

State of Texas	§	Court Order
Collin County	§	2023-616-07-10
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the June 12, 2023 minutes.

On Monday, June 12, 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

Commissioner Webb led the Invocation.
 Commissioner Hale 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 the meeting at 2:24 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 2:24 p.m. and adjourned the meeting at 2:24 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-54138 Personnel Appointments, Human Resources.
2. AI-54139 Personnel Changes, Human Resources.

FYI NOTIFICATION:

1. Notification of budget adjustment(s)/amendment(s):

a. AI-54096 Budget amendment resulting in a net-zero dollar change to reallocate funds from personnel category to contractual category due to the COVID-19 Detection and Mitigation in Confinement Facilities Grant Contract Amendment, Auditor.

COMMISSIONERS COURT BUSINESS:

Public comments related to an item on the Agenda.

1. **Consent Agenda Items:** Judge Hill asked for comments on the consent agenda. Commissioner Fletcher pulled check #534922 under item 1a for recusal. Commissioner Hale pulled item 1h5 for comment. Commissioner Webb pulled items 1c1 and 1h3. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Duncan Webb

Vote: 5-0: Passed

a. AI-54116 Disbursements for the period ending June 6, 2023, Auditor.

COURT ORDER NO. 2023-479-06-12

A motion was made to approve check #534922. (Time: 1:33 p.m.).

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 4 – 0: Passed

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2023-480-06-12

b. AI-54117 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2023-481-06-12

c. Award(s):

1. **AI-54084** Vehicle: Ford Expedition for Sheriff's Office (Contract No. 2023-256) to Silsbee Ford, Inc. through TIPS USA Cooperative Contract No. 210907, and budget amendment in the amount of \$91,885, utilizing Federal Forfeiture Funds, for vehicle and make-ready, Sheriff.

This item along with item 1h3 were discussed together. Commissioner Webb pulled these items after reviewing the list of vehicles provided by Public Works and the County policy from April. Regarding this item, the Commissioner said the Court had agreed to only purchase white cars. He asked if the Court is willing to make an exception for this purchase of a black car and, since this car is being purchased with forfeiture funds, should it be on the do-not-replace list. Lastly, Commissioner Webb wanted to know how the vehicle would be marked and licensed. It was determined in previous Court discussions that all law enforcement cars must be marked and have exempt plates unless there is a specific exception.

For item 1h3, the Commissioner asked the Auditor's Office if the County was compliant with federal law associated with including this as compensation on the W-2s per IRS (Internal Revenue Service) regulations. Kristine Malone, Auditor's Office, stated the County does not have any compensation recorded. Since the County is not in compliance with federal IRS regulations, Commissioner Webb asked Jon Kleinheksel, Public Works, to find out how much the County is spending on gas for commuting for these vehicles since it should be included in compensation. The Commissioner asked the Court to discuss the policies regarding this issue and come to a consensus on how it should be reported.

Commissioner Fletcher asked for clarification on the issue of the color of the cars. Bill Bilyeu, County Administrator, said the color issue was only if the County wanted consistency when ordering vehicles. Due to the difficulty in getting vehicles with color, the consensus was to order white vehicles since they are readily available. Commissioners Williams and Hale said they had no concerns regarding the color since the SO (Sheriff's Office) was purchasing this vehicle with forfeiture funds, but the County needs to be in compliance on the taxation side. The Commissioners also agreed the vehicle would have to follow state law regarding tags and marking. Commissioner Webb added there were different regulations regarding marked and unmarked cars.

A motion was made to approve item 1c1 utilizing forfeiture funds, putting the vehicle on the do-not-replace list, and requiring the vehicle be marked according to policy. Since there were questions regarding this vehicle being purchased for Sheriff James Skinner, Judge Hill asked the Sheriff to provide additional information. Sheriff Skinner stated he is currently driving a leased vehicle because he gave the F-150 he was assigned to the Assistant Chief of Law Enforcement Operations. Sheriff Skinner has a policy with his officers in which all will work in the field regardless of rank. Sheriff Skinner said the Assistant Chief handed down his vehicle to another deputy in need of a vehicle. The Court was provided with a list of 113 vehicles. Some of the vehicles are used on a 24-hour basis and are rotated between deputies as they come on and

off duty. Sheriff Skinner stated he has never driven a vehicle purchased with tax dollars. All the vehicles he has driven were purchased with drug-asset forfeiture funds.

Judge Hill said it would be good to do a full inventory of all vehicles. Sheriff Skinner agreed it would be good for full transparency to have all of those details. Jon Kleinheksel, Public Works will provide the information on how many vehicles in the fleet were purchased with forfeiture funds vs. how many were purchased with tax dollars. Sheriff Skinner added he would send a follow-up email to Judge Hill with details as well.

Sheriff Skinner said it was important to note all of his deputies, administrative staff and even he are subject to call-out even when they are driving home. It is also advantageous when SO staff call in to work over the radio in their vehicles. Regardless of where they are, they are at work. They are subject to dispatch and being called for backup. Commissioner Webb asked how often administrative staff are assisting with duties in the community. The Sheriff Skinner said this occurs almost on a daily basis.

Commissioner Webb asked Chief Deputy Matt Langan to provide details on how often he is in his patrol car other than driving to and from work. Officer Langan, said he is in his patrol car 4 to 5 times a week at least and sometimes it is every day. His day begins at 4:30 a.m. and ends at midnight. If something happens between midnight and 4:30 a.m., he will show up to assist. This includes a whole host of duties such as assisting with an emergency at the jail, helping with translating in Spanish, holidays, protests, and other times of heavy activity. The Chief Deputy said he is frequently called out when he signs on at home or is traveling to and from home.

Judge Hill asked Cynthia Jacobson, Human Resources, to work with the Auditor's office regarding compensation. The Court agreed to hold item 1h3 until the Court receives more definitive information regarding compensation as well as getting a system in place to comply with federal law. Judge Hill stated, per state law, all vehicles must be marked unless the Commissioners Court grants and exemption. Judge Hill said the Court wants the SO to have all the vehicles it needs to accomplish their tasks.

Commissioner Webb restated his motion to approve item 1c1 provided the vehicle is put on the do-not-replace list. (Time: 2:10 p.m.)

Motion by: Commissioner Duncan Webb

Second: Commissioner Cheryl Williams

Vote: 5-0 Passed

COURT ORDER NO. 2023-482-06-12

d. Agreement(s):

1. **AI-54083** Interlocal Agreement for Environmental Services (Contract No. 2023-302) with the City of Weston, commencing on July 1, 2023 through and including September 30, 2023, Development Services.

COURT ORDER NO. 2023-483-06-12

e. Amendment(s):

1. **AI-54080** No. 1 to Image Management Agreement for Leased Copiers (Contract No. 2022-347) with Novatech, Inc. to replace 51 fleet HP copiers, through HP Omnia Partners Coop Quote No. R210403, with 51 fleet Konica Minolta copiers, through Konica Minolta Omnia Partners Coop Quote No. R191101, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2023-484-06-12

2. **AI-54091** No. 4 to Design of Park Blvd from FM 2514 to SH 78 (Contract No. 2019-055) with Halff Associates, Inc. for additional engineering services due to delays, further authorize the Purchasing Agent to finalize and execute same and budget adjustment in the amount of \$174,701, Engineering.

COURT ORDER NO. 2023-485-06-12

f. Contract Renewal(s):

1. **AI-54114** WEX Fleet Fuel Cards (Coop Contract No. 2021-313) with WEX Bank, utilizing Sourcewell Coop Contract No. 080620-WEX to extend the contract for one (1) year though and including July 11, 2024 Public Works.

COURT ORDER NO. 2023-486-06-12

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

1. **AI-54118** May 22, 2023.

COURT ORDER NO. 2023-487-06-12

h. Miscellaneous:

1. **AI-54107** Grant application for the FY2023 Bulletproof Vest Partnership Grant through the US Justice Department, Office of Justice Programs, Auditor.

COURT ORDER NO. 2023-488-06-12

2. AI-54070 Increase two (2) Trinity Falls deputy positions and two (2) City of Lucas deputy positions from 80 hours to 84 hours per payroll period, Sheriff.

COURT ORDER NO. 2023-489-06-12

3. AI-54135 Assignment of marked and unmarked Sheriff's Office vehicles, Sheriff.

HELD

This item was discussed with item 1c1.

4. AI-54136 Personnel Appointments, Human Resources.

COURT ORDER NO. 2023-490-06-12

5. AI-54137 Personnel Changes, Human Resources.

Commissioner Hale congratulated Forrest Haynes on his promotion. With no further comments, a motion was made to approve this item. (Time: 2:11 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Susan Fletcher

Vote: 5-0: Passed

COURT ORDER NO. 2023-491-06-12

2. General Discussion Items:

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

Commissioner Webb provided the Court with the agenda packet on pertinent information from the last meeting. One item of interest was on the federal and state legislative update. This included the extension of Proposition 7 to 2042 and Proposition 1 to 2034 which will put additional monies into the state highway fund. The other piece was the extension of the vehicle motor sales tax portion which was extended to 2039. Another big item of note was electric vehicle registration of \$200 per year was approved and will be effective September 1, 2023.

There is a huge issue regarding fair share allocations which has caused contention between the Governor's Office and the State Legislature. This is due to the Texas Transportation Commission not following state law on fair share allocations. The law states they cannot allocate more than 10%, but the Commission is allocating 20%. A sub-committee has been appointed to look into the matter. The law was put into place because there are a large number of toll roads, and this will ensure the counties receive their fair share from TxDOT (Texas Department of Transportation).

Another bill Commissioner Webb highlighted was the elimination of vehicle safety inspections for all non-commercial vehicles. It does not affect the emissions inspections in our region because we are in a non-conformist area. Although safety inspections do not need to be completed, the fee is still collected.

Another big item was the issuance of temporary tags will be ending in September 2025 and the penalties will be increased for fraudulent tags. However, it will be two more years before temporary tags go away.

The Commissioner provided a map of the roads included in the high-injury network corridors which included SH121, DNT (Dallas North Tollway), and a segment of PGBT (President George Bush Turnpike).

Lastly, Commissioner Webb announced this was his last meeting serving as chair for the RTC. A brand new set of officers will be taking over starting next month. The new officers include Forth Worth Council woman and Mayor Pro Tem Gyna Bivens as Chair, Dallas County Judge Clay Jenkins as Vice Chair, and Johnson County Commissioner Rick Bailey as Secretary.

Regarding the state budget, Commissioner Fletcher asked why one of the riders of interest listed was Southern Gateway Deck Park. She asked why the legislature would appropriate transportation funds for a deck park. It seems this would be a city expense. Commissioner Webb said this would be a question for the legislature. Since deck parks are very expensive, a city would not be able to fund them. Commissioner Fletcher is concerned due to transportation funds being stretched already.

Judge Hill asked, regarding the sub-committee being appointed to review allocations, if there is any potential opportunity for us to be made whole. Commissioner Webb said this will be an interesting endeavor by the state legislature. The Texas Transportation Commission is comprised of appointees by the Governor's office, and they usually follow the Governor's position on topics. It is an open issue as to whether the sub-committee determines they are violating state law. Judge Hill asked Commissioner Webb to get a list of the local representatives who are on the sub-committee. (Time 2:21 p.m.)

NO ACTION

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

Public Comments not related to an item on the Agenda.

Cynthia Brugge, Fairview, came to state how she felt things were handled last week regarding the contract to do maintenance on the voting machines. There were several citizens who gave very thorough presentations. Ms. Brugge was surprised to find out the Court was not going to discuss the proposal to extend the maintenance agreement or whether there was any way to get out of the agreement, or remove

the machines from the election process. She was concerned to learn the agreement was voted on in the consent agenda, and nothing was read out for citizens to know what was being voted on. Ms. Brugge said she respects the Commissioners Court and acknowledged the hard work they do. However, she is very concerned when government agencies are more focused on the budget for the next year instead of other important areas of concern such as the border, the grid, and increasing homestead exemptions. Additionally, she is concerned with the rising dangers which the sheriffs across the State of Texas are facing. She feels the Court needs to show the citizens they are truly engaged with what is really going on right now. Ms. Brugge said she does not feel supported, and she believes no one else who came last week felt supported. She and other citizens keep asking the Court repeatedly to look at issues, but it seems the Court does not want to address them. (Time: 2:24 p.m.)

With no further business of the Court, Judge Hill adjourned the meeting at 2:24 p.m.

 Chris Hill, County Judge		 Darrell Hale, Commissioner, Pct 3
Not Present		Not Present
_____ Susan Fletcher, Commissioner, Pct 1		_____ Duncan Webb, Commissioner, Pct 4
 Cheryl Williams, Commissioner, Pct 2		 ATTEST: Stacey Kemp, County Clerk