

State of Texas	§	Court Order
Collin County	§	2023-157-02-27
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the January 23, 2023 minutes.

On Monday, January 23, 2023, 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

Judge Hill led the Invocation.
Commissioner Williams led the Pledge of Allegiance
Commissioner Fletcher 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. The meeting was recessed at 4:04 p.m. Judge Hill reconvened the meeting at 4:06 p.m. and adjourned the meeting at 4:18 p.m.

Commissioner Webb was awarded TxDOT's (Texas Department of Transportation) 2023 Road Hand Award. This award is one of TxDOT's highest honors for those who drive the state forward in the area of transportation. In addition to serving Collin County in his roll on Commissioners Court, Commissioner Webb also serves as the chairman of the Regional Transportation Council. (Time 1:35p.m.)

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-53495 Personnel Appointments, Human Resources.
2. AI-53496 Personnel Changes, Human Resources.

FYI NOTIFICATION:

1. AI-53441 Intra-County account transfers transmitted on December 28, 2022, Auditor.
2. AI-53443 IRS mileage rate for 2023, Auditor.
3. AI-53460 P-card disbursements, Auditor.
4. AI-53471 Addendum No. 1 and No. 2 to General Road, Reconstruction & Improvements (IFB No. 2023-123) to make various changes to the Invitation for Bid, Purchasing.
5. AI-53489 Addendum No. 1 and No. 2 to Professional Services, Right of Way Acquisition Services (RFP No. 2023-034) to make various changes to the Request for Proposal, Purchasing.

COMMISSIONERS COURT BUSINESS:

Public comments related to an item on the Agenda.

The public comments addressed item c on General Discussion and were heard after the consent agenda.

Richard Eubank, McKinney, spoke in favor of US-380 bypass segment D. Bypass segment C will divide his property in half, whereas bypass segment D will only touch his property. The decision to go with bypass segment C will negatively impact his property and destroy one of the largest forests left in Collin County.

M. O'Neil, McKinney, opposed bypass segment C as it will destroy her house and a blacksmith shop on her property. She and her husband have owned the property since 1984. They served the community as teachers for a combined total of 60 years. Ms. O'Neil was looking forward to enjoying the land to the fullest and introducing her three grandsons to all of the wonders of nature on her property. However, due to bypass segment C, she will not be able to do this. She said we should be preserving the land and not destroying it.

Michael Swim, McKinney, spoke in favor of bypass segment D. He stated bypass segment C is opposed by the Texas Department of Parks and Wildlife, and over 90 residential and business property owners have signed a petition opposing bypass segment C.

Amber Block, McKinney, said she would like her representatives to consider the things TxDOT (Texas Department of Transportation) does not consider. Ms. Block said she uses the front half of her property for therapeutic horseback riding, raising honey bees and hay production. This will all be lost due to bypass segment C.

Patsy Cave, McKinney, stated bypass segment C will significantly impact her since it will run directly through her property.

Daniel Block, McKinney, asked if the Court would consider bypass segment D over bypass segment C because bypass segment C will go through his property. This it would affect the value and usefulness of his property. Mr. Block said the investment he has made in his property will now be gone because of bypass segment C.

Paul Thompson, McKinney, addressed the Court as a resident of McKinney, a small business owner, and the secretary of the Collin County Libertarian Party. He hates that we are trying to choose between the better of two bad options. Regardless of which segment is chosen, people will lose their homes and land which will force them to move. He encouraged the Commissioners to choose the option that would affect the fewest number of people and respect the uniqueness of Collin County's landscape.

Gary Gibson, McKinney, stated he opposes bypass segment C. When TxDOT decided two years ago they would plan on choosing bypass segment D, Mr. Gibson and his wife decided to build their dream home. He was surprised to hear of the change of route from bypass D to bypass segment C as it would go through their property, his newly built home and his barn. He had been assured none of that would happen. He asked the Commissioners to please oppose bypass segment C and help save their homes and preserve the beautiful natural landscape. (Time: 2:07pm)

1. **Consent Agenda Items:** Judge Hill asked for comments on the consent agenda. Commissioner Webb pulled item 1i23. Commissioner Fletcher pulled, under 1A, check number 531015 for recusal. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:35 p.m.)

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

a. AI-53453 Disbursements for the period ending January 17, 2023, Auditor.

COURT ORDER NO. 2023-035-01-23

A motion was made to approve check 531015. (Time: 1:35 p.m.)

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

COURT ORDER NO. 2023-036-01-23

Judge Hill forgot to pull item 1h1 from the consent agenda. A motion was made to reconsider the approval of the remainder of the consent agenda. (Time: 1:36 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

b. AI-53454 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2023-037-01-23

c. **Advertisement(s):**

1. AI-53411 Elections Specialized Printing (IFB No. 2023-073), Elections.

COURT ORDER NO. 2023-038-01-23

2. AI-53470 Psychological Examinations for Law Enforcement Personnel (RFP No. 2023-025), Human Resources.

COURT ORDER NO. 2023-039-01-23

d. **Award(s):**

1. AI-53445 Maintenance Agreement for Cyber-Security Products, Information Technology.

COURT ORDER NO. 2023-040-01-23

2. AI-53425 Vehicle, Ford F250 Pickup for Public Works (Contract No. 2023-166) to Silsbee Ford, Inc. through TIPS Cooperative Contract No. 210907, and budget amendment in the amount of \$5,542 for same, Public Works.

COURT ORDER NO. 2023-041-01-23

3. AI-53406 Connected Building Electric Metering, Emergency Power Switches & Services (Contract No. 2023-162) to Graybar Electric Company, Inc. through Omnia Partners Public Sector Contract No. EV2370, Purchasing.

COURT ORDER NO. 2023-042-01-23

e. **Agreement(s):**

1. AI-53494 Interlocal Agreement for Forensic Laboratory Services (Contract No. 2023-185) with Dallas County Southwestern Institute of Forensic Sciences, Medical Examiner.

COURT ORDER NO. 2023-043-01-23

f. Contract Renewal(s):

1. **AI-53478** Plumbing Supplies (Contract No. 2020-221) with Johnson-Burks Plumbing Supply Company, Inc. to extend the contract for one (1) year through and including March 8, 2024, Facilities.

COURT ORDER NO. 2023-044-01-23

2. **AI-53428** Assistance to Obtain Federal Financial Participation for SCAAP Funding (Contract No. 2021-220) with Justice Benefits, Inc. to extend the contract for one (1) year through and including May 7, 2024, Sheriff.

COURT ORDER NO. 2023-045-01-23

3. **AI-53487** Extractor and Scanner for Tax Office (Contract No. 2021-120) with Opex Corporation to extend the contract for one (1) year through and including March 2, 2024, Tax Assessor Collector.

COURT ORDER NO. 2023-046-01-23

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

1. **AI-53437** \$5,677 to reallocate funds for the Spay/Neuter Program, Development Services.

COURT ORDER NO. 2023-047-01-23

2. **AI-53465** \$2,174 for the purchase of a safe for Justice of the Peace, Precinct 2, utilizing the Sheriff's Office Federal Forfeiture Fund, Sheriff.

COURT ORDER NO. 2023-048-01-23

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

1. **AI-53455** December 1, 2022.

HELD

i. Miscellaneous:

1. **AI-53476** Grant application for the FY2024 Adult Mental Health Court Grant through the Office of the Governor, Public Safety Office, Criminal Justice Division, 219th District Court.

COURT ORDER NO. 2023-049-01-23

2. **AI-53480** Grant application for the FY2024 Veteran Treatment Court Grant through the Office of the Governor, 296th District Court.

COURT ORDER NO. 2023-050-01-23

3. AI-53442 FY2023 Investment Broker/Dealer List, Auditor.
COURT ORDER NO. 2023-051-01-23

4. AI-53444 FY2023 Investment Policy, Auditor.
COURT ORDER NO. 2023-052-01-23

5. AI-53451 Acceptance of the FY2023 Bullet-Resistant Shield Grant award in the amount of \$86,849.04 through the Office of the Governor, Criminal Justice Division, Constable, Precinct 3.
COURT ORDER NO. 2023-053-01-23

6. AI-53433 Grant application for the FY2024 District Attorney Testing for Forensic Evidence Grant through the Office of the Governor, Criminal Justice Division, District Attorney.
COURT ORDER NO. 2023-054-01-23

7. AI-53439 Grant application for the FY2024 General Victim Assistance Grant through the Office of the Governor, Criminal Justice Division, District Attorney.
COURT ORDER NO. 2023-055-01-23

8. AI-53466 Resolution in support of Spur 399 Freeway Environmental Impact Statement, Engineering.
COURT ORDER NO. 2023-056-01-23

9. AI-53472 Final plat for Blueridge Meadows, Engineering.
COURT ORDER NO. 2023-057-01-23

10. AI-53473 Final plat for Ranger Crossing Phase 3, Engineering.
COURT ORDER NO. 2023-058-01-23

11. AI-53474 Final plat and sign plan for Redbud Estates, Engineering.
COURT ORDER NO. 2023-059-01-23

12. AI-53475 Final plat and sign plan for Golden Hills Estates, Engineering.
COURT ORDER NO. 2023-060-01-23

13. AI-53461 Purchase of a MiFi device in the amount of \$125, Justice of the Peace, Precinct 2.
COURT ORDER NO. 2023-061-01-23

14. AI-53477 Grant application for the FY2024 Juvenile Probation Mental Health Court Grant through the Office of the Governor, Criminal Justice Division, Juvenile Probation.
COURT ORDER NO. 2023-062-01-23

15. AI-53479 Grant application for the FY2024 Juvenile Drug Court (SOAR) Program Grant through the Office of the Governor, Criminal Justice Division, Juvenile Probation.

COURT ORDER NO. 2023-063-01-23

16. AI-53481 Grant application for the CTD Program Grant through the Office of the Governor, Criminal Justice Division, Juvenile Probation.

COURT ORDER NO. 2023-064-01-23

17. AI-53462 Return a vehicle back into service for the remainder of FY2023, Sheriff.

COURT ORDER NO. 2023-065-01-23

18. AI-53440 Payment of various invoices in the amount of \$2,616.90 utilizing Inmate Commissary Funds, Sheriff.

COURT ORDER NO. 2023-066-01-23

19. AI-5346 Acceptance of the FY2023 Bullet-Resistant Shield Grant award in the amount of \$100,625.28 through the Office of the Governor, Criminal Justice Division, Sheriff.

COURT ORDER NO. 2023-067-01-23

20. AI-53486 Grant application for the FY2024 UASI Domestic Violent Extremism Grant through the Office of the Governor, State Homeland Security Grants Division, Sheriff.

COURT ORDER NO. 2023-068-01-23

21. AI-53416 2023 Compensation Plan, Human Resources.

COURT ORDER NO. 2023-069-01-23

22. AI-53497 Personnel Appointments, Human Resources.

COURT ORDER NO. 2023-070-01-23

23. AI-53499 Personnel Changes, Human Resources.

Commissioner Webb pulled this item and referred to the promotion of Kaleb Breaux from Voter Registration Coordinator to Deputy Elections Administrator which included a 15% raise. The Court received a memo from Bruce Sherbet, Elections Administrator, recommending a salary of \$85,000 as opposed to the 15% raise recommended by Human Resources. Commissioners Webb and Williams voiced their support for Mr. Sherbet's recommendation.

Cynthia Jacobson, Human Resources, said the 15% increase is standard county policy, and the position was just reclassified. With no further comments, a motion was made to approve this item along with Mr. Sherbet's recommendation. (Time: 1:42 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2023-071-01-23

2. General Discussion Items:

a. **AI-53398** Lifepath Systems building elevations for the proposed Bloomdale campus, Administrative Services.

Tammy Mahan, Chief Executive Officer of LifePath Systems, provided a PowerPoint presentation on the new LifePath Systems Bloomdale Campus. The presentation included total square footage of the facility, programming, the project timeline, and pictures showing elevations from each direction. Ms. Mahan explained the purposes of each level and the entry way. There was a brief discussion regarding easements, parking, and James Pitts Drive. Representatives from The Beck Group Architecture Company were present to answer questions. (Time 2:31pm)

NO ACTION

b. **AI-53457** Illegal subdivisions with engineering and potential legislative request, Commissioner, Precinct 3.

Commissioner Hale had asked Clarence Daugherty, Engineering, to put a presentation together explaining the problems of illegal subdivisions. Mr. Daugherty explained how some land owners are selling parts of their land without following the subdivision regulations. This is causing severe consequences on the individuals purchasing the property such as not enough room for compliant septic systems; they may not be able to get utilities; access may be inadequate; the house or lot may be in a flood plain; and postal service may be denied. Possible remedies and solutions to the issue of illegal subdivisions were discussed. Some of the ideas included: an increase in the severity of penalties of current provisions; a new statute to force the sub-divider to buy back the lots if subdivision cannot comply; a new statute making it illegal for surveyor to provide a survey for illegal subdivisions with appropriate fines and penalties; a new statute making it illegal for a licensed realtor to facilitate selling lots in an illegal subdivision; a new statute requiring all "contracts for sale" to be recorded with the County Clerk; and a new statute to require all deeds filed with metes and bounds descriptions to be approved by the Engineering Department or Development Services before filing with the County Clerk.

Commissioner Hale will reach out to the Collin County Association of Realtors to see if they have any ideas or thoughts, and he asked Commissioner Fletcher to bring up this issue at her next meeting with the Council of Urban Counties. Judge Hill asked Bill Bilyeu, County Administrator, if the staff would continue to work on this issue offline for any possible resolutions. (Time 3:14pm)

NO ACTION

c. **AI-53529** US 380 Right-of-Way Funding, County Judge.

TxDOT (Texas Department of Transportation) has announced which route they prefer. Judge Hill does not anticipate Collin County Commissioners Court will be condemning anyone's property. Since this is a TxDOT project, the State of Texas will decide what they will do on their project. When the State does decide, they have a requirement of the local governments to put in a local match of 10%. The City will be looked upon to pay a 10% match as well. When the City of McKinney learned of TxDOT's preferred alignment going through McKinney as opposed to the one going through the Town of Prosper, they also learned about the match requirement. Judge Hill said the Mayor of McKinney has asked Commissioners Court if the County would step in and help pay for the local match. Ultimately the City of McKinney will decide whether they support or oppose this and will pass a resolution accordingly. Judge Hill asked the Court to not take action on whether or not they support or oppose the preferred alignment before the City of McKinney decides.

Judge Hill asked Clarence Daugherty, Engineering, to explain what the total is that McKinney would be required to pay for this project and what is available in the County's bond funding to be used towards US-380. Mr. Daugherty said it is too early to have a good discussion of estimated costs. Normally, this takes place just before TxDOT begins ROW (right-of-way) acquisition. In the next six months, they will have better numbers.

McKinney has a tremendous number of water and sewer lines that would need to be relocated for this project. The City has requested the County pay the required 10% contribution for the costs of acquiring ROW and pay for utility relocations. The County has \$249 million set aside for US-380 and Spur 399. The Court needs to decide how it will use those funds. Commissioner Webb said the portion the County is obligated to pay has to come off the top. Then the Court needs to have a mechanism to take whatever is left and use it to support the project because some cities have more capacity to fund than other cities. The Commissioner added, depending on what the County does, we could go back to the RTC (Regional Transportation Council) to see if they will support putting money in also. Mr. Daugherty said we cannot use federal funds for the local match, so money may need to be moved around. Commissioner Webb said the \$6 billion US-380 project will be the most expensive project in the metroplex other than a toll road.

Commissioner Webb said the Court should seriously consider doing a November bond issue not only for our own facilities but also for more monies for the US-380 project. We still have another north/south

freeway on the east side of US-75 to consider, and the County needs to continue moving forward with the Outer Loop. Commissioner Hale said, with the annexation rules changing, the County is assuming more responsibility. (Time: 3:51p.m.)

NO ACTION

d. AI-44358 Conference of Urban Counties update, Commissioner, Precinct 1.

Commissioner Fletcher updated the Court on the January CUC (Conference of Urban Counties) policy committee meeting. The 2023 CUC Conference will be held in Austin at the end of March. The budget surplus for the state is \$32.7 billion. She will also be getting updates on the many bills CUC is tracking.

Commissioner Fletcher noted HB192 by Representative Matt Schaefer will change the laws of every county in Texas to only prevent firearms from the courtrooms and not the courthouses. Collin County has 22 courts. This would require 22 magnetometers, 22 places to check firearms, and 44 bailiff-level new employees to be outside each courtroom. At this point, the cost to Collin County would be approximately \$5 million. Judge Hill said the County is not required now to have magnetometers, but we choose to for safety reasons. He asked if this law would require magnetometers for every courtroom. Commissioner Fletcher said it would depend on the language in the bill. (Time: 3:58 p.m.)

NO ACTION

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

Commissioner Webb updated the Court on the January RTC (Regional Transportation Council) meeting. The most notable item was the RTC received a successful Conformity Determination from the U.S. Department of Transportation. This approval is good for four years and means Mobility 2045 and all of the plans within it and the TIP (Transportation Improvement Plan) are good for four years.

There was also a legislative update. Three bills are currently being tracked. These bills include electric vehicles, temporary vehicle paper tags, and state LIRAP (Low-Income Repair Assistance Program) funds. The State has approximately \$100 million in LIRAP funds which all the counties had collected, and the State has been using those funds to help balance its budget. The RTC is pushing to get those funds either given back to the counties to use for transportation or allocated to the regions for transportation. The State has a \$32.7 billion budget surplus plus another \$27.1 billion in the rainy day fund for a total of almost \$60 billion.

Lastly, the region will be heavily involved in pushing the school districts, cities, and counties to participate in the Walk to School Day on October 4, 2023. (Time: 4:04 p.m.)

NO ACTION

Judge Hill recessed Commissioners Court at 4:04 p.m. and called to order the Health Care Foundation.

Commissioners Court was reconvened at 4:06 p.m. and heard public comments not related to an agenda item.

3. Executive Session Items:

The Court did not recess into Executive Session.

Public Comments not related to an item on the Agenda.

Judy Dishong, Plano, said this Commissioners Court meeting has been the best meeting she has attended in two years. She was glad to hear the discussions and the Court working to find solutions. She appreciates the fact that issues are not going to be dropped, and the court will continue looking for good solutions. She asked the Commissioners for more information regarding US-380 and TxDOT. If bypass segment C is cheaper than segment D and will affect fewer land owners, why would segment D be chosen? Commissioner Fletcher said there is a public website for TxDOT which explains how they made the decision. Commissioner Hale said the website is Keepitmovingdallas.com. Commissioner Webb explained the RTC and TxDOT are two separate entities that control transportation projects within the metropolitan area. US-380 is a TxDOT project so it is primarily TxDOT's decision. It is their environmental process they are going through for clearance. The RTC does approve the overall route, but in terms of building and designing it, that is up to TxDOT.

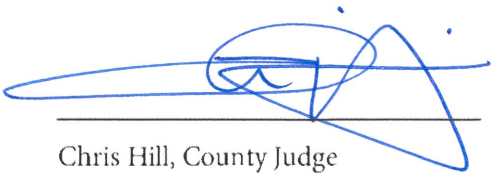
Joshua Murray, Lavon, echoed what Ms. Dishong said in regards to this meeting being one of the best meetings he has attended due to the amount of discussion the court had.

He then stated on November 7, 2022, Judge Hill slapped him in the Commissioners Court Room, and it is his intention to hold the Judge accountable. Mr. Murray read the Contempt of Court statement he received from Judge Hill on November 7 because he wanted it to be part of the public record. He then explained how it was important to keep this information on public record. Mr. Murray also said there is untrue information included in the release of information which was done on official letterhead and in an official capacity of the Judge. He asked if the Commissioners Court has any investigative authority to look into the allegations that were made and if there were any actions of official misconduct carried out by the County Judge. He also asked if the Court has the ability to outline procedures for people who are held in contempt of court.

Judge Hill thanked Mr. Murray for his comments. Since Mr. Murray requested this be on the public record, Judge Hill clarified his official statement was put out on letterhead and done in his official capacity as the County Judge because he was the County Judge on November 7th. Because of the results of the November

8th election against Joshua Murray, the Democrat opponent, he is still the County Judge. The record of Mr. Murray being held in contempt is also an official record of this Court. There is a court order holding Mr. Murray in contempt in May and on November 7th. Those are both official public court documents holding Mr. Murray in contempt of court twice. Mr. Murray does not need to worry about that being unknown or forgotten because it is in the official public record that Mr. Murray has been held in contempt twice for his behavior in this courtroom. (Time: 4:18 p.m.)

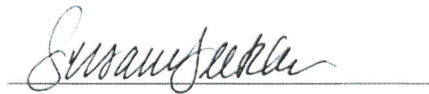
With no further comments, Judge Hill adjourned Commissioners Court at 4:18 p.m.



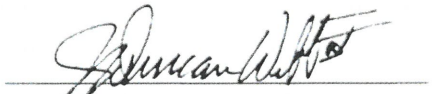
Chris Hill, County Judge



Darrell Hale, Commissioner, Pct 3



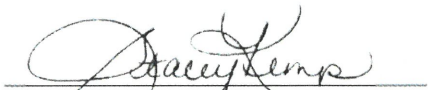
Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk