

COURT ORDER NO. 2019-188-03-11

STATE OF TEXAS

COMMISSIONERS COURT

COUNTY OF COLLIN

MEETING MINUTES

FEBRUARY 11, 2019

On Monday, February 11, 2019, 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 Chris Hill

Commissioner Susan Fletcher, Precinct 1

Commissioner Cheryl Williams, Precinct 2

Commissioner Darrell Hale, Precinct 3

Commissioner Duncan Webb, Precinct 4

Commissioner Hale led the Invocation.

Commissioner Webb led the Pledge of Allegiance.

Judge Hill led the Pledge of Allegiance to the Texas Flag.

1. Judge Hill called to order the meeting of the **Collin County Commissioners Court** at 1:30 p.m. and recessed the meeting at 2:03 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:04 p.m. The meeting was reconvened at 2:49 p.m. and adjourned at 2:50 p.m.

President Hill called to order the meeting of the **Collin County Health Care Foundation** at 2:03 p.m. and adjourned the meeting at 2:04 p.m.

FYI NOTIFICATION

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

2. **AI-46093** Budget amendment in the amount of \$113,565 to establish the budget for the 2018/2019 Bulletproof Vest Program Grant, Auditor.

2. Public Comments.

Public comments were heard under General Discussion item 7.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Hill pulled check number 486389 from item 4b to discuss in Executive Session and pulled item 4f1. Commissioner Webb pulled 4e1 and 4f1. Hearing no further 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 Duncan Webb

Vote: 4 – 0 Passed

Commissioner Williams was not present for the vote.

a. **AI-46082** Disbursements for the period ending February 5, 2019, Auditor.

COURT ORDER NO. 2019-110-02-11

b. **AI-46083** Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2019-111-02-11

c. **AI-46048** Tax refunds totaling \$1,703,310.86, Tax Assessor/Collector.

COURT ORDER NO. 2019-112-02-11

d. **Agreement(s):**

1. Interlocal Agreement(s) for FY 2019 Library Services to be paid in quarterly installments effective October 1, 2018 through and including September 30, 2019, Budget:

a. **AI-46088** City of Celina for the Celina Public Library.

COURT ORDER NO. 2019-113-02-11

b. **AI-46089** City of Farmersville for The Charles J. Rike Memorial Library.

COURT ORDER NO. 2019-114-02-11

c. **AI-46090** City of Princeton for the Princeton Community Library.

COURT ORDER NO. 2019-115-02-11

d. **AI-46091** Town of Prosper for the Prosper Community Library.

COURT ORDER NO. 2019-116-02-11

e. **AI-46092** City of Wylie for The Rita & Truett Smith Public Library.

COURT ORDER NO. 2019-117-02-11

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

1. **AI-46096** \$4,758,381 to reallocate funds to cover negative categories and/or negative departmental budgets for FY 2018, Auditor.

Commissioner Webb said there is an entry on the FY2018 Budget Amendment spreadsheet, found on page 138 of the court packet, for Juvenile Probation which is no longer needed. A motion was made to approve the item with the entry removed.

With the entry removed the total amount for the FY2018 Budget Amendment spreadsheet is \$4,719,629. Jeff May, County Auditor, said grant money for Juvenile Probation was received in January from the state which made the entry on the spreadsheet not needed. With no further discussion, the motion carried. (Time: 1:34 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 4 – 0 Passed

Commissioner Cheryl Williams was not present for the vote.

COURT ORDER NO. 2019-118-02-11

f. Receive and File, Final Audit Result(s), Auditor:

1. **AI-46111** Justice of the Peace, Precinct 2 (1st, 2nd, 3rd and 4th Quarter FY2017).

Both Judge Hill and Commissioner Webb pulled this item due to the response received from department management on the internal audit regarding unreconciled bank accounts. Judge Hill said it had taken 116 days, at the longest, to reconcile the bank accounts. The recommendation from the Auditor's office is well detailed in the report, but the response from management of "will do our best" is not a sufficient response. The Judge would like to see a more detailed response. Commissioners Webb and Williams agreed. Judge Hill recommended holding the item in order for the staff of Justice of the Peace, Precinct 2, to give advice on plans to rectify the problem or for them to revise the response in the internal audit. (Time: 1:35 p.m.)

HELD

g. Miscellaneous

1. **AI-46124** Resolution supporting continued designation of County Court at Law One as a Drug Court for Collin County, Administrative Services.

COURT ORDER NO. 2019-119-02-11

2. **AI-46080** Final Plat for McCarley Acres, Engineering.

COURT ORDER NO. 2019-120-02-11

3. **AI-46103** Adoption of an Order authorizing the sale of fireworks for Texas Independence Day, San Jacinto Day and Memorial Day, Fire Marshal.

COURT ORDER NO. 2019-121-02-11

4. **AI-46081** Adoption of the updated Computer and Internet Use Policy, Information Technology.

COURT ORDER NO. 2019-122-02-11

5. **AI-46087** Acceptance of the rebate from Citibank in the amount of \$7,051.32 to be deposited in the Going the Extra Mile Employee Incentive Program line item and budget amendment for same, Purchasing.

COURT ORDER NO. 2019-123-02-11

6. **AI-46117** Personnel Appointments, Human Resources.

COURT ORDER NO. 2019-124-02-11

7. **AI-46118** Personnel Changes, Human Resources.

COURT ORDER NO. 2019-125-02-11

GENERAL DISCUSSION

5. **AI-46094 Public Hearing** – Consideration and any action for the issuance of a Mass Gathering permit for the Garden Show 2019 event on March 16–17, 2019 at the Myers Park and Event Center in accordance to the Health and Safety Code 751, Special Projects.

Judy Florence, Myers Park, came forward to request a public hearing consideration and issuance of a Mass Gathering permit for the Garden Show 2019 event on March 16-17, 2019 at Myers Park and Event Center. Judge Hill opened the public hearing at 1:36 p.m. and asked for public comments. Hearing no public comments, Judge Hill closed the public hearing at 1:36 p.m. A motion was made to approve the item. (Time: 1:36 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2019-126-02-11

6. **AI-46109** Move forward with design of the Lavon Precinct 2 building using the floorplan and elevation option 2, Construction & Projects.

Bill Burke, Construction & Projects, came forward to request the Court's approval to move forward with the design of the Lavon Precinct 2 building using the recommended floor plan and elevation option 2. Mr. Burke introduced Kent Spurgin, Spurgin & Associates Architects, to give the presentation on the building.

Mr. Spurgin reviewed the layout of the proposed floor plan. There is an area called out on the site plan for a larger building by way of an addition at the point it is necessary; therefore, the proposed building is set to the right/east side of the pad.

Mr. Spurgin then presented elevation options for both a pitched and flat roof south facing elevation. Option 2 is the recommended option. The maintenance cost difference between a flat and pitched roof could potentially be similar. However, the standing-seam architectural metal pitched roof would have more first costs than a flat roof due to materials and labor. An example of a potential maintenance cost for the pitched roof would be hail storm damage which could require the replacement of panels. There would be similar cost for repairs on a flat roof, but those are typically standard.

One of the physical differences would be the location of the condenser units. With a flat roof the units can be installed on the roof itself which protects from public damage and theft, but with a pitched roof the units will be ground level in a cage behind the building. Either elevation option can come with a 30-year warranty. Mr. Spurgin has used a TPO (Thermoplastic Polyolefin) roof in recent projects and said an 80-90 mil layered roof is recommended for projects requiring minimal or no shut down time of a building. This type of roof is very strong and hard to tear up.

Commissioner Webb asked Mr. Burke what type of flat roofs are on County buildings. Mr. Burke said they are modified bitumen roofs with 20-year warranties. Commissioner Webb would be interested in the TPO roof if it is still less than a standing-seam roof.

The Commissioner asked if there is enough seating outside the courtroom. Mr. Burke said 15 seats were requested for the lobby area and 16 are on the floor plan. Constable Gary Edwards, Precinct 2, said currently jurors are assigned a seat number as they enter the building and taken straight into the courtroom. There are only four seats outside the courtroom in Farmersville which has worked fine.

Commissioner Webb would like to see pricing of a standing-seam roof versus a TPO with similar warranty periods, both with initial costs and long-term maintenance.

Commissioner Fletcher said she prefers the condenser units being secure on top of the building. She asked if there will be much difference with efficiency with either option. Mr. Spurgin said there should be very little, if any, because current energy codes require insulation to be at the roof line.

Commissioner Hale asked if one supply room will be enough for the entire facility. Mr. Burke said the one supply room is a little bigger than what the office has now. In addition to the supply room, there will be an evidence room and a janitor's closet.

A motion was made and seconded to approve the south elevation flat roof option 2.

Judge Hill asked how a future addition would affect the elevation of the building. Mr. Spurgin said it is difficult to answer at this time because it is not known if the addition would be an expansion of the current offices which would not require another entrance or it if would be for a different department requiring an additional entrance.

Discussion continued on the recommended materials of the elevation. The proposed materials blend well with what is in the area and are similar to what was used on The Landing at Myers Park. With no further discussion, the motion carried. (Time: 1:57 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

COURT ORDER NO. 2019-127-02-11

7. AI-45660 86th Legislative Agenda for 2019, Commissioners Court:

- a. Proposed Magistrate Bill
- b. Ad Litem Costs
- c. Additional District Courts
- d. Creation of the Van Alstyne Municipal Utility District No. 2
- e. Creation of the North Celina Municipal Management District No. 3
- f. Lakehaven Municipal Utility District of Collin County
- g. SB2/HB2
- h. HB 1245
- i. Texas CUC – Principles of the Urban Counties Policy Platform
- j. Texas CUC – Bills Filed
- k. Any other legislative items

Judge Hill invited Patrick Vedra, Risland US Holdings, to come forward for public comment on the creation of the Van Alstyne Municipal Utility District No. 2. Mr. Vedra said Risland owns 3,000 acres which straddles Grayson and Collin Counties. This legislation covers 1,700 acres of that property which is known as Mantua. It is governed by development agreements of both Anna and Van Alstyne which set out land use restrictions, development standards and obligations of the district, developer and city. Meetings are scheduled with County staff, city staff and Commissioner Hale. It is anticipated Risland will give a presentation to the Court before the end of the month.

Development agreements include provisions laying out the means in which to address police and fire services as well as roadway design and maintenance. Van Alstyne has passed a consent ordinance to this district as well as to the one in Grayson County.

Judge Hill asked if the district is in the city limits of Van Alstyne. Mr. Vedra said the district is in the Van Alstyne ETJ (Extraterritorial Jurisdiction), but none is in the city limits. The Judge asked if any portion is in Grayson County. Mr. Vedra said there is a separate district called Grayson County Municipal Utility District No. 1, but this district would be entirely in Collin County. (Time: 2:00 p.m.)

Commissioner Williams asked if anyone from the County's legislative delegation has filed a magistrate bill. Judge Hill said it has not been filed, but Representative Leach's office has taken the County's proposed bill forward for legislative review. They are waiting to hear from the Court on whether or not to file the bill.

Commissioner Fletcher asked staff to forward the ad litem brochure to CUC (Conference of Urban Counties) and it has been distributed to the policy committee. She anticipates discussion at the meeting on Wednesday.

Commissioner Williams said Representative Leach asked the Court to create a bill on ad litem fees. The Court then asked Greg Hudson, Legal Counsel, to create the bill. In his research he found a tie back to indigent defense legislation. She said it is a little circuitous, but it is there. It is primarily on Child Protective Services' cases which is the bulk of the problem with ad litem fees across the state. Not many know about the tie back and it should be pointed out to CUC and TAC (Texas Association of Counties) who then may want to disseminate the information. Staff will disseminate the email from Mr. Hudson pointing out the legislation. The Commissioner has already shared it with Representative Leach. (Time: 2:03 p.m.)

NO ACTION TAKEN

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

Judge Hill recessed the meeting at 2:03 p.m. and called to order the meeting of the Collin County Health Care Foundation. Judge Hill reconvened the meeting at 2:04 p.m.

EXECUTIVE SESSION

Judge Hill recessed Commissioners Court into Executive Session at 2:04 p.m. in accordance with paragraph 551.071, Legal, for discussion and any action regarding anticipated litigation regarding the Public Information Act request from ACLU and in accordance with paragraph 551.072, Real Estate, to discuss the authorization to initiate condemnation proceedings to acquire right-of-way from the Collin County Outer Loop from east of State Highway 289 (Preston Road) to County Road 87.

Judge Hill reconvened the meeting at 2:49 p.m.

Legal (551.071)

AI-46158 Discussion and any action regarding anticipated litigation regarding Public Information Act request from ACLU.

NO ACTION TAKEN

Real Estate (551.072)

AI-46102 Authorization to initiate condemnation proceedings to acquire right-of-way for the Collin County Outer Loop from east of State Highway 289 (Preston Road) to County Road 87, Special Projects.

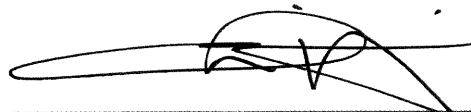
A motion was made to authorize the use of the power of eminent domain to acquire parcels 29, 30, 31, 32, 35, 36, 37 and 38 to facilitate construction of the Collin County Outer Loop through the northwestern portion of Collin County. (Time: 2:50 p.m.)

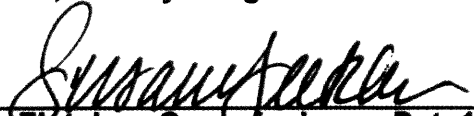
Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2019-128-02-11

There being no further business of the Court, Judge Hill adjourned the meeting at 2:50 p.m.




Chris Hill, County Judge

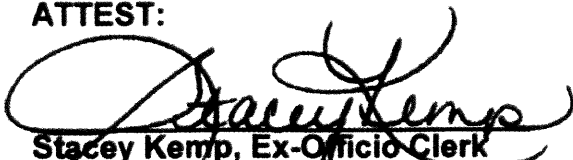

Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Darrell Hale, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4

ATTEST:


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