

An order of the Commissioners Court approving the filing of the October 2, 2023 minutes.

On Monday, October 2, 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

Absent: Commissioner Duncan Webb, Precinct 4

Judge Hill led the Invocation.

Commissioner Fletcher 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. The meeting recessed at 1:49 p.m. and reconvened at 1:49 p.m. The meeting adjourned at 2:12 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 1:49 p.m. and adjourned the meeting at 1:49 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-54847 Personnel Appointments, Human Resources.

FYI NOTIFICATION:

1. AI-54782 Intra-County account transfers transmitted September 14, 2023, Auditor.
2. AI-54794 Turnover, Human Resources.
3. AI-54833 Voluntary terminations, Human Resources.

4. AI-54790 Addendum No. 1 and No. 2 to AD&D Life Insurance (RFP No. 2023-309) to make various changes to the Request For Proposal, Purchasing.

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

a. AI-54785 \$352,725 to establish the budget for the FY2021 SCAAP Grant, Auditor.

b. AI-54786 \$139,207 to establish the budget for the FY2022 SCAAP Grant, Auditor.

COMMISSIONERS COURT BUSINESS:

Public comments related to an item on the Agenda.

1. Consent Agenda Items:

Before discussing the agenda, Judge Hill started the meeting by saying the County staff is made up of approximately eighteen-hundred men and women across the various departments serving the community in many ways. He said County staff are tremendous; the Court is proud of all of them. Although they might not always receive recognition, there are times where the public does recognize them for their service. Judge Hill read a letter to the editor from a resident of Plano who witnessed an elderly couple struggling to load their car. Just then, a Collin County constable from precinct 3 pulled into the parking lot and assisted them with loading their car as well as returned their shopping cart back into the store. The witness followed the constable and noted their name was Deputy William Gillard. The witness stated it was such an act of human kindness they wanted to make sure Deputy Gillard is recognized. Judge Hill said the County is grateful for all the men and women County staff who do similar deeds of kindness. In attendance in the Court at the meeting was Deputy Gillard along with Constable Sammy Knapp. Judge Hill thanked Deputy Gillard for representing the best of Collin County. (Time: 1:34 p.m.)

Judge Hill asked for comments on the consent agenda. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:35 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 4-0: Passed

a. AI-54708 Disbursements for the period ending September 26, 2023, Auditor.

COURT ORDER NO. 2023-920-10-02

b. AI-54709 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2023-921-10-02

c. AI-54781 Tax refunds totaling \$46,719.05, Tax Assessor-Collector.

COURT ORDER NO. 2023-922-10-02

d. Award(s):

1. AI-54827 Audio Video Equipment Upgrade in JP Courtrooms (Contract No. 2023-263), and further authorize the Purchasing Agent to finalize and execute Agreement for same; budget amendments totaling \$328,230.

COURT ORDER NO. 2023-923-10-02

e. Agreement(s):

1. AI-54743 Client Success Management and Consulting Agreement (Contract No. 01318-09) with Tyler Technologies, Inc. to support Tyler Odyssey Criminal Justice Information Systems, and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2023-924-10-02

2. AI-54677 Interlocal Agreement with North Central Texas Emergency Communications District for regional 9-1-1 service and equipment for the period of October 1, 2023 through and including September 30, 2025, Sheriff.

COURT ORDER NO. 2023-925-10-02

3. AI-54757 Assessment Collection Services Agreement between the Collin County Tax Assessor-Collector and the City of Princeton for the Sicily Public Improvement District, Tax Assessor-Collector.

COURT ORDER NO. 2023-926-10-02

4. AI-54758 Tax Collection Services Agreement between the Collin County Tax Assessor-Collector and Van Alstyne Municipal Utility District No. 2, Tax Assessor-Collector.

COURT ORDER NO. 2023-927-10-02

f. Amendment(s):

1. AI-54664 No. 1 to Architectural Services for New Healthcare, Parking Garage and Medical Examiner Facilities (Contract No. 2022-207) with PGAL, Inc. to add line items to the contract, and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2023-928-10-02

2. **AI-54714** No. 2 to Interlocal Agreement for Dispatch Services (Contract No. 2021-382) with the City of Anna to extend the contract for one (1) year through and including September 30, 2024, update compensation clause and hosted data backup clause, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2023-929-10-02

3. **No. 2 to Interlocal Agreement for Dispatch Services to extend the contract for one (1) year through and including September 30, 2024, update compensation clause, and further authorize the Purchasing Agent to finalize and execute same, Sheriff:**

a. **AI-54715** Anna Fire Department (Contract No. 2021-295).

COURT ORDER NO. 2023-930-10-02

b. **AI-54716** Anna ISD (Contract No. 2021-246).

COURT ORDER NO. 2023-931-10-02

c. **AI-54717** Blue Ridge Volunteer Fire Department (Contract No. 2021-251).

COURT ORDER NO. 2023-932-10-02

d. **AI-54739** City of Celina (Contract No. 2021-398).

COURT ORDER NO. 2023-933-10-02

e. **AI-54740** Celina Fire Department (Contract No. 2021-358).

COURT ORDER NO. 2023-934-10-02

f. **AI-54718** Celina ISD (Contract No. 2021-259).

COURT ORDER NO. 2023-935-10-02

g. **AI-54719** Community ISD (Contract No. 2021-258).

COURT ORDER NO. 2023-936-10-02

h. **AI-54720** Town of Fairview (Contract No. 2021-381).

COURT ORDER NO. 2023-937-10-02

i. **AI-54722** City of Farmersville (Contract No. 2021-272).

COURT ORDER NO. 2023-938-10-02

- j. AI-54725 Farmersville Fire Department (Contract No. 2021-252).
COURT ORDER NO. 2023-939-10-02
- k. AI-54726 Farmersville ISD (Contract No. 2022-107).
COURT ORDER NO. 2023-940-10-02
- l. AI-54727 City of Josephine (Contract No. 2021-268).
COURT ORDER NO. 2023-941-10-02
- m. AI-54728 Josephine Volunteer Fire Department (Contract No. 2022-106).
COURT ORDER NO. 2023-942-10-02
- n. AI-54729 City of Lavon (Contract No. 2021-266).
COURT ORDER NO. 2023-943-10-02
- o. AI-54730 Lavon Volunteer Fire Department (Contract No. 2021-388).
COURT ORDER NO. 2023-944-10-02
- p. AI-54731 City of Melissa (Contract No. 2021-308).
COURT ORDER NO. 2023-945-10-02
- q. AI-54732 Melissa Fire Department (Contract No. 2021-275).
COURT ORDER NO. 2023-946-10-02
- r. AI-54733 Melissa ISD (Contract No. 2022-038).
COURT ORDER NO. 2023-947-10-02
- s. AI-54734 Nevada Volunteer Fire Department (Contract No. 2021-267).
COURT ORDER NO. 2023-948-10-02
- t. AI-54735 City of Princeton (Contract No. 2021-377).
COURT ORDER NO. 2023-949-10-02
- u. AI-54736 Princeton Volunteer Fire Department (Contract No. 2021-379).
COURT ORDER NO. 2023-950-10-02
- v. AI-54737 Westminster Volunteer Fire Department (Contract No. 2021-247).
COURT ORDER NO. 2023-951-10-02

w. **AI-54738** Weston Volunteer Fire Department (Contract No. 2021-263).

COURT ORDER NO. 2023-952-10-02

4. **AI-54784** No. 3 to Interlocal Jail Services Agreement (Contract No. 2020-366) with the City of Celina to extend the contract for one (1) year through and including September 30, 2024, set the rate for FY2024, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2023-953-10-02

5. **AI-54787** No. 3 to Interlocal Jail Services Agreement (Contract No. 2020-396) with Baylor Scott & White to extend the contract for one (1) year through and including September 30, 2024, set the rate for FY2024, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2023-954-10-02

6. **AI-54816** No. 4 to Collin County Outer Loop Segment 3A Access Road PS&E from FM 2478 to US 75 (Contract No. 2020-049) with BGE, Inc. to add construction phase services, and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2023-955-10-02

7. **AI-54769** No. 7 to Interlocal Agreement for Animal Control and Animal Shelter Services (Contract No. 2017-208) with the City of Weston to extend the contract for one (1) year through and including September 30, 2024, set the rate for FY2024, and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2023-956-10-02

8. **AI-54771** No. 15 to Interlocal Agreement for Animal Control and Animal Shelter Services (Contract No. 10108-09) with the City of Nevada to extend the contract for one (1) year through and including September 30, 2024, set the rate for FY2024, and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2023-957-10-02

9. **No. 17 to Interlocal Agreement for Facility Construction and Use of an Animal Shelter in Collin County to extend the contract for one (1) year through and including September 30, 2024, set the rate for FY2024, and further authorize the Purchasing Agent to finalize and execute same, Development Services:**

a. **AI-54764** Town of Fairview (Contract No. 10102-09).

COURT ORDER NO. 2023-958-10-02

b. AI-54767 City of Farmersville (Contract No. 10103-09).

COURT ORDER NO. 2023-959-10-02

c. AI-54768 City of McKinney (Contract No. 12291-08).

COURT ORDER NO. 2023-960-10-02

d. AI-54766 City of Melissa (Contract No. 10101-09).

COURT ORDER NO. 2023-961-10-02

e. AI-54773 City of Princeton (Contract No. 11220-09).

COURT ORDER NO. 2023-962-10-02

10. **No. 17 to Interlocal Agreement for Animal Control Services to extend the contract for one (1) year through and including September 30, 2024, set the rate for FY2024, and further authorize the Purchasing Agent to finalize and execute same, Development Services:**

a. AI-54763 Town of Fairview (Contract No. 10112-09).

COURT ORDER NO. 2023-963-10-02

b. AI-54765 City of Melissa (Contract No. 10111-09).

COURT ORDER NO. 2023-964-10-02

c. AI-54772 City of Princeton (Contract No. 11221-09).

COURT ORDER NO. 2023-965-10-02

11. AI-54770 No. 17 to Interlocal Agreement for Animal Control and Animal Shelter Services (Contract No. 10107-09) with the City of Lavon to extend the contract for one (1) year through and including September 30, 2024, set the rate for FY2024, and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2023-966-10-02

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

1. AI-54702 Group Benefits Administration/Insurance for Short & Long Term Disability (Contract No. 2019-304) with Blue Cross Blue Shield of Texas/Dearborn Life Insurance Company to extend the contract for one (1) year through and including December 31, 2024, Human Resources.

COURT ORDER NO. 2023-967-10-02

2. AI-54701 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, 2024, Human Resources.

COURT ORDER NO. 2023-968-10-02

3. AI-54793 Public Safety Radio System Maintenance (Contract No. 2021-384) with Motorola Solutions, Inc. to extend the contract for one (1) year through and including September 30, 2024, and further authorize the Purchasing Agent to finalize and execute Service Agreement for same, Information Technology.

COURT ORDER NO. 2023-969-10-02

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

1. AI-54792 \$5,000 for fuel and maintenance for interdiction vehicle, utilizing State Forfeiture Funds, Sheriff.

COURT ORDER NO. 2023-970-10-02

i. Receive and File, Auditor:

1. Compliance Audit Report (3rd Quarter FY2023):

a. AI-54821 Animal Services.

COURT ORDER NO. 2023-971-10-02

b. AI-54822 Constable, Precinct 1.

COURT ORDER NO. 2023-972-10-02

c. AI-54823 Constable, Precinct 2.

COURT ORDER NO. 2023-973-10-02

d. AI-54824 Constable, Precinct 3.

COURT ORDER NO. 2023-974-10-02

e. AI-54825 Constable, Precinct 4.

COURT ORDER NO. 2023-975-10-02

f. AI-54796 County Clerk.

COURT ORDER NO. 2023-976-10-02

g. AI-54797 CSCD.

COURT ORDER NO. 2023-977-10-02

h. AI-54798 Development Services.

COURT ORDER NO. 2023-978-10-02

i. AI-54799 District Attorney.

COURT ORDER NO. 2023-979-10-02

j. AI-54800 District Clerk.

COURT ORDER NO. 2023-980-10-02

k. AI-54801 Elections.

COURT ORDER NO. 2023-981-10-02

l. AI-54802 Fire Marshal.

COURT ORDER NO. 2023-982-10-02

m. AI-54803 Justice of the Peace, Precinct 1.

COURT ORDER NO. 2023-983-10-02

n. AI-54804 Justice of the Peace, Precinct 2.

COURT ORDER NO. 2023-984-10-02

o. AI-54805 Justice of the Peace, Precinct 3.

COURT ORDER NO. 2023-985-10-02

p. AI-54806 Justice of the Peace, Precinct 4.

COURT ORDER NO. 2023-986-10-02

q. AI-54808 Juvenile Probation.

COURT ORDER NO. 2023-987-10-02

r. AI-54809 Law Library.

COURT ORDER NO. 2023-988-10-02

s. AI-54810 Medical Examiner.

COURT ORDER NO. 2023-989-10-02

t. AI-54811 Myers Park.

COURT ORDER NO. 2023-990-10-02

u. AI-54817 Public Works.

COURT ORDER NO. 2023-991-10-02

v. AI-54819 Sheriff's Office.

COURT ORDER NO. 2023-992-10-02

w. AI-54820 Tax Assessor-Collector.

COURT ORDER NO. 2023-993-10-02

j. **Miscellaneous:**

1. AI-54750 Resolution supporting the Texas Department of Agriculture, Texans Feeding Texans: Home-Delivered Meal Grant Program, Budget.

COURT ORDER NO. 2023-994-10-02

2. AI-54818 Funding recommendations for the Collin County Parks and Open Space Funding Assistance Program, 2018 Bond - 5th Series, and budget amendment in the amount of \$2,010,862 for same, Engineering.

COURT ORDER NO. 2023-995-10-02

3. AI-54777 Amended list of Construction and Facilities procurement standards, and rescind Court Order No. 2006-947-10-10, Facilities.

COURT ORDER NO. 2023-996-10-02

4. AI-54812 Cell phone line for a fire alarm system at the Lavon Justice of the Peace building, Facilities.

COURT ORDER NO. 2023-997-10-02

5. AI-54761 Redesignation of County Road 725 as Parker Road Loop, GIS/Rural Addressing.

COURT ORDER NO. 2023-998-10-02

6. AI-54779 Acceptance of the TIPS Purchasing Cooperative, TIPS Reward Dollars Program rebate check in the amount of \$200.17 to be deposited in the Going the Extra Mile Employee Incentive Program line item, and budget amendment for same, Purchasing.

COURT ORDER NO. 2023-999-10-02

7. AI-54848 Personnel Appointments, Human Resources.

COURT ORDER NO. 2023-1000-10-02

2. **General Discussion Items:**

Presentation, discussion and any action regarding:

a. AI-54840 US 380 environmental clearance, Administrative Services.

Clarence Daugherty, Engineering, said the US380 freeway project was separated into five segments plus segment for SPUR399 for environmental analysis. All the segments have received environmental clearance except for the Princeton segment. Therefore, TxDOT is in a position to start working on the right-of-way. TxDOT has been diligently preparing ahead of the clearance by completing appraisals and surveys in advance. TxDOT has already started making offers on SPUR399, although Mr. Daugherty was unsure if TxDOT had started doing the same on other segments.

Judge Hill asked if this was the final step TxDOT needed in order to make the alignment official. Mr. Daugherty confirmed this was the final step and TxDOT now has the finalized official route for this project.

Commissioner Hale asked when the Princeton segment would be approved. Mr. Daugherty said it could take another year on to complete. While meeting with the Corps of Engineers last week, Mr. Daugherty heard the city of Princeton is doing their own environmental analysis and evaluating alternative routes as well. (Time: 1:37 p.m.)

NO ACTION

b. AI-54893 iDRAC8 Elections update, County Judge.

Judge Hill said the Court has discussed this topic several times. Admin staff informed the Court the item had not been utilized and was not in service by the Elections Office. The Commissioners have voted on the removal of the item and requested the Elections Office provide a report. Judge Hill introduced Deputy Elections Administrator Kaleb Breaux.

Mr. Breaux, said at the recommendations of the Court and after consulting their in-house IT (Information Technology) Department, the Elections Office pursued removal of the iDRAC8 with the vendor, ES&S (Election Systems & Software). Mr. Breaux introduced Chris Moody, representing ES&S and who will provide the findings of ES&S's technician. Additionally, Mr. Breaux provided the Court with a memorandum from ES&S to the Court for them to review as well.

Chris Moody, ES&S, said he is the sales director for Texas client base. On Sept 21, Collin County requested ES&S review the servers and remove the iDRAC8. The memorandum provided to the Court is the report on their findings and Mr. Moody read directly from the report. "On Sept. 21, 2023, Collin County, TX requested that ES&S perform an on-site review of its Election Management System (EMS) servers to determine if an iDRAC card was installed. The request was made because "iDRAC8, Basic" was noted in the Collin County contract as part of the server description provided by Dell." Throughout the process and review on September 28, one of the ES&S technicians performed "an on-site review of the equipment, opening the cases to view the location where a physical iDRAC network port is located. The technician found no physical iDRAC interface installed. The technician also reviewed the iDRAC firmware settings in the Systems Setup options and confirmed that the "Enable NIC" setting was set to "Disabled." This setting being configured as "Disabled" effectively removes any iDRAC remote access functionality, even if an iDRAC is physically present. These settings are configured as part of the EMS hardening process and included in ES&S hardening documentation. The technician performed the same review of the backup server and found the iDRAC NIC was physically absent, and the firmware NIC setting was "Disabled." Conclusion: ES&S confirmed through on-site inspection that Collin County's EMS servers have all iDRAC remote access functionality removed or otherwise disabled. ALL remote access possibilities are disabled on the EMS system. This is due to the following:

- iDRAC physical NIC is not present
- iDRAC NIC is Disabled in System Setup settings of server
- Server NICs are not configured for iDRAC
- Client/server network is air-gapped from any other network
- No outside network or public internet is connected to EMS
- EMS hardening disables remote access at the Windows level

Judge Hill confirmed with Mr. Moody, for the primary and secondary servers the iDRAC8 card was absent, the remote access is disabled and no other server has this component. Mr. Moody stated the iDRAC8 was never delivered inside the servers. All servers on the motherboard have a slot for one to be installed. This is why firmware is loaded on the machine in order to configure the component in case it is requested by the client to have the iDRAC8 component included. Judge Hill stated the contract with ES&S calls for the iDRAC8, which is why this item was brought to the Court's attention. In researching the item, Judge Hill said he learned it was used to send out mail-in ballots. Mr. Moody clarified the card is for the manufacturer to remote in to the servers to fix any hardware issues. Judge Hill confirmed with Mr. Breaux, since the component was never installed, it has never been utilized by the County. Mr. Breaux added the initial discussion regarding the use of any network connection might have been a misunderstanding between the County and the vendor. There was some use on the BALOTAR (not an acronym but stands for ES&S's ballot on demand solution) laptop, which is not connected to the servers and did not use an iDRAC8. It was a simple VPN connection used to for the mail-in absentee ballots. Mr. Moody added ES&S has recently started transferring files for the use of the BALOTAR to the SFT (Secure File Transfer) site.

Then, the information is downloaded onto a thumb-drive and physically taken to the ballot on-demand computer. Mr. Moody said no one remotely accesses the BALOTAR system at all. Mr. Breaux concurred with the assessment from Mr. Moody concluding none of the County machines have or have ever had an iDRAC8 component at all. Judge Hill confirmed with he observed the firmware inspection showing the remote functionality was disabled. Mr. Breaux said he also had screenshots of the settings on the machines as well as videoed the technician while he was working on the machines in case the Court would like to review the evidence. There was no access to the tabulators, the ballot marking devices, or the poll books.

Commissioner Fletcher asked to confirm if the County had not for paid for the iDRAC8 and was not due a refund. Mr. Moody said his team is looking into this to see if there was a break-out of the line item. It is possible it is just listed in case the County chose to request installation of the iDRAC8. Mr. Moody will follow up with the County's Purchasing Department as well as provide his findings to the Court regarding if this was charged to the County or not. (Time: 1:48 p.m.)

NO ACTION

c. **AI-54887** Boards & Commissions Appointments, Commissioners Court.

Judge Hill said Commissioner Hale's appointment to the North Central Texas E911 Board needs to be renewed and asked for comments or if anyone would like to be appointed to this position instead. With no further comments, a motion was made to approve. (Time 1:49 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4-0: Passed

COURT ORDER NO. 2023-1001-10-02

Judge Hill recessed the meeting at 1:49 p.m. and reconvened at 1:49 p.m.

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

Public Comments not related to an item on the Agenda

Avis Novak, McKinney, said she would continue reading into the record the CDF (Citizens Defending Freedom) response document regarding improvements to elections beginning with suggestion number ten. The original suggestion, "County Judge and Commissioners advocate for transparency and accuracy in the voting roster. The number of voters, names and VUIDS should match from the Precinct to the County to the State. If they do not match, do not certify the election." The answer was, "There are three parts to this question. 1) numbers matching, 2) names matching, 3)certifying (canvassing) the election. I will address in reverse order." Clarifying the canvassing, "Canvassing (according to the EAC) is, "a

culmination of all the data generated during an election cycle. More importantly, it is a process that allows election officials to confirm the accuracy of election data and identify areas for improvement. The canvass process aggregates and confirms every valid ballot cast and counted, including mail, uniformed and overseas citizen, early voting, Election Day, and provisional ballots." TEC 127. 131 rightfully says that the central counting station judge signs and certifies the accuracy of an election. But there is much more to this process. A simple look at official documents from 2020 show the canvassing process (which is also outlined in TEC 67. 002 and 67. 004 First the Central Counting Judge certifies the election and the official output. Second, the Elections Administrator certifies the results by preparing a certificate document. This is specified by TEC 67 accompanied by tabulations and election results. Then the County Commissioners Court produces the first of two orders. In this first order, a quorum of two commissioners is required, and this is where the Commissioners Court accepts the canvas results. Finally, the second order from the Commissioners Court is enacted which is a legal court order approving the filing of the election. We may grant that canvassing is mandatory. Where we would respectfully disagree with the answer provided by the County that it is final approval as provided by the Commissioners Court. For just shy of two years now, evidence of the unlawful certification of the election machines has been presented to Judge Hill, the Election Administrator and members of the Commissioners Court. Complete with the illegal nature of the ballot, which cannot be verified prior to tabulation, it would appear that the Election Administrator and the Commissioners have authorized and certified several elections using an illegal election system."

Shannon Ayres, Frisco, said she would also continue reading into the record the CDF document. "Parts 2 & 3 of number and name mismatches between state and county. Canvassing an election is something that happens at multiple levels. 1. We used to vote in Precincts and a precinct judge would certify precinct level counts. 2. Now we use county-wide voting centers, but the voting center judge performs checks and balances which is fed to the ballot board for consistency checks. 3. Collin County Ballot Board Processes are absolutely the best in Texas. 4. Then the county level canvass happens which was discussed in the prior section 5. Then the results are given to the SOS (Secretary of State) and a state level canvass is held. 6. In national elections the numbers are further aggregated and certified at the national level. It is our opinion that election result numbers should match throughout the chain of aggregation. Precinct to County to State to National. Our original question was just a suggestion that if there is a discrepancy in State vs County numbers or rosters, that it should be cleared up prior to certification. At the same time, we realize that our request would be more appropriate to be asked of the next level up (the State.) However, for the purpose of this document, it is important to establish that County and State numbers do not match. This should be a source of concern for everyone in the State. We cannot afford for the prevailing opinion to be that of, "That's up to the State - they will do whatever they want." No, this is an opportunity for the lesser magistrate to stand up and demand that State numbers align. Name mismatches, the official response needs a little bit of correction. Here is that response again: Voter rosters at the County level will sometimes differ from the rosters at the State level due to records being updated locally. We have seen this occur when a voter begins an election on a mail ballot roster, and then changes their mind mid-election, and votes in-person. Data communicated up to the SOS is one way, and once a voter is flagged as a BBM (Ballot By

Mail) voter, there is no path for recourse at the State level. It has been noted on the SOS webpage that hosts these rosters at the State level that all information displayed is provided by county election officials. The Office of the Secretary of State does not alter or modify the data provided in any way. For questions related to this information, please contact the appropriate county election official." It should be noted. In the example cited, notice that the voter is initially flagged as a BBM (Ballot By Mail) voter, but then they change their mind and vote in-person. The problem with this scenario is that requesting and receiving a ballot in the mail does not make you a mail-in voter. A person does not become a voter until the ballot is received, processed, and validated. At this point the person no longer is in possession of their ballot - and there is no way to switch to in-person voting at that point. In the scenario given, the county would have incorrectly communicated the initial method of voting. If this is happening then there may be a process correction that is needed. However, it goes deeper. Another example involves an elderly couple in Plano, Texas. Initially they were on both the county and state roster for the March 2022 Primary. But then months later, they were removed from the state list even though they remain on the county roster."

Joshua Murray, Lavon, said he would like to discuss turnover. Although the election issue has somehow made it on the agenda and an important topic, it is also important when increasing the capacity to serve the public the County makes sure to have enough employees to serve those people. If you build a whole bunch of buildings, but you don't have enough janitorial staff to maintain and clean them, you're just going to have a bunch of dirty buildings. Mr. Murray said he would like to do the same as with election integrity and put this topic on the agenda of the Court to be discussed. He would like the Court to develop an operational plan to appropriately staff the new buildings for the County so it does not turn into junk a few years from now. For example, the Sheriff's Office (SO) is projected by the end of 2023 to have 503 total employees. Back in 2020, the SO had 496.5 employees. Therefore, the SO gained a net of seventeen employees since 2020. However, the County is constructing new buildings without but does not have the ability to recruit, retain, and train new employees. He requested to have this on the agenda for the Court to outline this plan for new infrastructure. Mr. Murray said he's been patient for the last two years regarding this request. However, after watching the open dialogue in Court a few weeks ago regarding election integrity, Mr. Murray would like to have the same kind of open dialogue about staffing. Or, he asked if the Court would be willing to have an open dialogue at the moment to discuss how County's plan for appropriately staffing the SO, Juvenile Detention Center, and Animal Shelter. Mr. Murray said the County is building this entire infrastructure without having an operational plan in place.

Judge Hill asked if any of the Commissioners would like to have an open dialogue with Mr. Murray at this time. Commissioner Hale commented the Court has budget meetings every year regarding staffing and ensuring all infrastructure has what they need. Additionally, Elected Officials come to the Court to present their operational plans, as it is not the responsibility of the Court to dictate how each department operates, staff their offices, and how to direct them into action.

Mike Grilz, Prosper, said he will continue reading into the record the CDF document. “However, it goes deeper. Another example involves an elderly couple in Plano Texas. Initially they were on both the county and state roster for the March 2022 Primary. But then months later, they were removed from the state list even though they remain on the county roster. Given the fact that the state supposedly does not modify data, then we ask if or why the county had them removed. Number of mismatches. Analysis of recent elections shows that there are county and state mismatches in every county in Texas. Collin is not an exception to the rule. The original document had some examples from the November 2022 General Election (NOV 8, 2022). These examples are difficult to share since we are reading this document. It is possible that some of these numbers are apples to oranges comparisons. That may be true, but that should be noted. The State document should not say a form is official if it diverges from the county. And the County should be offended that the state is doing such a poor job. To emphasize I’ll just summarize. The County reconciliation had a number of matches that ES&S PDF but this number does not match the total at the state site. The total voter turnout can be found in four places. The County’s data is consistent in two of the four, but the two state values are both different. There are some issues documented in this section that need attention. The original suggestion was an attempt to address those issues. There may be other ways and other investigations that happen. Please see to it that the County does not let the SOS play games with the votes and voters of Collin County.”

Shannon Walker, Celina, said she will continue reading into the record the CDF document. “Original Suggestion #11, CVR available before canvassing and certifying election. Answer: Thank you for posting the Texas Election Code Section 1.012 and for agreeing to follow it. We would also request that the CVR be in the order of receipt and not randomized. Because randomized CVRs undermine transparency. It appears that the CVRs have been randomized in recent elections. If this change was made, then did the system get recertified after that change? Has the election office moved to a different version of software from ES&S EVS 6.1.1.0? Dr. Walter Daugherty, Computer Science Professor Emeritus from Texas A&M, says that he has analyzed three hundred CVRs from across the country, and only two appeared to be normal. Interestingly, one of the two "normal CVR" counties was from Denton County. Could it be that their normal CVR distribution is since they use precinct voting on election day with hand marked ballots? Original Suggestion #12, Allow citizens to take a picture of their ballot. Answer: We understand what the law says and will advocate through the legislature to amend this law.”

Debbie Lindstrom, McKinney, said she wanted to circle back to her speech from last week as she felt she may not have communicated her point well and wanted to clarify. Federal law says, before the voter submits their ballot they shall be able to verify it. The current system does not allow us to comply with this law and therefore we should not use it. The ballot produced by the ballot-marking device uses a bar code which is used to communicate between the device and the tabulator. The tabulator reads the bar code, not the English printed on the ballot. If voters cannot decipher the communication between the ballot-marking device and the tabulator, then they cannot verify their ballot. Even if a voter uses their phone to read the bar code, it wouldn’t show them the actual name on the ballot. It would be a series of

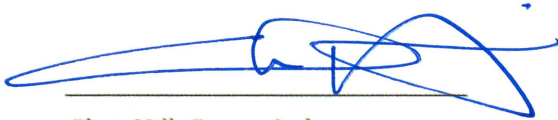
numbers instead. Since voters do not have the access to the key to decipher the series of numbers, they cannot verify their vote before it's cast. If voters write down the number and verify it with the ballot images, they will need to submit a public information request for the images and then go through a series of files. Additionally, voters would have to wait until after the election is over to access those images. Therefore, voters wouldn't be able to verify their ballots before the election as is stipulated by law. Voters are being asked to have blind faith regarding the bar codes on their ballots matching their actual vote. However, blind faith is not the same as verification. Therefore, Ms. Lindstrom said the system is illegal by federal standards. Furthermore, the County should not be using anything with bar codes in next year's election. The issue can be easily resolved by using hand-marked ballots where the voter fills in the bubble for their selection and is able to verify their vote. Lastly, Ms. Lindstrom referenced Federal Law 52USC Section 21081 regarding federal elections.

Judge Hill acknowledged Ms. Lindstrom made a good point regarding voters being unable to verify their votes until after the election is certified. This is due to how the current law is written. Cast vote records cannot be released until after the election. The voter who wants to track the progress of their vote would need to wait.

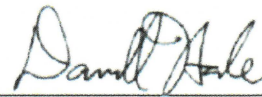
Julie Goode, Frisco, said she will continue reading into the record the CDF document. "Suggestion: According to the SOS website, the duties of the Election Commission are to hire, fire and monitor the Election Administrator. The citizens want oversight of the office. It appears that the SOS has assigned this oversight duty to the Election Commission, even though it is not explicit in the law. We would like the Commission to schedule a quarterly meeting and allow the public to address concerns that they have about elections and Election Office operations. Answer: In the glossary on the SOS website, they assign the duty of monitoring the election to the Election Commission. We do not expect micromanaging. Everyone should be adhering to the LAW and not solely referencing what the SOS says. If the law says X and the SOS says Y, then we should go with the law. This has been our point for over a year. In light of that, what the Elections Office or Judge Hill is telling us is that there is no monitoring or oversight of the Collin County elections office from any official in Collin County. Therefore, this puts this duty back on the public. And CDF will continue to monitor the Elections Office, and we will not stop bringing up issues and concerns to the Elections Office, the Commissioners Court, the public, and the Sheriff if necessary. No one said that the Elections Commission needed to be involved in the day-to-day performance of the administrator's job -that would be micro-managing. What we expect is oversight and monitoring. It is a bad look that there is no official entity that is in place to monitor the Elections office. One final thought: How can you know fire someone if you do not know what they are doing and if they have committed a fire-able offence? A regular meeting of the Election Commission will allow you to assess what is going well and what may need tweaking. And also, it would allow citizens to inform you of any issues that they may have noticed. This kind of transparency would breed more trust with the citizens."

Sharon Matthews, McKinney, said she will continue reading into the record the CDF document. "Original Suggestion #14: Ballot Marking Device - wording on screen. a. Currently says something like: "Thank you for voting." At this point they have not voted. B. Change wording to something like: "Read your ballot, make sure your selections are correct, then please deposit your ballot into the tabulator." Answer: Thank you. CDF thinks this will clarify for voters, so they do not walk out without depositing their ballot into the tabulator. Original Suggestion #15, Public Awareness campaign on Reading your Ballot after it is marked. a. newspaper, TV ad, FB (Facebook) ads, website, etc. b. Train judges/clerks/workers to notify voters to read their ballot before putting in the tabulator. Answer: Thank you. Please make this as visible to the public as possible. Original Suggestion #16, County notification to all voters informing them of upcoming elections and polling locations by email. Answer: This was only a suggestion. Thank you for clarifying that this is not possible at this time. We did like Commissioner Hale's suggestion of using the dial-out system to alert citizens of upcoming elections. Original Suggestion #17, Place the Logic and Accuracy Test notification on the front page of the Elections webpage. Answer: Thank you for considering this suggestion. Making key announcements obvious to the public seems prudent. The next logic and accuracy test is October 12th at 9 a.m. We look forward to seeing this placed on the website."

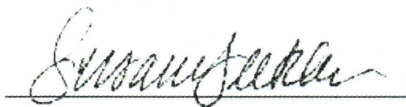
With no further business of the Court, Judge Hill adjourned the meeting 2:12 p.m.



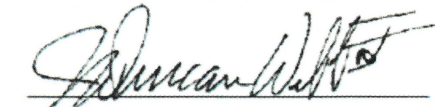
Chris Hill, County Judge



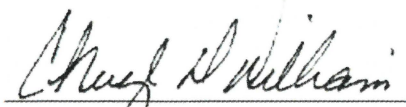
Darrell Hale, Commissioner, Pct 3



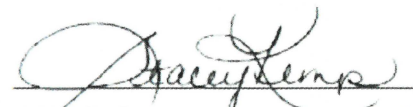
Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk