

State of Texas	§	Court Order
Collin County	§	2023-615-07-10
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the June 5, 2023 minutes.

On Monday, June 5, 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:

Commissioner Susan Fletcher, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Darrell Hale, Precinct 3
Commissioner Duncan Webb, Precinct 4

Absent: Judge Chris Hill

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

Commissioner Williams called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. The meeting was recessed at 1:55 p.m. and reconvened at 1:56 p.m. The meeting was adjourned at 1:56 p.m.

Commissioner Williams called to order the meeting of the Collin County Health Care Foundation at 1:55 p.m. and adjourned the meeting at 1:56 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-54078 Acceptance of the Diversion Alternative Plan Grant in the amount of \$53,376.30 through the Texas Juvenile Justice Department, Juvenile Probation.
2. AI-54108 Personnel Appointments, Human Resources.
3. AI-54109 Personnel Changes, Human Resources.

FYI NOTIFICATION:

1. AI-54050 Intra-County account transfers transmitted May 11, 2023, Auditor.
2. AI-54071 Intra-County account transfers transmitted May 18, 2023, Auditor.
3. AI-54106 Change Order No. 1 to Construction, Restoration of Mold Remediation Areas, Collin County Adventure Camp (JOC Quote No. 2022-132) with SBD, Inc. to include items not included in the original scope of work, Construction & Projects.
4. AI-54069 Construction and road closure of County Road 653, Public Works.
5. AI-54093 Voluntary terminations, Human Resources.
6. AI-54104 Turnover, Human Resources.

COMMISSIONERS COURT BUSINESS:

Public comments related to an item on the Agenda.

The following public comments were related to item 1h4.

Mark Brugge, Fairview, is concerned the County is spending too much on the ES&S (Election Systems & Software) machines which he and many other people feel are not trustworthy, accurate or transparent. He was present when a vote was taken regarding the use of these machines, and a majority of the people present voted against using them. Mr. Brugge proposed forming a committee of both citizens and government officials to find a more cost-effective way to run our elections that is also transparent, accurate and accountable. He suggested hand counting hand-marked ballots using cameras for live streaming which could be done at each precinct.

Commissioner Fletcher asked Bill Bilyeu, County Administrator, to speak on the recounting of the election results from the May 6th election. Mr. Bilyeu said he was not there at the time but did receive feedback from the Elections Administrator. The request was for a hand-counted recount of one of the Collin College races. The mail-in ballots were counted first which totaled approximately 1,100 ballots. They were run through the machine and sorted by precinct. There were three counting teams consisting of a counter caller, a person sitting next to the caller to make sure they were calling accurately, and two people tallying the count. Teams were separated so they couldn't hear the other callers. It took almost seven hours for the recount of this one race. The outcome, when compared to what was run through the machines, was exactly the same. There were three errors which, when recounted, turned out to be human error.

Debbie Lindstrom, McKinney, has concerns regarding the election machines. She feels they are neither legal nor securable. Therefore, she said the County should not be spending \$500,000 on their maintenance. Ms. Lindstrom believes the machines are illegal because they were not certified properly at the federal or state levels. Various officials have told her the Secretary of State has wide latitude to run elections in the State of Texas. However, Ms. Lindstrom said this does not give the Secretary of State the power to set aside laws. She said the former Secretary of State is subject to a lawsuit for ignoring TEC (Texas Education Code) laws. At the federal level, the lab which certifies the machines, has not been accredited since 2015, and the certificate was not signed by the correct person as mandated by EAC (Election Assistance Commission). If the federal certification is not valid, then the Secretary of State exceeded their authority in bypassing the TEC language stating election systems must be federally certified by a an accredited VSTL (Voting System Test Laboratories). Regarding the vote to approve the \$500,000 for maintenance of these machines, Ms. Lindstrom asked the Court to find the properly signed VSTL certification document. In regards to security and according to the Texas technical examiners, there are multiple problems with the EVS6110 model which is our current version. Mr. Brian Meckler documented a troubling bug that caused false positives. In a follow-up report by Mr. Meckler, the issue was mostly fixed. Another issue affecting security is the fact the 2005 standards are being used. When the Court approves the maintenance money, Ms. Lindstrom said the Court is affirming the machines are safe and are legally certified contrary to all evidence presented. She asked the Court to postpone the vote today.

Chuck Reynolds, Celina, said it has been two and a half years since the tragic November 3, 2020 election. The concerning election evidence continues to become known to the public. Mr. Reynolds said Attorney General Ken Paxton and his team successfully fought off 12 lawsuits which ultimately devastated other states. The recent Rasmussen Poll from April 2023 shows an ever-increasing realization that elections are in trouble. Most of the technical experts related to election electronics say they are not securable and need to be immediately removed. Technical experts, Clay Parikh and Colonel Shawn Smith, have raised concerns about the machines and said they are unsecure and hackable. Additionally, Colonel Smith said all of the voting machine equipment was made in foreign countries - primarily China. Mr. Reynolds requested the Court to eliminate these machines and go back to hand counts.

Avis Novak, McKinney, asked the Court to rescind the approval on this agenda item using the Court's authority under TEC (Texas Election Code) 123.002 and Local Government Code 81.022. She said these systems are not certified by an accredited laboratory and do not meet the standards of TEC 122.001. Ms. Novak said the electronic voting systems are censoring votes and releasing personal identification information to the federal government as well as third party vendors. She offered the Court a presentation of accreditation failure as back-up for reference.

A public information request was sent to the Secretary of State after the November 2022 election with a list of questions regarding the election. The answer provided was the PIA (Public Information Act) does not require a governmental entity to answer factual questions, perform legal research or create new information. The Secretary of State held a public hearing on June 1st regarding the electronic voting

systems. The citizens had to give testimony to a camera because none of the representatives showed up in person to hear their testimony in a meeting called by the Secretary of State. A link was not provided for people to watch the testimony as is normally done for these meetings. Video of the testimonies was posted on Twitter by a contributor to the hearing. Ms. Novak read the Collin County mission statement to the Court and urged them to carry out this mission as they have sworn to do.

Barbara Isaacs, Fairview, said she is representing herself and TexasFirst.org. It is a statewide organization with hundreds of individuals who attend commissioners courts across the state. Her group has been attending and speaking at this Court off and on for the past two years presenting evidence showing the voting machines are not safe or secure. Ms. Isaacs said her group feels the Court is disenfranchising the citizens who do not feel safe using the machines. The current system reads ballots by barcodes. TexasFirst.org suggested going to a hand-marked, hand-counted ballot numbered in sequential order for auditing purposes since the current system does not make auditing possible. When TexasFirst.org requested information from the Elections Administrator, Ms. Isaacs said the ballot images had been tampered with and were illegible. Whether using a modem, Blue Tooth, or a thumb-drive, the machines are not secure and elections can be changed because the components come from China. During the last three elections in Collin County, voters complained touch screens were flipping their votes to a different candidate instead of the one they selected. Recently, Attorney General Ken Paxton said there is severe election fraud happening in every county in Texas. Additionally, he said another area of concern is the fraudulent mail-in ballots. Ms. Isaacs said we cannot continue to turn over our elections to these machine manufacturers. She opposed the renewal of the ESNS Elections Software Maintenance contract and asked the Court to look on TexasFirst.org resource page which contains videos and documents on everything she presented today. (Time: 1:51 p.m.)

1. Consent Agenda Items:

Commissioner Williams pulled item 1i3 for a future court and then asked for comments on the consent agenda. Commissioner Fletcher pulled check# 534696 from disbursements and items 1g1 and 1i2 for recusal. Commissioner Hale pulled 1k13 for comment. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:52 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Darrell Hale

Vote: 4-0: Passed

a. AI-54061 Disbursements for the period ending May 30, 2023, Auditor.

COURT ORDER NO. 2023-436-06-05

A motion was made to approve check 534696. (Time: 1:52 p.m.).

Motion by: Commissioner Duncan Webb

Second by: Commissioner Darrell Hale

Vote: 3-0: Passed

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2023-437-06-05

b. AI-54062 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2023-438-06-05

c. AI-54074 Tax refunds totaling \$666,131.76, Tax Assessor-Collector.

COURT ORDER NO. 2023-439-06-05

d. **Award(s):**

1. AI-54077 Constable Body Camera (Contract No. 2023-287) to Motorola Solutions, Inc. through DIR Cooperative Contract No. DIR-TSO-4101, Information Technology.

COURT ORDER NO. 2023-440-06-05

2. AI-54068 County Cyber-Security Strategy Maintenance to SHI Government Solutions through a cooperative contract, Information Technology.

COURT ORDER NO. 2023-441-06-05

e. **Agreement(s):**

1. AI-54000 Personal Services Agreement with Robert E. Ray (Contract No. 2023-273) for Case Manager for the North Texas Regional Veterans Court 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. 2023-442-06-05

f. **Amendment(s):**

1. AI-54090 Amendment to the payment plan with the City of Lowry Crossing for road improvements, Public Works.

COURT ORDER NO. 2023-443-06-05

2. AI-54031 No. 2 to Professional Services, RHP 18 Anchor Duties (Contract No. 2021-339) with Public Information Associates to extend the contract through and including December 31, 2023, Administrative Services.

COURT ORDER NO. 2023-444-06-05

g. Change Order(s):

1. AI-54066 No. 1 to Disaster Recovery VxRail Servers and Dell Rack Mount Servers for DMZ Server (Contract No. 2023-180) with Unique Digital Technology, LLC to add VxRail units and rack mount servers through DIR Coop Contract No. DIR-TSO-3763 and DIR-TSO-4299, and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

A motion was made to approve this item. (Time: 1:53 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Darrell Hale

Vote: 3-0: Passed

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2023-445-06-05

2. AI-53987 No. 1 to Vehicle, Patch Truck (Contract No. 2023-013) with Southwest International Trucks, Inc. for an increase in price and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2023-446-06-05

3. AI-53988 No. 1 Vehicle, Dump Truck (Contract No. 2023-012) with Southwest International Trucks, Inc. for an increase in price and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2023-447-06-05

4. AI-53975 No. 5 to Construction, Road: Collin County Outer Loop from East of SH 289 to FM 2478 (IFB No., 2020-258) with Mario Sinacola & Sons Excavating, Inc. to reconcile the over runs and under runs of the finished projects, and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2023-448-06-05

h. Contract Renewal(s):

1. AI-54060 Veterinary Services, Animal Shelter, General Spay/Neuter (Contract No. 2022-058) with Meier Veterinary Services, LLC dba All Heart Veterinary Center to extend the contract through and including June 5, 2024, Development Services.

COURT ORDER NO. 2023-449-06-05

2. AI-54059 Veterinary Services, Animal Shelter, General Spay/Neuter (Contract No. 2022-058) with Taylor J. Tillery DVM PLLC to extend the contract through and including June 5, 2024, Development Services.

COURT ORDER NO. 2023-450-06-05

3. AI-54057 Services, Controls Integrator (RFP No. 2019-096) with Miller Building Automation, LLC to extend the contract for one (1) year through and including June 16, 2024, Facilities.

COURT ORDER NO. 2023-451-06-05

4. AI-54003 Election Voting System & Services (Contract No. 2018-241) with Election Systems & Software, LLC to extend the contract for one (1) year through and including June 30, 2024, Information Technology.

COURT ORDER NO. 2023-452-06-05

5. AI-54086 Liquid Asphalt (IFB No. 2022-239) with Wright Asphalt Product Company, LLC d/b/a Wright Asphalt Product Company to extend the contract for one (1) year through and including July 10, 2024, Public Works.

COURT ORDER NO. 2023-453-06-05

6. AI-54087 Liquid Asphalt (IFB No. 2022-239) with P Squared Emulsion Plants, LLC d/b/a P2 Emulsions to extend the contract for one (1) year through and including July 10, 2024, Public Works.

COURT ORDER NO. 2023-454-06-05

7. AI-54088 Liquid Asphalt (IFB No. 2022-239) with Ergon Asphalt Emulsions, Inc. to extend the contract for one (1) year through and including July 10, 2024, Public Works.

COURT ORDER NO. 2023-455-06-05

8. AI-54040 Law Enforcement Uniforms (Contract No. 2022-272) with Galls, LLC to extend the contract for one (1) year through and including May 31, 2024, Purchasing.

COURT ORDER NO. 2023-456-06-05

9. AI-54053 Jail and Personal Inmate Supplies (Contract No. 2019-188) with Bob Barker Company Inc. to extend the contract for one (1) year through and including June 30, 2024, Sheriff.

COURT ORDER NO. 2023-457-06-05

10. AI-54055 Jail and Personal Inmate Supplies (Contract No. 2019-188) with Victory Supply LLC to extend the contract for one (1) year through and including June 30, 2024, Sheriff.

COURT ORDER NO. 2023-458-06-05

11. AI-54079 Tax Statement Preparation and Mailing Services (Contract No. 2022-296) with VariVerge, LLC to extend the contract for one (1) year through and including July 30, 2024, Tax Assessor-Collector.

COURT ORDER NO. 2023-459-06-05

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

1. AI-54046 \$114.40 for overpayments for recording fees (2018 Bond Funds), Engineering.

COURT ORDER NO. 2023-460-06-05

2. AI-53974 \$200 for the purchase of a docking station for the Justice Court Precinct 1 Courtroom, Justice of the Peace Precinct 1.

A motion was made to approve this item. (Time: 1:53 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Darrell Hale

Vote: 3-0: Passed

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2023-461-06-05

3. AI-54058 \$3,170 for the purchase of three (3) Fujitsu FI-870 Scanners for departments using EnerGov, Information Technology.

PULLED

4. AI-54065 \$6,000 to attend a Court Technology Conference, Justice of the Peace, Precinct 1.

COURT ORDER NO. 2023-462-06-05

5. AI-54056 \$10,000 to fund the North Texas Criminal Interdiction Unit investigative expenses for FY 2023, utilizing federal forfeiture funds, Sheriff.

COURT ORDER NO. 2023-463-06-05

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

1. AI-54101 May 15, 2023.

COURT ORDER NO. 2023-464-06-05

k. Miscellaneous:

1. AI-54044 Acceptance of a monetary donation in the amount of \$42.72 through the Live Here Give Here Program for CPS, Auditor.

COURT ORDER NO. 2023-465-06-05

2. AI-54085 Adoption of the 2023 Investment Policy, Auditor.

COURT ORDER NO. 2023-466-06-05

3. AI-54054 Deletion of sprinkler heads in new booking/admissions addition of the Detention Center, Commissioners Court.

COURT ORDER NO. 2023-467-06-05

4. AI-54089 Final plat for Frontier Pointe Phase 2, Engineering.

COURT ORDER NO. 2023-468-06-05

5. AI-54092 Reimbursement for a septic spray head design and relocation for the Park Blvd. Project from Parker Rd. to Spring Creek Pkwy., Engineering.

COURT ORDER NO. 2023-469-06-05

6. AI-54012 Purchase of 94 cell door locks from Corrections Products Company LTD in the amount of \$225,880, Facilities.

COURT ORDER NO. 2023-470-06-05

7. AI-54067 Utilization of the Russell A. Steindam Courts Building for the Collin County Bar Association's Mock Trial Competition on Friday, February 23, 2024 from 7:30 a.m. to 4:00 p.m. and Saturday, February 24, 2024 from 8:00 a.m. to 12:00 p.m., Facilities.

COURT ORDER NO. 2023-471-06-05

8. AI-54076 Redesignation of Private Road 5873 as Thomas Place with associated address updates, GIS/Rural Addressing.

COURT ORDER NO. 2023-472-06-05

9. AI-54064 Rehabilitation project for E Stone Road with the City of Wylie, and budget amendment in the amount of \$1,620,000 for same, Public Works.

COURT ORDER NO. 2023-473-06-05

10. AI-54052 Payment in the amount of \$1,875 for the GED Academy Offline Study Program utilizing Inmate Commissary Funds, Sheriff.

COURT ORDER NO. 2023-474-06-05

11. AI-54112 Services, Semi-Annual Multi-Surface Floor Cleaning (Contract No. 2022-260) with Guardian Power Cleaning of Dallas, Inc. dba Guardian Services to approve mutual cancellation of contract and mutual release of claims and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2023-475-06-05

12. AI-54110 Personnel Appointments, Human Resources.

Commissioner Hale congratulated three employees who received promotions: Carleigh Howard, Kimberly Aslobrook, and Thomas Taylor. Commissioner Hale said he mentions this every week to recognize staff for their hard work. With no further comments, a motion was made to approve this item. (Time: 1:54 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Cheryl Williams

Vote: 4-0: Passed

COURT ORDER NO. 2023-476-06-05

13. AI-54111 Personnel Changes, Human Resources.

COURT ORDER NO. 2023-477-06-05

2. General Discussion Items:

a. AI-54082 **Public Hearing** - Placement of regulatory signs within the Magnolia Pointe Municipal Utility District No. 1, Engineering.

Clarence Daugherty, Engineering, received a proposed request for the placement of regulatory signs within the Magnolia Pointe MUD (Municipal Utility District) subdivision. Engineering has reviewed and approved the proposed plan. Collin County Engineering has a contract with the subdivision that makes the sign legal so enforcement can take place.

Commissioner Williams opened the public hearing at 1:55 p.m. and asked for comments. Hearing none, Commissioner Williams closed the public hearing at 1:55 p.m. A motion was made to approve the item. (Time: 1:55 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 4-0: Passed

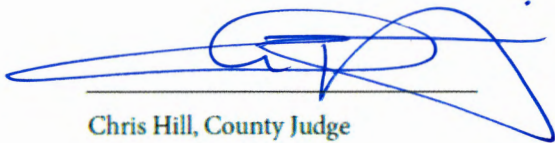
COURT ORDER NO. 2023-478-06-05

Commissioner Williams recessed Commissioners Court at 1:55 p.m. and called to order the Health Care Foundation. The meeting was reconvened at 1:56 p.m.

3. **Executive Session Items:** The Court did not recess into Executive Session.

Public Comments not related to an item on the Agenda.

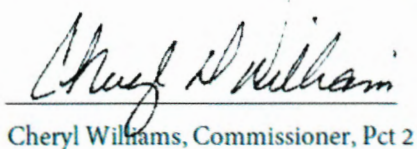
With no further comments, Commissioner Williams adjourned the meeting at 1:56 p.m.



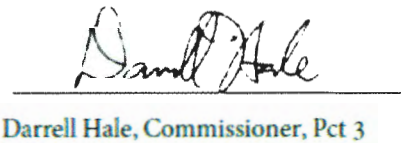
Chris Hill, County Judge

Not Present

Susan Fletcher, Commissioner, Pct 1



Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3

Not Present

Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk