b. **AI-42353** No. 1 to Services, Professional Audit (RFP No. 2016-161) to add various documents to the Request for Proposal, Purchasing.

3. **AI-42382** Amendment No. 2 to Commissary Services: Jail (RFP No. 2014-123) with Aramark to extend the contract for one (1) year through and including September 30, 2017 with proposed price changes for products purchased by inmates from the commissary, Sheriff.

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

- a. **AI-42362** \$16,649 to establish the budget for the 2016 Justice Assistance Grant.
 - b. **AI-42313** \$42,817 to establish the budget for the FY 2017 Title IV-E County Legal Services Grant.
 - c. **AI-42351** \$50,000 to establish the budget for the FY 2017 Juvenile Drug Court – SOAR Program Grant.
 - d. **AI-42206** \$69,335 to establish the budget for the FY 2017 TxDOT DWI No Refusal Mandatory Blood Draw Grant.
 - e. **AI-42374** \$100,720 to establish the budget for the FY 2017 Cities Readiness Initiative (CRI) Program Grant.
 - f. **AI-42270** \$126,000 to establish the budget for the FY 2017 District Attorney's Victim Assistance Coordinator Program Grant.
 - g. **AI-42268** \$126,000 to establish the budget for the FY 2017 Sheriff's Office Crime Victim Advocate Program Grant.
 - h. **AI-42373** \$432,047 to establish the budget for the FY 2017 Public Health Emergency Preparedness (PHEP)/Hazards Program Grant.
- 5. AI-42315 P-Card Disbursements, Auditor.**
- 6. AI-42343 Budget adjustment(s)/amendment(s) totaling \$13,552 (over \$5,000 per c/o 2005-589-08-01), Budget.**
- 7. AI-42383 Voluntary Terminations, Human Resources.**

2. Public Comments.

3. Presentation/Recognition.

4. Consent agenda to approve: Commissioner Webb pulled items 1, 2, and 3 under Decisions Mandated by Legal Entities Outside of Commissioners Court Authority, the disbursement to Attorney Matthew Goeller under item 4a, deleted item 4j1 and asked for comments on the remainder of the consent agenda. Commissioner Hill pulled item 4d1. Commissioner Fletcher pulled the list of disbursements for attorney fees under item 4a which includes the disbursement to Matthew Goeller. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:34 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 4 – 0 Passed

a. AI-42335 Disbursements for the period ending November 1, 2016, Auditor.

Commissioner Fletcher pulled the list of disbursements for attorney fees. She said the Court is now aware of the regular practice of judges using their discretion to pay above plan standards. The Commissioner is opposed to this practice as it is disingenuous. The County has a plan in place for a reason. She urged the Court to consider what can be done to get clarification about the broad authority the judges have. While opposed to paying above the plan she realizes the attorneys have done what was asked of them but would like the disbursements pushed to the next agenda to discuss this issue further with legal counsel. Commissioner Williams recommended selecting the most out of line disbursement to challenge. Commissioner Webb agreed and said that is why he pulled the disbursement to Matthew Goeller for \$5,656.25 which is six times the flat state standard rate. This disbursement is for a felony case and falls under the District Court policy. The Court could move forward on appeal on the basis of whether or not the exception for special circumstances applies. He said is not in support of not paying the attorneys who did work pursuant to the County Court at Law policy which are included in the list with District Court disbursements.

A motion was made to hold the Matthew Goeller disbursement of \$5,656.25 until all Court members are present to have a full discussion. (Time: 1:44 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Cheryl Williams

Vote: 4 – 0 Passed

A motion was made to pay remainder of the list of attorney fees. (Time: 1:44 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 4 – 0 Passed

COURT ORDER NO. 2016-840-11-07

b. **AI-42283** Tax refunds totaling \$199,311.27, Tax Assessor/Collector.
COURT ORDER NO. 2016-841-11-07

c. Advertisement(s):

1. **AI-42333** Grounds Maintenance Equipment (IFB No. 2016-336), Public Works.
COURT ORDER NO. 2016-842-11-07

d. Award(s):

1. **AI-42314** Construction, Myers Park Maintenance/Storage Building (IFB No. 2016-317) including the base bid and alternates one (1), two (2) and three (3) to Schmoltdt Construction, Inc., budget amendment in the amount of \$48,000 and further authorize the Purchasing Agent to finalize and execute the Construction Contract, Construction & Projects.

Commissioner Hill pulled this item in order to take a separate vote. With no discussion, a motion was made to approve the item. (Time: 1:45 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 3 – 1 Passed
Nay: Commissioner Chris Hill

COURT ORDER NO. 2016-843-11-07

2. **AI-42354** Security Gate Repair Parts and Services (IFB No. 2016-295) to Orion Access Control, Inc. dba Royal Access Control, Facilities.

COURT ORDER NO. 2016-844-11-07

3. **AI-42337** Signs: Road, Parking and Custom (IFB No. 2016-166) to various vendors, Public Works.

COURT ORDER NO. 2016-845-11-07

e. Amendment(s):

1. **AI-42301** No. 1 to Video Visitation System (RFP No. 2014-259) with Global Tel*Link Corporation (GTL) to remove the Attorney/Inmate visitation portion of the contract and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2016-846-11-07

f. Contract Renewal(s):

1. **AI-42324** Services: Maintenance: Plumbing Contractor (IFB No. 2016-112) with Brent Murley dba Murley Plumbing to extend the contract for one (1) year through and including September 30, 2017, Facilities.

COURT ORDER NO. 2016-847-11-07

2 **AI-42371** Professional Services; Law Library Forms Review (Agreement No. 2015-074) with Michelle Warmbrodt to extend the contract for the period October 1, 2016 through and including March 31, 2017, Law Library.

COURT ORDER NO. 2016-848-11-07

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

1. **AI-42076** Renewal of the Title IV-E County Legal Services Contract (Contract No. 23939924) with the Texas Department of Family and Protective Services through and including September 30, 2017 for the partial reimbursement of Collin County's legal services for CPS cases, Auditor.

COURT ORDER NO. 2016-849-11-07

2. **AI-42074** Renewal of the Title IV-E Child Welfare Services Contract (Contract No. 23939923) with the Texas Department of Family and Protective Services through and including September 30, 2017 for the partial reimbursement of Collin County's foster care maintenance for CPS cases, Auditor.

COURT ORDER NO. 2016-850-11-07

3. **AI-42284** Contract renewal for Release of Driver Records to Government Agencies (Agreement No. 2014-105) with the Texas Department of Public Safety for the period December 17, 2016 through and including December 17, 2019 and add the ability to run batch driving records, Human Resources.

COURT ORDER NO. 2016-851-11-07

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

1. **AI-42312** \$4,250 to establish the budget for FY 2017 Title IV-E Child Welfare Services Grant, Auditor.

COURT ORDER NO. 2016-852-11-07

2. **AI-42269** \$15,750 to establish the cash match budget for the FY 2017 Sheriff's Office Crime Victim Advocate Program Grant, Auditor.

COURT ORDER NO. 2016-853-11-07

3. **AI-42380** \$103,000 for the purchase of a FARO Laser Scanner 3D Mapping System, Sheriff.

COURT ORDER NO. 2016-854-11-07

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

1. **AI-42345** October 10, 2016.

COURT ORDER NO. 2016-855-11-07

2. **AI-42363** October 17, 2016.

COURT ORDER NO. 2016-856-11-07

j. Miscellaneous

1. **AI-42350** Exemption to the bid process per VTCA Local Government Code 262.024(4), a personal or professional service, for Bickerstaff Heath Delgado Acosta LLP for legal services and further authorize the Purchasing Agent to finalize and execute the Engagement Agreement, Administrative Services.

HELD

2. **AI-42317** Acceptance of the FY 2016 State Criminal Alien Assistance Program (SCAAP) grant in the amount of \$8,418, Auditor.

COURT ORDER NO. 2016-857-11-07

3. **AI-42367** Acknowledgement of the issuance of the Woodloch Health Facilities Development Corporation Revenue Bonds (Wellstone Craig Ranch Project) Series 2016, County Judge.

COURT ORDER NO. 2016-858-11-07

4. **AI-42252** Sale of property located in North Ridge Estates, Blue Ridge, Texas (Lot 3, Block 1, North Ridge Estates, Volume 4116, Page 2414) as recorded in the Collin County Deed Records to Alicia Hamman upon the payment of \$5,350, Commissioner, Precinct 3.

COURT ORDER NO. 2016-859-11-07

5. **AI-42389** Sale of property located at 9465 County Road 626, Blue Ridge, Texas (1.00 Acre, Tract 10, Abstract 639, Nathan Mitchell Survey, Volume 4562, Page 588) as recorded in the Collin County Deed Records to Chad Hicks upon the payment of \$5,109, Commissioner, Precinct 3.

COURT ORDER NO. 2016-860-11-07

6. **AI-42376** Acceptance of the FY2016 UASI DWFA Regular Grant in the amount of \$85,000 through the Office of the Governor, Homeland Security Grants Division for the upgrade of the Mobile Incident Command Post, Emergency Management.

COURT ORDER NO. 2016-861-11-07

7. **AI-42300** Address corrections on abandoned private road Turtle Creek Ln to Sheffield Dr (with associated address updates), GIS/Rural Addressing.

COURT ORDER NO. 2016-862-11-07

8. **AI-42352** FY 2017 Pay for Performance increases, Human Resources.
COURT ORDER NO. 2016-863-11-07

9. **AI-42384** Exemption from the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and further authorize the Human Resource Director to submit proper notice to authorities, Human Resources.
COURT ORDER NO. 2016-864-11-07

10. **AI-42396** Personnel Appointments, Human Resources.
COURT ORDER NO. 2016-865-11-07

11. **AI-42397** Personnel Changes, Human Resources.
COURT ORDER NO. 2016-866-11-07

GENERAL DISCUSSION

5. **AI-42368** Discuss possible Planning Board review and recommendations for major transportation funding 2017 - 2020, County Judge.
HELD

6. **AI-38983** North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.
HELD

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

EXECUTIVE SESSION

Commissioner Webb recessed Commissioners' Court into Executive Session at 1:48 p.m. in accordance with Chapter 551.072, Real Estate, to discuss the counter offer from WHV Inc. for the right of way acquisition for the Collin County Outer Loop – US 75 Interchange.

Real Estate (551.072)

AI-42372 Right of Way Acquisition for the Collin County Outer Loop – U.S. Highway 75 Interchange - Counter Offer from WHV Inc., Special Projects.

Commissioner Webb reconvened Commissioners' Court at 1:58 p.m. A motion was made to accept the counter offer from WHV Inc. for the right of way acquisition for the Collin County Outer Loop – US 75 Interchange. (Time: 1:58 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2016-867-11-07

There being no further business of the Court, Commissioner Webb adjourned the meeting at 1:59 p.m.



Keith Self, County Judge

Susan Fletcher, Commissioner, Pct. 1

Not Present

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