

State of Texas	§	Court Order
Collin County	§	2024-408-04-22
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the February 5, 2024 minutes.

On Monday, February 5, 2024, 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 Hale led the Invocation.
Commissioner Fletcher led the Pledge of Allegiance.
Judge Hill 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 adjourned at 2:13 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 2:13 p.m. and adjourned the meeting at 2:13 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-55421 Personnel Appointments, Human Resources.
2. AI-55422 Personnel Changes, Human Resources.

FYI NOTIFICATION:

1. AI-55413 Turnover, Human Resources.
2. AI-55414 Voluntary terminations, Human Resources.

3. AI-55374 Change Order No. 1 to Construction: Collin County Adult Detention Facility, Phase 2 Addition, Central Utility Plant (IFB No. 2022-299) with Sedalco, Inc. to add engineer required pier and foundation changes to the contract, Construction & Projects.

4. AI-55393 Change Order No. 21 to Construction, Collin County Adult Detention Facility, Phase 1 Addition (Contract No. 2021-239) with Ratcliff Constructors, L.P. to make various changes to the contract, Construction & Projects.

5. AI-55320 Addendum No. 1 to Professional Services, Forensic Engineering Services (RFQ No. 2024-054) to change the RFQ close date from January 11, 2024 to January 18, 2024, Purchasing.

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 Webb pulled items 1f1, 1f2 and 4k1-9. Commissioner Hale pulled item 1k17 for comment. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5-0: Passed

a. AI-55368 Disbursements for the period ending January 30, 2024, Auditor.

COURT ORDER NO. 2024-082-02-05

b. AI-55369 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2024-083-02-05

c. AI-55387 Tax refunds totaling \$207,422.99, Tax Assessor-Collector.

COURT ORDER NO. 2024-084-02-05

d. **Advertisement(s):**

1. AI-55388 Healthcare, Medical Examiner and Parking Garage Facilities (CSP No. 2024-018), Construction & Projects.

COURT ORDER NO. 2024-085-02-05

2. AI-55409 Forensic Testing of Physical Evidence (IFB No. 2024-167), District Attorney.

COURT ORDER NO. 2024-086-02-05

e. Award(s):

1. AI-55406 OEM Toner, Ink Cartridges, and Supplies for Printers (IFB No. 2024-139) to various vendors, Budget.

COURT ORDER NO. 2024-087-02-05

2. AI-55399 Vehicle, Animal Control Truck (Contract No. 2024-040) to Silsbee Ford, Inc. through TIPS Cooperative Contract No. 210907, Public Works.

COURT ORDER NO. 2024-088-02-05

3. AI-55371 Heavy Equipment, Truck Tractor Haul Trucks (Contract No. 2024-030) to Southwest International Trucks, Inc. through Buyboard Cooperative Contract No. 723-23, Public Works.

COURT ORDER NO. 2024-089-02-05

4. AI-55395 Vehicle, Mule for Sheriff (Contract No. 2024-039) to Coufal-Prater Equipment LLC d/b/a United Ag & Turf through Sourcewell Cooperative Contract No. 031121-DAC, Public Works.

COURT ORDER NO. 2024-090-02-05

5. AI-55397 Video Surveillance System Upgrade, Adult Detention Facility, Courthouse and Central Plant (IFB No. 2023-071) to CML Security LLC, Information Technology.

COURT ORDER NO. 2024-091-02-05

6. AI-55407 Ford OEM Parts & Supplies (Coop Contract No. 2024-141) to Sonic-Richardson F, LLC d/b/a North Central Ford through the City of McKinney Contract No. 24-11FP, Public Works.

COURT ORDER NO. 2024-092-02-05

f. Agreement(s):

1. AI-55361 Memorandum of Understanding between Collin County Animal Services and Collin County Mental Health Mental Retardation Center d/b/a LifePath Systems (Agreement No. 2024-186) through and including August 31, 2024, Development Services.

Commissioner Webb expressed his support for this outstanding idea in entering into an understanding between Animal Services and LifePath for mental health services. With no further comment, a motion was made to approve. (Time 1:33 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5-0: Passed

COURT ORDER NO. 2024-093-02-05

2. AI-55402 Agreement for reimbursement of roadway expenses with Kevin Fording concerning the widening of SH 205 south of SH 78, Engineering.

Commissioner Webb asked to hold this item due to some issues within the agreement. The Court agreed to hold this item for a future Court. (Time: 1:33 p.m.)

HELD

3. AI-55365 Interlocal Agreement with the City of Lucas (Agreement No. 2024-187) concerning the Trinity Trail Connect Phase 1 Project, 2018 Bond Project No. OI18PG38, Engineering.

COURT ORDER NO. 2024-094-02-05

4. AI-55372 Interlocal Agreement with North Central Texas Council of Governments (Agreement No. 2024-189) for the US 380 Funding Strategy concerning the Panther Creek Project and McKinney National Airport Runway Extension Project, and payment in the amount of \$60,000,000 for same, Engineering.

COURT ORDER NO. 2024-095-02-05

g. Contract Renewal(s):

1. AI-55366 Veterinary Services, Animal Shelter, General Spay/Neuter (RFP No. 2022-058) with Dr. Taylor J. Tillery DMV PLLC to extend the contract for one (1) year through and including June 5, 2025, Development Services.

COURT ORDER NO. 2024-096-02-05

2. AI-55391 Veterinary Services, Animal Shelter, General Spay/Neuter (Contract No. 2022-058) with Meier Veterinary Services, LLC d/b/a All Heart Veterinary Center to extend the contract for one (1) year through and including June 5, 2025, Development Services.

COURT ORDER NO. 2024-097-02-05

3. AI-55373 Plumbing Supplies (Contract No. 2020-221) with Johnson-Burks Supply Company, Inc. to extend the contract for one (1) year through and including March 8, 2025, Facilities.

COURT ORDER NO. 2024-098-02-05

4. AI-55376 General Road, Reconstruction Improvements (IFB No. 2023-123) with Wopac Construction, Inc. to extend the contract for one (1) year through and including March 5, 2025, Public Works.

COURT ORDER NO. 2024-099-02-05

5. AI-55377 General Road, Reconstruction & Improvements (IFB No. 2023-123) with Tommy G. Rose d/b/a Rose Contracting to extend the contract for one (1) year through and including March 5, 2025, Public Works.

COURT ORDER NO. 2024-100-02-05

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

1. AI-55411 \$238 to budget a refund received for overpayment of recording fees, Engineering.

COURT ORDER NO. 2024-101-02-05

i. Receive and File, Auditor:

1. AI-55329 SO Justice Center & Minimum Security Kitchens Inventory (1st & 2nd Quarter FY2023).

COURT ORDER NO. 2024-102-02-05

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

1. AI-55381 January 8, 2024.

COURT ORDER NO. 2024-103-02-05

k. **Miscellaneous:**

1. **AI-55400** Grant application for the FY2025 Adult Mental Health Court Grant through the Office of the Governor, Criminal Justice Division for Specialty Courts, 219th District Court.

Commissioner Webb stated agenda items 1k1-9 are all grant applications for FY2025. After discussing them at length with the Budget Director, Commissioner Webb said these grants will have a budget impact for FY2025. Commissioner Webb wanted to make sure all the departments submitting these grant applications are aware when preparing their budgets for FY2025 and to make the necessary considerations to ensure all expenses are covered for those grants, which are not completely funded. With no further discussion, a motion was made to approve items 1k1-9. (Time: 1:35 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5-0: Passed

COURT ORDER NO. 2024-104-02-05

2. **AI-55339** Grant application for the FY2025 Veteran Treatment Court Grant through the Office of the Governor, 296th District Court:

COURT ORDER NO. 2024-105-02-05

3. **AI-55340** Grant application for the FY2025 Texas Veteran Rehabilitation Substance Abuse Treatment Grant through the Office of the Governor, 296th District Court.

COURT ORDER NO. 2024-106-02-05

4. **AI-55398** Grant application for the FY2025 Bullet-Resistant Shield Grant through the Office of the Governor, Criminal Justice Division, Constable, Precinct 1.

COURT ORDER NO. 2024-107-02-05

5. **AI-55384** Grant application for the FY2025 General Victim Assistance Grant through the Office of the Governor, Criminal Justice Division, District Attorney.

COURT ORDER NO. 2024-108-02-05

6. **AI-55383** Grant application for the FY2025 District Attorney Testing of Forensic Evidence Grant through the Office of the Governor, Criminal Justice Division, District Attorney.

COURT ORDER NO. 2024-109-02-05

7. **AI-55408** Grant application for the FY2025 Juvenile Mental Health Court Grant through the Office of the Governor, Criminal Justice Division for Specialty Courts, Juvenile Probation.

COURT ORDER NO. 2024-110-02-05

8. **AI-55405** Grant application for the FY2025 Juvenile CTD Program Grant through the Office of the Governor, Criminal Justice Division, Juvenile Probation.

COURT ORDER NO. 2024-111-02-05

9. **AI-55351** Grant application for the FY2025 General Victim Assistance Grant through the Office of the Governor, Criminal Justice Division, Sheriff.

COURT ORDER NO. 2024-112-02-05

10. **AI-55354** Grant application for the FY2024 State Homeland Security Program CI-KR Grant through the office of the Governor, Public Safety Office, Sheriff.

COURT ORDER NO. 2024-113-02-05

11. **AI-55367** Early voting calendar for the March 5, 2024 Primary Elections, Elections.

COURT ORDER NO. 2024-114-02-05

12. **AI-55403** Final plat for Country Ridge Phase 1, Engineering.

COURT ORDER NO. 2024-115-02-05

13. **AI-55386** Redesignation of Private Road 5928 as Garcia Road with associated address updates, GIS/Rural Addressing.

COURT ORDER NO. 2024-116-02-05

14. **AI-55392** Reject all bids received for Lubricants, Oils and Miscellaneous (IFB No. 2023-431), Public Works.

COURT ORDER NO. 2024-117-02-05

15. **AI-55404** Boards & Commissions Appointments, Commissioners Court.

COURT ORDER NO. 2024-118-02-05

16. **AI-55423** Personnel Appointments, Human Resources.

COURT ORDER NO. 2024-119-02-05

17. AI-55424 Personnel Changes, Human Resources.

Commissioner Hale congratulated the four County employees receiving promotions this week. These included Benjamin Mohr, Juanita Hunter, Marisa Davis and Matthew McQueen. Commissioner Hale appreciated all their hard work and the fact their leadership saw fit to promote them. With no further comments, a motion was made to approve this item. (Time: 1:35 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Duncan Webb

Vote: 5-0: Passed

COURT ORDER NO. 2024-120-02-05

2. General Discussion Items:

a. AI-55308 Payment of water and sewer relocation costs of affected cities for US 380 and SP 399 Freeway projects, and further authorize the engineering staff and legal counsel to work with the City of McKinney to prepare an agreement for same, Commissioner, Precinct 4.

Clarence Daugherty, Engineering, gave a presentation regarding the relocation costs. The City of McKinney requested Collin County cover the cost of relocating water and sewage due to the freeway work along US380 and SPUR 399. For background, Mr. Daugherty explained the January 2023 decision to use Option A for the US380 freeway. This required a cost of \$68 million for relocating the water and sewer along the existing US380 alignment. There are a large number of these facilities along the alignment which need to be moved. On January 20, 2023, the Court discussed the City of McKinney's request for Collin County to pay for the relocation of these utilities as well as pay 10% contribution to TxDOT (Texas Department of Transportation). However, no decision was made. On May 8, 2023, the Court approved the 10% contribution for SPUR 399. Additionally, McKinney and the County's share would be \$8.5 million. The 10% contribution would have been \$62 million for US 380 and \$10 million for SPUR 399 which would have been a total of \$72 million. Since then, TxDOT changed their policy to remove the 10% contribution requirement.

On Aug 3, 2023, the City of McKinney renewed their request for the County to cover the cost of relocating the water and sewer. The reasoning with the request is the City regularly covers the cost of relocating utility lines for TxDOT projects for local purposes. Since the US 380 freeway is a regional project, it needs to be covered by the County. The City of McKinney has paid or is committed to pay \$90 million. The current listed cost of relocating water and sewer for this project is \$120 million, although it could go as high as \$150 million. Mr. Daugherty noted the costs are broken into reimbursable and non-reimbursable. TxDOT's policy states, when utilities have the right of way and their lines need to be moved for roadwork, the facility pays. However, if the utility lines fall on an ease way and needs to be moved, then the facility is

reimbursed. Approximately \$81 million would be reimbursable for this project although reimbursement would not be provided until after completion of the project. Since it might take a few years to fully process payment, the County might not receive reimbursement until close to 2030. Funds available through money collected from the 2018 County Bond Proposition A was approximately \$357 million. Of this amount, approximately \$115 million has been spent leaving about \$242 million available. This would cover the \$227 million in estimated costs with \$154.6 million in reimbursements.

Commissioner Fletcher asked if there were any other County liabilities outside of the city cost. Mr. Daugherty said the County does not have any at this time since the County has spent money in acquiring land for the project, and the 10% contribution requirement has been removed. Although there seems to be no liability, Commissioner Hale wondered if the County would also need to contribute towards construction. The request from the city today is for the County to make the commitment to pay for the water and sewer relocation.

Commissioner Webb said he is supportive of this project ever since it was brought forward in 2017 to put in a freeway system for anticipated growth. Since it is a regional project, it has far-reaching implications for all those who live and travel over these freeways. The cities do not have the funds to complete this project, but the County does because the bond collected \$600 million specifically for freeways. This project will not have an impact on the surrounding communities for several years. Commissioner Webb expressed concern about requiring the cities to do bond elections to cover this work as it would send the wrong message to them as well as the RTC (Regional Transformation Council) and TxDOT. The County needs to show it is serious about getting the project completed as soon as possible due to future mobility concerns.

A motion was made to approve this item. Commissioner Hale asked if the \$227 million would be part of this motion. Commissioner Webb agreed, as long as all the reimbursements come back to the County.

Commissioner Fletcher thanked TxDOT for changing their policy regarding the 10% right of way. She wanted to ensure county funds are spent on mobility for the county only. She expressed concern with giving county tax funds away and stressed the importance of being careful to ensure the funds are only spent for County mobility projects. Commissioner Williams agreed and noted there is also a southeast study currently in process. Additionally, the Court has repeatedly discussed with TxDOT and the Texas Transportation Commission the upcoming projects due to concerns about funding not being available for cities. Commissioner Webb said the reason TxDOT removed the policy requiring the 10% contribution was to make it easier for cities to be able to move forward with mobility projects. (Time: 2:03 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Darrell Hale

Vote: 5-0: Passed

Mr. Daugherty asked for clarification to confirm the vote was not tied to a dollar amount. The Court confirmed the motion was not tied to a dollar amount.

Judge Hill recognized the mayor of McKinney, George Fuller, and invited him to address the Court. Mr. Fuller thanked the Court for approving funding for this project. Everyone recognizes its importance and the necessity to have it completed.

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

Public Comments not related to an item on the Agenda.

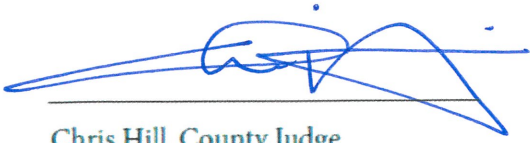
Barbara Lyke, Wylie, said on August 14, 2023 she spoke for the first time in Court during the beginning of the budget workshop regarding the need for substations for the County's Sheriff Office (SO). With the support of Sheriff Jim Skinner and Captain Bill Armstrong, future planning is continuing for these substations. Due to the growth across the County, these stations might also help other cities such as Wylie, Farmersville, Nevada, Community, Lavon, Rockwall, Plano, Rockwall as well as all adjoining cities in the County. Ms. Lyke noted the town of Blue Ridge already has a substation currently in service. Sheriff Skinner and all the deputies patrolling the community are doing the best they can with what they have available. However, having a substation building would provide better availability for patrolling Collin County. She thanked the Court for all their hard work as well as all of law enforcement for keeping the community safe. We must all become supportive in keeping our country safe.

Mike Grilz, Prosper, said for months his group has been attempting to demonstrate the vulnerabilities in the current voting equipment for the County and encourage the solution of moving to paper ballots which are hand-marked and hand-counted. Today, Mr. Grilz would like to focus on some of the vulnerabilities. The first is ballot marking devices with bar codes. Mr. Grilz stated there is a possibility for bar codes to be translated differently from what is selected by voters. A logic and accuracy test, which is only done with a handful of machines by vendor personnel, did not prove anything as software could be set up to perform differently during tests than on actual elections. As for the tabulators, they make an electronic copy of the paper ballot for storage. Mr. Grilz asked how voters could be assured the scanned copies are accurate. Additionally, since vote counts are taken from the memory sticks the scanned copies are stored on, there are also concerns regarding their accuracy as they might also have manipulated software. Regarding voting equipment standards, the FEC (Federal Election Commission) voting system standard was certified in 2005, 2015 and 2021. The voluntary voting system guide was certified in 2015 and 2021. However, there is not a single US voting system that has been certified to the standard after 2005. Regarding the voting system testing lab, accreditations have expired which means all certifications based upon them are illegal. One very important point is all the vulnerabilities identified share a common challenge which is they take

place invisibly and leave difficult tracks to follow. Post-election audits have proven to be very time consuming and largely unsuccessful. In contrast, the solution to utilize paper ballots eliminates ballot-marking devices and tabulators. Ballots are hand-delivered and hand-marked; voters are able to examine their choices before dropping them in a box, and votes are hand counted under video surveillance. Additionally, this would eliminate the annual costs for upgrading the machines and the auditing of votes would be simplified. Mr. Grilz said he agrees with Judge Hill's assertion that election integrity boils down to security, accuracy and timeliness. However, given the information presented, Mr. Grilz challenged the Court to rethink the prioritization of security and accuracy. We cannot afford to allow timeliness to force us to forego security and accuracy.

Lee Moore, Fairview, said she wanted to elaborate on what Mike Grilz presented regarding the voting machine vulnerabilities as well as election code. Ms. Moore cited election code 52-062 regarding the numbering of ballots. It states "ballots prepared by each authority responsible for having an official ballot prepared, shall be numbered consecutively beginning with number one." However, we currently do not have sequentially numbered ballots. In a letter written by Christina Adkins, the current Director of Elections in Texas, stated the purpose of the requirement for sequentially numbered ballots is to track and count the total number of ballots used in each election, to track how they were used and in what locations were they used and to account for the unused ballots. Ms. Moore said there are two ways to meet the requirement. Sequentially numbered ballots starting with number one which aligns with the election code and is the simplest and easiest way to meet the requirement. Alternatively, using the express vote activation card printer express link software to track ballots using a random number. However, the issue with the random numbers is it is easier to insert ballots without anyone noticing thereby stuffing the ballot box. When using sequentially numbered ballots, it is easier to identify gaps or missing ballots. During the review of Williams County's May 2023 and November elections, the audit found there were more serial numbers than people who cast votes. For the May election it was over 4,000; and for the November election, it was over 8,000. This needs to be investigated. The bottom line is the issue can be easily solved by using sequentially numbered ballots. Ms. Moore noted secrecy is another issue of concern due to poll workers being able to track a person's vote with the randomly generated number. She expressed concern with ESS and the poll vendors having access to this data.

With no further business of the Court, Judge Hill adjourned the meeting at 2:13 p.m.



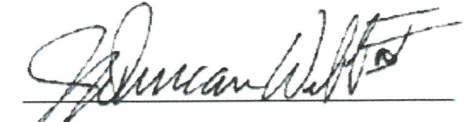
Chris Hill, County Judge



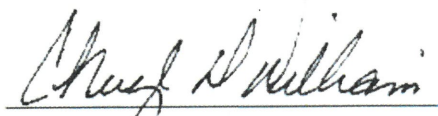
Darrell Hale, Commissioner, Pct 3



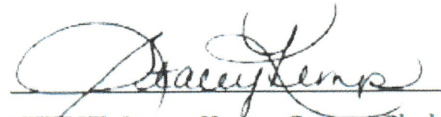
Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk