

State of Texas	§	Court Order
Collin County	§	2023-021-01-09
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the December 5, 2022 minutes.

On Monday, December 5, 2022, 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 Darrell Hale, Precinct 3

Absent: Judge Chris Hill and Commissioner Duncan Webb, Precinct 4

Commissioner Hale led the Invocation.  
Commissioner Fletcher led the Pledge of Allegiance.  
Commissioner Williams led the Pledge of Allegiance to the Texas Flag.

Director Fletcher called to order the meeting of the Collin County Housing Finance Corporation at 1:30 p.m. and adjourned the meeting at 1:35 p.m.

Commissioner Fletcher called to order the meeting of the Collin County Commissioners Court at 1:35 p.m. and adjourned the meeting at 1:55 p.m.

Trustee Fletcher called to order the meeting of the Collin County Health Care Foundation at 1:55 p.m. and adjourned the meeting at 1:55 p.m.

**DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:**

1. AI-53299 Personnel Appointments, Human Resources.
2. AI-53300 Personnel Changes, Human Resources.

**FYI NOTIFICATION:**

1. AI-53250 Intra-County account transfers transmitted November 10, 2022, Auditor.

2. **AI-53280** Intra-County account transfers transmitted on November 17, 2022, Auditor.
  
3. **AI-53239** Change Order No. 1 to Construction, Exterior Repairs to Second Floor Walkway & First Floor Soffit, 900 E. Park Blvd., Plano (IFB No. 2022-198) with Acumen Enterprises, Inc. to make various changes to the contract, Construction & Projects.
  
4. **AI-53282** Voluntary terminations, Human Resources.
  
5. **AI-53283** Turnover, Human Resources.
  
6. **AI-53285** Addendum No. 1 to Professional Services, Engineering, Collin County Outer Loop Segments 2 and 4 from US 380 to the Rockwall County Line (RFQ No. 2023-083) to make various changes to the Request for Qualifications, Purchasing.
  
7. **AI-53306** Addendum No. 1 and No. 2 to Construction Manager-Agent (RFQ No. 2022-262) to make various changes to the Request for Qualifications, Purchasing.
  
8. **Notification of budget adjustment(s)/amendment(s):**
  - a. **AI-53216** \$71,390.28 to establish the budget for the FY2023 Bulletproof Vest Partnership Grant, Auditor.
  
  - b. **AI-53243** \$409,046.20 to establish the budget for the FY2023 CJD Adult Mental Health Court Grant, Auditor.

**COMMISSIONERS COURT BUSINESS:**

Public comments related to an item on the Agenda.

Joshua Murray, Lavon, thanked the court for the chance to speak and said he had hoped Judge Hill would be at the meeting so he can tell him he didn't appreciate being slapped and shoved by him. Mr. Murray spoke about item AI-53265 regarding the Congressman's office space. There is \$165,000 of taxpayer money the court has allocated to renovate the space on the third floor for a tenant who can sign a two year lease. Mr. Murray said the total renovation is more likely going to cost \$200,000. He said there is no landlord within Collin County who would spend \$200,000 to entice a commercial tenant to sign a two-year lease. The Commissioners are an entity of the public and a steward of taxpayer money. If the Court wants to be a landlord, it should bid out the rent so a company could come in and sign a longer lease and pay for the renovation themselves. The county could save \$165,000 and put it towards the animal shelter which Mr. Murray said is outdated and outgrown. The Court needs to do something about the animal

shelter or the juvenile detention center instead of renovating a future office space for Judge Hill. Mr. Murray also spoke about the TMPA (Texas Municipal Police Association) dues and how the Court is trying to make them look like a union. Mr. Murray said, when his father who was a Dallas County Sheriff was injured on duty, TMPA gave him better representation in his lawsuit against the County. Though it seems easier to just give the employees money to pay for the dues themselves, younger police officers may not make that membership a priority.

**1. Consent Agenda Items:** Commissioner Fletcher pulled items 1e4 and 1e5 and then asked for comments on the consent agenda. Hearing none, a motion was made to approve the remainder of the consent agenda. (Time 1:39 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 3 – 0 Pass

a. AI-53241 Disbursements for the period ending November 29, 2022, Auditor.

COURT ORDER NO. 2022-1280-12-05

b. AI-53242 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2022-1281-12-05

c. AI-53247 Tax refunds totaling \$30,604.78, Tax Assessor-Collector.

COURT ORDER NO. 2022-1282-12-05

**d. Advertisement(s):**

1. AI-53277 General Road, Reconstruction & Improvements (IFB No. 2023-123), Public Works.

COURT ORDER NO. 2022-1283-12-05

2. AI-53257 Inmate Food Service Management (RFP No. 2022-368), Sheriff.

COURT ORDER NO. 2022-1284-12-05

**e. Award(s):**

1. AI-53256 Professional Services, Architect for Small County Projects (RFQ No. 2022-256) and further authorize the Purchasing Agent to finalize and execute the Architectural Services Agreement for same, Construction & Projects.

COURT ORDER NO. 2022-1285-12-05

2. AI-53259 Security Gate Repair Services (IFB No. 2022-390) to D.H. Pace Company, Inc., Facilities.

COURT ORDER NO. 2022-1286-12-05

3. AI-53264 Services, Semi-Annual Multi-Surface Floor Cleaning (IFB No. 2022-260) to various vendors, Facilities.

COURT ORDER NO. 2022-1287-12-05

4. AI-53265 Congressman's Office Space Renovations, Admin Building (Coop JOC Quote No. 2023-131) to Native Consolidated Management, LLC d/b/a Native Construction through BuyBoard Cooperative Contract No. 638-21, and further authorize the Purchasing Agent to finalize and execute Construction Contract for same, Facilities.

Commissioner Fletcher said she had previously spoken against this item and would be voting no. With no further discussion, a motion was made to approve this item. (Time 1:40 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 2 – 1 Pass

Ney: Commissioner Susan Fletcher

COURT ORDER NO. 2022-1288-12-05

5. AI-53275 Computers, Peripherals, and Accessories (Contract No. 2023-109) to various vendors, Information Technology.

A motion was made to approve this item. (Time 1:40 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Cheryl Williams

Vote: 2 – 0 Pass

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2022-1289-12-05

6. AI-53272 Tax Statement Preparation and Mailing Services (RFP No. 2022-296), Tax Assessor Collector.

COURT ORDER NO. 2022-1290-12-05

**f. Agreement(s):**

1. AI-53244 Personal Services Agreement with Amanda Garcia (Agreement No. 2023-121) for the North Texas Regional Veterans Court, grant an exemption from the competitive bid process per Texas Local



Government Code 262.024(a)(4), and further authorize the Purchasing Agent to finalize and execute same, 296th District Court.

COURT ORDER NO. 2022-1291-12-05

2. AI-53246 Personal Services Agreement with Amanda Garcia (Agreement No. 2023-101) for the VALOR Program, grant exemption from the competitive bid process per Texas Local Government Code 262.024(a)(4), and further authorize the Purchasing Agent to finalize and execute same, 296th District Court.

COURT ORDER NO. 2022-1292-12-05

3. AI-53227 Agreement for Driver Record Monitoring Services with the Department of Public Safety of the State of Texas for the period of five (5) years from the full execution date, Human Resources.

COURT ORDER NO. 2022-1293-12-05

**g. Amendment(s):**

1. AI-53110 No. 1 to Jail Services, Out of County Housing (Contract No. 2022-125) with LaSalle Corrections to extend the contract for one (1) year through and including December 16, 2023, sets the rate for FY2023, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2022-1294-12-05

2. AI-53232 No. 11 to Software and Implementation Services for an ERP Financial System (RFP No. 2015-192) with Tyler Technologies, Inc. for the purchase of three (3) point-of-sale devices, and further authorize the Purchasing Agent to finalize and execute same; budget amendment in the amount of \$1,797, Information Technology.

COURT ORDER NO. 2022-1295-12-05

**h. Change Order(s):**

1. AI-53266 No.1 to Road Materials, Asphaltic Concrete (IFB No. 2022-283) with RK Hall LLC to provide various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2022-1296-12-05

2. AI-53267 No. 1 to Road Materials, Asphaltic Concrete (IFB No. 2022-283) with Reynolds Asphalt & Construction Company to provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2022-1297-12-05

3. AI-53268 No. 1 to Road Materials, Asphaltic Concrete (IFB No. 2022-283) with Austin Asphalt, Inc. to provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2022-1298-12-05

**i. Contract Renewal(s):**

1. AI-53209 Services, Cafeteria Management for Courthouse (RFP No. 2019-327) with The Vitasek Leasing Co., Inc. d/b/a Collin County Courthouse Cafe to extend the contract for one (1) year through and including December 31, 2023, Development Services.

COURT ORDER NO. 2022-1299-12-05

2. AI-53271 Insurance, Long Term Care (RFP No. 07710-09) with Unum Life Insurance Company of America to extend the contract for one (1) year through and including December 31, 2023, Human Resources.

COURT ORDER NO. 2022-1300-12-05

3. AI-53249 Software Maintenance for Tyler Jury Summons Direct (Contract No. 01318-09) with Tyler Technologies, Inc. to extend the contract for one (1) year through and including October 31, 2023, Information Technology.

COURT ORDER NO. 2022-1301-12-05

**j. Budget adjustment(s)/amendment(s):**

1. AI-53261 \$8,901 to establish the budget for the FY2023 Bulletproof Vest Program Grant match, Auditor.

COURT ORDER NO. 2022-1302-12-05

2. AI-53262 \$3,000 for the purchase of one (1) printer and two (2) scanners, Justice of the Peace, Precinct 2.

COURT ORDER NO. 2022-1303-12-05

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

1. AI-53252 November 7, 2022, Special Session.

COURT ORDER NO. 2022-1304-12-05

2. AI-53254 November 7, 2022.

COURT ORDER NO. 2022-1305-12-05

3. AI-53278 November 14, 2022.

COURT ORDER NO. 2022-1306-12-05

**1. Miscellaneous:**

1. AI-53313 Applicable elected representative pursuant to Section 147(f) of the Internal Revenue Code of 1986 for revenue bonds proposed to be issued by the Collin County Housing Finance Corporation in an aggregate principal amount not to exceed \$32,500,000 to finance the acquisition and construction and equipping of a residential rental development for seniors in Collin County by Roers Wylie Apartments Owner I, L.P., Administrative Services.

COURT ORDER NO. 2022-1307-12-05

2. AI-53218 Acceptance of the FY2023 General Victim Assistance Grant award in the amount of \$71,597 through the Office of the Governor, Criminal Justice Division, District Attorney.

COURT ORDER NO. 2022-1308-12-05

3. AI-53286 Assignment and Assumption to Professional Services, Right of Way Acquisition Consultant (Contract No. 2018-310A) to change the name from WOOD Environment Infrastructure Solutions, Inc. to WSP USA Environment & Infrastructure, Inc., and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2022-1309-12-05

4. AI-53223 Acceptance of the FY2023 General Victim Assistance Grant award in the amount of \$75,726 through the Office of the Governor, Criminal Justice Division, Sheriff.

COURT ORDER NO. 2022-1310-12-05

5. AI-53301 Personnel Appointments, Human Resources.

COURT ORDER NO. 2022-1311-12-05

6. AI-53302 Personnel Changes, Human Resources.

COURT ORDER NO. 2022-1312-12-05

**2. General Discussion Items:**

a. AI-53303 Boards & Commissions Appointments, Commissioners Court.

Commissioner Fletcher reappointed Misty Wiebold to the Historical Commission Board and Marianne Wells to the Myers Park Advisory Board.

Commissioner Williams reappointed Shep Stahel to the Planning Board.

Commissioner Hale reappointed Sue Reeves to the Child Protective Services Board, Bill Mills to the Planning Board, Elden Baker and Colin Kimball to the Historical Commission Board, and Doug Kowalski and Anne Bramlett to the LifePath Board of Trustees. (Time 1:41 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Susan Fletcher

Vote: 3 – 0 Pass

**COURT ORDER NO. 2022-1313-12-05**

### **3. Executive Session Items:**

The Court did not recess into Executive Session.

#### **Public Comments not related to an item on the Agenda.**

Debbie Lindstrom, McKinney, said the last time she came before the court she had said citizens would be watching the election and would notify the Commissioners of any issues. Before every election, the County is required to perform a logic and accuracy test. Texas Election Code 129.023 lays out the requirements for the test which must be open to the public. There is no portion of the law that states part of the test can be done in secret. The law states “the” which implies there is only one logic and accuracy test. Collin County scheduled the accuracy test to be held on October 7, 2022. During this event, there were several violations of Texas Code 129.023. Ms. Lindstrom focused on two of them. The first being that not all of the testing was public. Citizens were told there was more testing being conducted at the back of the warehouse, but the public was not allowed to view it. There also was testing done on the Monday following the public testing. This is a violation of Texas Election Code 129.023(b). The second issue was the General Custodian must also show the source code has not been altered. The method for doing this is called a “hash validation.” This compares a hash produced by the voting system to a trusted hash provided by the Secretary of State or the EAC (Election Assistance Commission) to verify the hashes are identical. This hash validation was not part of the public testing but rather had been completed several days before. There is a known bug in the hash validation code for ES&S (Election Systems & Software) EVS 6.110 which is the version Collin County uses. It was discovered in September of 2020 by state technical examiner Brian Mechler. Mr. Mechler described the bug as a “gift-wrapped opportunity to an insider threat.” This is similar to a bank robber knowing that the security camera covering teller #3 is broken. The bug gives a false positive result. If we are going to continue to use these machines, the negatives should be tested to be sure this bug is not active in our machines. These are not the only violations Ms. Lindstrom is aware of. She collected 10 affidavits from concerned citizens who attended the public logic and accuracy test. These affidavits were submitted to the Attorney General, Secretary of State and the Election Board in Collin



County. As a concerned citizen, Ms. Lindstrom wants Collin County to follow the election laws as they are written and asked the Court to ensure this is done.

Commissioner Fletcher asked Mr. Bilyeu to have Bruce Sherbet, Elections, address these comments and inform the court so it can respond to these concerns. Mr. Bilyeu agreed.

John Wilson, Allen, wanted to advise the court about the cultural shift happening in America. For now, Mr. Wilson considers the Court to be public servants who are humble, honorable, and looking to do the right thing. America is moving away from career politicians. Though some of the Court may not be looking for future careers in politics, those who are should know the American populace are learning that politicians are corruptible puppets. This outlook does not bode well for any commissioners with aspirations for future office. People who were in government for the last twenty to forty years have ruined the hopes for anyone wanting a safe and stable position as an official. The fifth generation war of information we are in now is just the beginning of all of the information that is about to come out. It is possible that those in office now are being exposed as criminals and will not be able to walk down the street once the public learns of their crimes. One way the Commissioners can separate themselves now would be to be transparent in the elections and look into fraud now. Looking into the fraud allegations later, after they have been exposed, will make the members of the Court look like criminals. Even if you choose to ruin your legacy, time will tell if you are a criminal. Understand now that, due to a recent Supreme Court ruling, the public can go after tax returns.

Tony Rike, Allen, said Collin County was founded in 1846, and his family had been here since 1850. Mr. Rike's family helped establish the Town of Farmersville with his relative being the first mayor. Mr. Rike shares this with the court because there are not many life-long, Collin County residents left. Yesterday, Mr. Rike celebrated thirty-three years in law enforcement. He is now a field representative for the TMPA. The TMPA provides legal assistance, support, financial benefits when warranted, and line-of-duty death benefits when needed. Mr. Rike currently represents forty-two counties within the state. In all these counties, payroll deduction is granted so the employee does not miss out on any of the benefits TMPA provides. CCDA (Collin County Deputies Association) has given back \$6,000 to the employees this year. On November 14, 2022, the payroll deduction was put on consent agenda without explanation, discussion, or the opportunity for public comment. The Court, with the exclusion of Commissioner Fletcher, voted to end the payroll deductions for TMPA, the United Way and CCDA. Payroll deduction is an automated process and there is no cost associated with it for the County. This deduction has not been an issue for over 20 years. In December 2020, Collin County lost Detention Officer Joseph Francis Quillen, Jr. Mr. Quillen was a TMPA member and, because of this, Mr. Rike was able to give his widow a check for \$15,000 because of those benefits. Payroll deduction allows members to join without worrying about credit card hack or updating information when changing financial institutions. It provides a sense of security for the members to know they are protected. Mr. Rike is asking the decision of payroll deductions for TMPA be

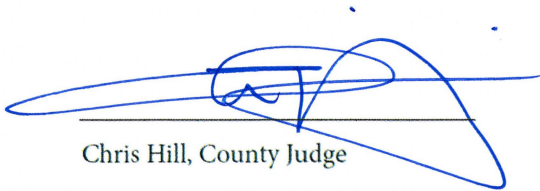


revisited on the Consent Agenda and hopefully reversed. The county needs to treat their employees how they would want to be treated.

Jay Robinson, Copeville, came to talk about some of the new housing developments in his neighborhood. Mr. Robinson has owned his property for twenty-eight years, and there are new families that have moved there. These families are having entertainment outside using amplifiers and bass speakers late into the night. The residents have contacted the Sheriff's Office about it, and they usually come out and get the noise turned off. Copeville is considered a township which has its own post office and water supply. Mr. Robinson is asking if the Commissioners can put together rules stating outside parties cannot go late into the night. Another issue that Mr. Robinson has already addressed with the Sheriff's Office is that of gunfire at these homes late at night after there has been drinking. Mr. Robinson understands you can shoot a gun out in the country. However, he has heard semi-automatic along with automatic gun fire. Mr. Robinson will continue to follow up with the Sheriff's Office but wanted to share this with the Court in the event there can be rules or regulations put in place for these issues.

Commissioner Williams asked to visit with Mr. Robinson after the court adjourned. Commissioner Fletcher said, when it pertains to noise in the county, the Court is limited in what they can regulate. They must abide by state law. The good news about living in Collin County is you can do what you want on your property. The bad news is so can your neighbor.

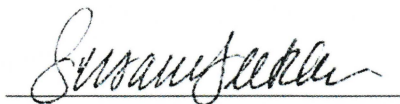
There being no further business of the Court, Commissioner Fletcher adjourned the meeting at 1:55 p.m.



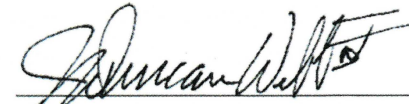
Chris Hill, County Judge



Darrell Hale, Commissioner, Pct 3




Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk