

State of Texas	§	Court Order
Collin County	§	2022-047-01-10
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the December 13, 2021 minutes.

On Monday, December 13, 2021, 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 Fletcher led the Invocation.
Commissioner Webb led the Pledge of Allegiance.
Commissioner Williams led the Pledge of Allegiance to the Texas Flag.

Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and adjourned at 2:16 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 2:16 p.m. and adjourned the meeting at 2:16 p.m.

President Hill called to order the meeting of the Collin County Housing Finance Corporation at 2:16 p.m. and adjourned the meeting at 2:16 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-51399 Personnel Appointments, Human Resources.
2. AI-51400 Personnel Changes, Human Resources.

FYI NOTIFICATION:

1. AI-51294 P-card Disbursements, Auditor.

COMMISSIONERS COURT BUSINESS:

1. Public Comments.

Joshua Murray, Nevada, asked the Court for an update on the jail expansion plan to be put on a future agenda. Mr. Murray also said a service like Lifepath has become more in demand this year than others and, after reviewing the renewal contract from the Court, it shows a defunding because it did not take into consideration inflation or the population growth. In 2018, the budget was around \$2.3 million with a population of a little over 1 million, and the 2022 budget is \$2.6 million with a projected population of 1.123 million. In 2018, \$2.30 was spent per resident and \$2.36 will be spent per resident in 2022. Mr. Murray said the budget should reflect about \$2.53 per resident to maintain the funding from 2018, and Lifepath needs the additional funding.

Mark Brugge, Fairview, said he would like to see election integrity as a future agenda item. Mr. Brugge said he sent the Court an email last week regarding Dr. Frank and his proof of the infiltration of our election systems and the ability to change votes. This weekend there were 4,000 people at a church in Frisco where Wendy Rodgers stated the election fraud started with inflated voter rolls. Mr. Brugge also said he has a friend who works for the security department of Cisco who said anyone with his skillset can easily infiltrate the voting machine systems and change the votes by accessing a neighboring wall.

Commissioner Webb asked Mr. Bilyeu if the Court fully funded Lifepath with what they asked for during Budget meetings this year. Mr. Bilyeu said that is correct. Judge Hill asked how many times in the past 10 years has the Court fully funded Lifepath's requests. Mr. Bilyeu said he could not think of a time the Court did not fully fund their requests. (Time: 2:16 p.m.)

2. Presentation/Recognition:

3. **Consent agenda to approve:** Judge Hill asked for comments on the consent agenda. Hearing none, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

a. AI-51376 Disbursements for the period ending December 7, 2021, Auditor.

COURT ORDER NO. 2021-1217-12-13

b. AI-51377 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2021-1218-12-13

c. AI-51355 Tax refunds totaling \$135,925.43, Tax Assessor-Collector.

COURT ORDER NO. 2021-1219-12-13

d. **Award(s):**

1. AI-51316 Construction, Animal Shelter Visitation Improvements (IFB No. 2021-327) to 308 Construction, LLC and further authorize the Purchasing Agent to finalize and execute the Construction Agreement, Construction Projects.

COURT ORDER NO. 2021-1220-12-13

2. AI-51387 Painting of Security Barriers at Justice Center (Coop Quote 2022-079) to Harrison Contracting Company through TIPS Cooperative Contract No. 200201, Construction Projects.

COURT ORDER NO. 2021-1221-12-13

3. AI-51374 Wireless Voice & Data, FirstNet (Contract No. 2022-081) to AT&T Corp., utilizing Department of Information Technology Contract No. DIR-TELE-CTSA-002, Information Technology.

COURT ORDER NO. 2021-1222-12-13

4. AI-51381 Local Phone, Long Distance & Internet (Contract No. 2022-096) to AT&T Corp., utilizing Department of Information Technology Contract No. DIR-TELECTSA-002, Information Technology.

COURT ORDER NO. 2021-1223-12-13

5. AI-51325 Equipment, Mid-Mount Boom Mower (Contract No. 2022-011) to Tiger Corporation through delivering dealer Bane Machinery, utilizing Sourcewell Cooperative Contract No. 070821-TGR, Public Works.

COURT ORDER NO. 2021-1224-12-13

6. AI-51364 Vehicles, PI SUV for Constable 2 (Contract No. 2022-015) to Silsbee Ford, Inc., utilizing Goodbuy Purchasing Cooperative Contract No. 21-8F000, Public Works.

COURT ORDER NO. 2021-1225-12-13

7. **AI-51365** Vehicles, PI SUV for Constable 3 (Contract No. 2022-016) to Silsbee Ford, Inc., utilizing Goodbuy Purchasing Cooperative Contract No. 21-8F000, Public Works.

COURT ORDER NO. 2021-1226-12-13

8. **AI-51366** Vehicles, PI SUV for Sheriff Warrants (Contract No. 2022-022) to Silsbee Ford, Inc., utilizing Goodbuy Purchasing Cooperative Contract No. 21-8F000, Public Works.

COURT ORDER NO. 2021-1227-12-13

9. **AI-51367** Vehicles, F150 Responder for Sheriff Environmental (Contract No. 2022-019) to Silsbee Ford, Inc., utilizing Buyboard Cooperative Contract No. 601-19, Public Works.

COURT ORDER NO. 2021-1228-12-13

10. **AI-51369** Vehicles, F150 Responder for Sheriff K9 (Contract No. 2022-020) to Silsbee Ford, Inc., utilizing Buyboard Cooperative Contract No. 601-19, Public Works.

COURT ORDER NO. 2021-1229-12-13

11. **AI-51370** Vehicles, F150 Responder for Sheriff Patrol (Contract No. 2022-028) to Silsbee Ford, Inc., utilizing Buyboard Cooperative Contract No. 601-19, Public Works.

COURT ORDER NO. 2021-1230-12-13

12. **AI-51371** Vehicles, PI SUV for Sheriff Patrol (Contract No. 2022-029) to Silsbee Ford, Inc., utilizing Goodbuy Purchasing Cooperative Contract No. 21-8F000, Public Works.

COURT ORDER NO. 2021-1231-12-13

13. **AI-51372** Vehicles, PI SUV for Sheriff Mental (Contract No. 2022-023) to Silsbee Ford, Inc., utilizing Goodbuy Purchasing Cooperative Contract No. 21-8F000, Public Works.

COURT ORDER NO. 2021-1232-12-13

14. **AI-51379** Vehicles, Ford Expedition SSV for Animal Services (Contract No. 2022-014) to Silsbee Ford, Inc., utilizing TIPS USA Cooperative Contract No. 200206, Public Works.

COURT ORDER NO. 2021-1233-12-13

15. **AI-51368** Annual Office Furniture (Contract No. 2022-093) to Plano Office Supply Co., utilizing the Collin County Community College District Contract, Annual HON Blanket Purchase Agreement No. SCON-100336, Purchasing.

COURT ORDER NO. 2021-1234-12-13

16. AI-51388 Office Furniture Contract - Multi Party Buying Agreement (Contract No. 2022-102), utilizing Collin County Community College District Contract, Furniture - Annual Contract to purchase furniture items from a multi-vendor contract accepted and approved by Collin County Community College District, Purchasing.

COURT ORDER NO. 2021-1235-12-13

e. Agreement(s):

1. AI-51354 Interlocal Agreement with LifePath Systems (Agreement No. 2022-090) for an annual amount of \$2,647,781 to be paid in quarterly installments commencing October 1, 2021 through and including September 30, 2022, Budget.

COURT ORDER NO. 2021-1236-12-13

2. AI-51358 Interlocal Agreement with the City of Wylie for the Rita & Truett Smith Public Library in the amount of \$6,868 through and including September 30, 2022, Budget.

COURT ORDER NO. 2021-1237-12-13

3. AI-51348 Interlocal Dispatch Services Agreement (Agreement No. 2022-106) with the Josephine Volunteer Fire Department effective October 1, 2021 through and including September 30, 2022, Sheriff.

COURT ORDER NO. 2021-1238-12-13

4. AI-51302 Interlocal Agreement with the City of Allen concerning the Bethany Lakes Loop Trail project (Bond Project No. OI18PG12), Engineering.

COURT ORDER NO. 2021-1239-12-13

f. Amendment(s):

1. AI-51363 Amendment to Subscription License and Services Agreement, Modria Online Dispute Resolution with Tyler Technologies Inc. to replace Exhibit A as Exhibit 1 and Exhibit B as Exhibit 2, and further authorize the Purchasing Agent to finalize and executes same, Information Technology.

COURT ORDER NO. 2021-1240-12-13

2. AI-51301 No. 1 to Insurance, Life and Accidental Death & Dismemberment (Contract No. 2018-340) with Gary Insurance Services, Inc. to make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2021-1241-12-13

3. AI-51382 No. 2 to Group Benefit/Insurance, Medical, Pharmacy, Dental, Vision, COBRA, FSA, Retiree Health & Stop Loss (RFP No. 2019-267) with United Healthcare Services, Inc. to increase stop loss fee, and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2021-1242-12-13

4. AI-51344 No. 2 to Interlocal Agreement for Fire Inspection & Fire Plan Review (Agreement No. 2019-375) with the City of Blue Ridge to extend the contract for one (1) year through and including September 30, 2022, and further authorize the Purchasing Agent to finalize and execute same, Fire Marshal.

COURT ORDER NO. 2021-1243-12-13

g. Receive and File, Auditor:

1. AI-51345 Constable, Precinct 2 (FY2020).

COURT ORDER NO. 2021-1244-12-13

2. AI-51346 District Clerk (1st & 2nd Quarter FY2020).

COURT ORDER NO. 2021-1245-12-13

3. AI-51392 Monthly financial reports for September 2021.

COURT ORDER NO. 2021-1246-12-13

h. Miscellaneous:

1. AI-51315 Rescind Court Order No. 2021-1084-11-01 for the award of Construction, Animal Shelter Visitation Improvements (IFB No. 2021-327) to Construction Solutions USA LLC, Construction & Projects.

COURT ORDER NO. 2021-1247-12-13

2. AI-51386 Reject all bids received for Painting of Security Barriers at Justice Center (IFB No. 2021-288), Construction & Projects.

COURT ORDER NO. 2021-1248-12-13

3. AI-51343 Purchase of a Mi-Fi unit for the Deputy Election Administrator, Elections.

COURT ORDER NO. 2021-1249-12-13

4. AI-51361 Partial road closure (right lanes) of County Roads 134, 132, 138, 178, 179, 176, 177 and 135 on March 27, 2022 to facilitate the Texas High School Cycling League bicycle race, Public Works.

COURT ORDER NO. 2021-1250-12-13

5. **AI-51362** Assignment and Assumption to Psychological Examinations for Law Enforcement (Contract No. 2020-157) to change the name from Price, Proctor & Associates, LLP to Price, Proctor & Associates, PLLC, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2021-1251-12-13

6. **AI-51401** Personnel Appointments, Human Resources.

COURT ORDER NO. 2021-1252-12-13

7. **AI-51402** Personnel Changes, Human Resources.

COURT ORDER NO. 2021-1253-12-13

General Discussion

4. **AI-51417** M. Fratter indigent defense disbursements, Commissioners Court.

Judge Hill said this is a continuation of a discussion from the last meeting and called Mark Fratter to the podium for questions. Commissioner Hale asked Mr. Fratter why he was so late in saying there are additional monies owed that were not listed in the original settlement with the County. Mr. Fratter said the original cases turned into the Court did not include 25 ongoing cases. Pay sheets for these cases were turned into the judges, but Mr. Fratter said he believes the judges were waiting to receive word on what to do with them. Mr. Fratter also said the County Court at Law judges had no idea he and the County met and agreed on a settlement. Judge Hill asked Mr. Fratter what the judges were waiting on. Mr. Fratter said he thought the judges were waiting on guidance to approve or not approve the pay sheets. Commissioner Hale said the judges are not beholden to the Commissioners Court, and they are the ones who make sure the pay sheets are in compliance with the rules. The judges had already submitted a request for back pay sheets by a certain date, and those were added to the list for the Court. These disbursements seem to be above and beyond that and very late. The Auditor saw some of the pay sheets that were submitted, but there is no record of the other sheets. Mr. Fratter said all the sheets now are defendants he was appointed to, and there are 16 total outstanding pay sheets. Ten of these sheets were received by county judges, and Mr. Fratter was under the impression they were being processed. He was then told the sheets were being sent back for more information, and Judge Mason reached out for an explanation on why the sheets were so late. Mr. Fratter said he printed out an email chain corresponding with Ms. Glenn about the status of the pay sheets from 2019 to the present. When Mr. Fratter received confirmation that no judges had pay sheets on their desks, he directed everything to the auditor. Mr. Fratter said he is sure Mr. Davis and Mr. Hudson were aware of the remaining sheets because he had a lot of active cases left over. He said he recently reached out to Mr. Davis and Mr. Hudson and asked if there was a way to get an extension due to the outstanding pay sheets and knew this would be an issue with the Court.

Mr. Fratter said he went around to the courts in September to explain the situation to the judges and resubmit his pay sheets. He then received word from Linda Riggs, Auditor, that the sheets were moving forward. Commissioner Fletcher said, to her understanding, the agreement included cases that were still owed, and the 16 pay sheets were never reported during that process. She asked Mr. Fratter why they were not brought forward. Mr. Fratter said, at that time, the pay sheets were not drafted due to the uncertainty of the cases. Commissioner Fletcher said they were still requested of him during the proceedings. Mr. Fratter said the mediator only asked him for the list of pay sheets on appeal with Judge Brown. At the end of the mediation, Mr. Fratter said he had a list of all of his remaining cases which reflected cases where there were no pay sheets. He gave the list to the mediator for Mr. Davis and Mr. Hudson. Commissioner Fletcher asked Mr. Fratter if he still had the list, and Mr. Fratter said he did not.

Commissioner Hale said the judges have approved these pay sheets, but he does not like how late they came in and is concerned about a constant trickle of late pay sheets. Commissioner Hale believes it is their ministerial duty to approve them. Mr. Fratter said the 16 pay sheets he mentioned are the very last sheets. Commissioner Webb said he worked with Bill Bilyeu, County Administrator, to build a recollection of the settlement. They concluded there were some cases disclosed to the attorneys that could not be performed yet, and nothing had been done to date on them. Commissioner Webb said he also agreed with Commissioner Hale about the County Court at Law judges already approving these sheets and the Court's ministerial duty to approve them as well. They do not have a deadline for attorneys to submit their pay sheets and Commissioner Webb said he would have to be in support of paying these disbursements. Commissioner Fletcher said, due to the mediation and the agreement on the fraud case with this particular attorney, she is conflicted on reconciling this disbursement. Commissioner Williams agreed with Commissioner Fletcher in the understanding that all cases were covered in the settlement and is not in support of approving this disbursement. Commissioner Hale asked Mr. Bilyeu if these cases were brought to the attorney. Mr. Bilyeu said he cannot speak on these particular cases, but we knew there were outstanding bills. The payment plan was based on transactions as they occurred. Ms. Riggs and her staff had multiple discussions over the last few years regarding payments to Mr. Fratter that they had no record of which may or may not be the ones discussed with this item. Mr. Bilyeu confirmed the mediation with Mr. Fratter included the anticipation of additional billings and would reduce the amount. Commissioner Fletcher asked how many more bills can come through in this situation. Mr. Bilyeu said Mr. Fratter had paid his dues and met the requirements of the mediation. Commissioner Webb moved to pay the pay sheets. Judge Hill asked for a second to this motion. Hearing none, no action was taken on this item. (Time: 1:58 p.m.)

NO ACTION

5. AI-51328 Boards & Commissions Appointments, Commissioners Court:

a. Child Protective Services.

Commissioner Fletcher moved to reappoint Terri Green; Commissioner Williams moved to reappoint Susan Etheridge; Commissioner Hale moved to reappoint John Snyder; and Commissioner Webb moved to reappoint Curtis Howard to the Child Protective Services Board.

b. Health Care Foundation.

Commissioner Williams moved to reappoint John Tanner and Commissioner Webb moved to reappoint Pat Hatchell to the Health Care Advisory Board.

c. Historical Commission.

Commissioner Fletcher moved to reappoint Marianne Wells and Linda Hess; Commissioner Williams moved to reappoint Jane Yancey; and Commissioner Hale moved to reappoint Diann Jones to the Historical Commission.

d. LifePath Systems.

Commissioner Williams moved to reappoint Melvin Thathiah and Arthur Cotton; and Commissioner Webb moved to appoint Rick Crawford to the Lifepath Systems Board.

e. Parks Foundation Advisory Board.

f. Planning Board.

Commissioner Fletcher moved to reappoint Rusty Glover; Commissioner Hale moved to reappoint Joe Helmberger and moved to appoint Tim Bennette to the Planning Board. (Time: 2:00 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

COURT ORDER NO. 2021-1254-12-13

6. AI-33858 Regional Transportation Council monthly update, Commissioner, Precinct 4.

Commissioner Webb said this meeting was the first in-person meeting of the RTC (Regional Transportation Council) in 20 months. One of the most interesting items was they are in the process of redoing the Mobility 2045 plan to the Mobility 2050 plan. Also, in order for SH (State Highway) 380 to formally have a budget line with TxDOT (Texas Department of Transportation) to turn into a freeway, it has to be part of the Mobility plan. SH 380 is now being proposed to become a freeway on the map of the Mobility plan for this region.

A freight safety campaign was also discussed. This is due to a 47% increase in accidents involving 18-wheelers on limited access roadways from 2019 to 2020. The campaign will include billboards, radio ads, social media, podcasts, and possibly driving instructors.

Another item was the ozone statistics for 2021, and our region had the worst statistics in ten years. At this point, we have been classified as severe and will have repercussions including an impact on our ability to do large projects. The reformulated gas repercussion was not an issue because we have already been doing that voluntarily for years to help reduce ozone levels.

The VMT (Vehicle Miles Travelled) Growth Offset program has also already been completed. Commissioner Webb also said the recently passed Infrastructure Investment and Jobs Act included a five-year reauthorization but will only add \$1 billion per year to the federal transportation budget for Texas instead of the larger amount expected. (Time: 2:08 p.m.)

NO ACTION

EXECUTIVE SESSION

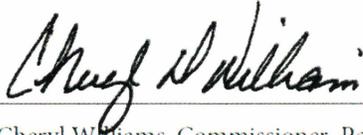
The Court did not recess into Executive Session. There being no further business of the Court, Judge Hill adjourned the meeting at 2:16 p.m.

Not Present

Chris Hill, County Judge



Susan Fletcher, Commissioner, Pct 1



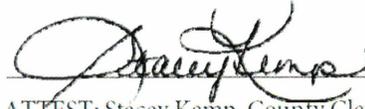
Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3



Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk