

State of Texas	§	Court Order
Collin County	§	2020-378-05-04
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the April 6, 2020 minutes.

On Monday, April 6, 2020 the Commissioners Court of Collin County, Texas, met in Regular Session in the Commissioners Courtroom, Jack Hatchell Collin County Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

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

Judge Hill led the invocation
Commissioner Williams led the Pledge of Allegiance
Commissioner Hale led the Pledge of Allegiance to the Texas Flag

1. Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and recessed at 1:34 p.m. The Judge reconvened the meeting at 1:56 p.m. and adjourned at 3:21 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 3:21 p.m. and adjourned the meeting at 3:21 p.m.

President Hill called to order the meeting of the Collin County Toll Road Authority at 3:21 p.m. and adjourned the meeting at 3:21 p.m.

FYI NOTIFICATION

1. AI-48213 Intra-County account transfers transmitted on March 13, 2020, Auditor.
2. AI-48224 Voluntary terminations, Human Resources.
3. AI-48225 Turnover, Human Resources.
4. AI-48258 County overtime for the pay period ended March 22, 2020, Human Resources.

5. **AI-48195** Amendment No. 3 to Access Control & Time Collection (Contract No. 2016-044) with dormaKaba Workforce Solutions, LLC to provide various changes to the contract, Information Technology.

6. **Notification of budget adjustment(s)/amendment(s), Auditor:**

a. **AI-48178** \$30,171 to establish the budget for the FY2020 Statewide Automated Victim Notification Services Grant, Auditor.

b. **AI-48186** \$89,799.47 to establish the budget for FY2019 Emergency Management Performance Grant, Auditor.

2. Public Comments.

Judge Hill said in this unique time the Court has found a unique way to provide for public comments. It is a commitment in Collin County to always uphold the highest level of transparency and openness. For the next twenty minutes, the email address will be open for any person to submit their comments to the Court. The emails will be entered into the public record. The Judge recessed the meeting at 1:34 p.m.

Judge Hill reconvened the meeting at 1:56 p.m. and began the public comments session.

Bill Bilyeu, County Administrator, said he checked the inbox, and there were no public comments as of 1:55 p.m. (Time: 1:56 p.m.)

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Hill asked for comments on the consent agenda. Commissioner Fletcher pulled items 4e2 and 4j2 for recusal. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time 1:57 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

a. **AI-48181** Disbursements for the period ending March 31, 2020, Auditor.

COURT ORDER NO. 2020-250-04-06

b. **AI-48182** Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2020-251-04-06

c. **AI-48135** Tax refunds totaling \$912,579.47, Tax Assessor-Collector.

COURT ORDER NO. 2020-252-04-06

d. Advertisement(s):

1. AI-48180 Professional Services, Mechanical, Electrical, and Plumbing (MEP) Engineering Services (RFQ No. 2020-225), Construction & Projects.

COURT ORDER NO. 2020-253-04-06

e. Award(s):

1. AI-48173 Construction, Roof Replacement, Collin County Central Plant (IFB No. 2020-132) to R&B Roofing, LLC and further authorize the Purchasing Agent to finalize and execute the Construction Agreement, Construction & Projects.

COURT ORDER NO. 2020-254-04-06

2. AI-48137 Maintenance: Hardware-Cisco (Coop Quote No. 2020-188) to Red River Technology LLC through DIR Contract DIR-TSO-4167, approval of an agreement with Key Government Finance, Inc., and further authorize the Purchasing Agent to finalize and execute the Payment Plan Agreement for same, Information Technology.

Commissioner Hale made a motion to approve this item. (Time 1:58 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Duncan Webb

Vote: 4 – 0 Passed

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2020-255-04-06

f. Agreement(s):

1. AI-48214 Interlocal Cooperation Agreement with the City of Nevada (Agreement No. 2020-235) for road & bridge improvements, Public Works.

COURT ORDER NO. 2020-256-04-06

g. Amendment(s):

1. AI-48024 No. 1 to Update of Collin County Subdivision Regulations, Floodplain Regulations, County Drainage Design Manual, and County Road Policy Manual (Agreement No. 2018-152) with Lamb-Star Engineering, L.P. to make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2020-257-04-06

2. AI-48210 No. 1 to the Interlocal Agreement for Ambulance Services (Agreement No. 2019-092) with the City of Nevada to extend the contract for one (1) year through and including October 31, 2020, set the rate for FY2020, and further authorize the Purchasing Agent to finalize and execute same, Fire Marshal.

COURT ORDER NO. 2020-258-04-06

3. AI-48212 No. 1 to the Interlocal Agreement for Ambulance Services (Agreement No. 2019-093) with the City of Princeton to extend the contract for one (1) year through and including October 31, 2020, set the rate for FY2020, and further authorize the Purchasing Agent to finalize and execute same, Fire Marshal.

COURT ORDER NO. 2020-259-04-06

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

1. AI-48230 \$3,000,000 to reallocate funds from road construction line item to right-of-way line item for the continued purchase of right-of-way for Frontier Parkway, Engineering.

COURT ORDER NO. 2020-260-04-06

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

1. AI-48196 February 24, 2020.

COURT ORDER NO. 2020-261-04-06

2. AI-48200 March 2, 2020.

COURT ORDER NO. 2020-262-04-06

3. AI-48203 March 9, 2020.

COURT ORDER NO. 2020-263-04-06

j. Miscellaneous

1. AI-48191 Final plat for Bridgewater Phase 4b, Engineering.

COURT ORDER NO. 2020-264-04-06

2. AI-48218 Amended list of equipment manufacturers for IT procurement standards, Information Technology.

Commissioner Hale made a motion to approve this item. (Time 1:58 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Duncan Webb

Vote: 4 – 0 Passed

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2020-265-04-06

3. AI-48220 Participate in a free trial for a multi-factor identification product from Cisco Duo Security through and including July 2, 2020, Information Technology.

COURT ORDER NO. 2020-266-04-06

4. AI-48215 Acceptance of the Home Depot Incentive Program rebate check in the amount of \$732.66 to be deposited in the Going the Extra Mile Employee Incentive Program line item and budget amendment for same, Purchasing.

COURT ORDER NO. 2020-267-04-06

5. AI-48209 Acknowledge the utilization of two (2) vehicles obtained under the State forfeiture statutes to be used for investigative purposes, Sheriff.

COURT ORDER NO. 2020-268-04-06

6. AI-48231 Personnel Appointments, Human Resources.

COURT ORDER NO. 2020-269-04-06

7. AI-48232 Personnel Changes, Human Resources.

COURT ORDER NO. 2020-270-04-06

GENERAL DISCUSSION

5. AI-48274 COVID-19 Update, Administrative Services.

Bill Bilyeu, County Administrator, verified with the Public Health Department that testing results are running from 2-3 days up to 10-11 depending on which lab is used. The County receives the updates electronically from the labs, but there are some doctors who are calling the patients individually. As of today, there have been 1,456 people tested in Collin County. Up until now, with the exception of the FEMA drive through locations in Dallas County, all testing locations accessed as a Collin County resident require a doctor's referral. There is consistency across the board that an estimated 70% to 75% of the test results return negative.

Commissioner Hale asked, in regards to hospitalization reports, how many are known cases. Mr. Bilyeu said the hospitalization reports are of people who have tested positive and are Collin County residents. The hospital only reports to the County if the patient has tested positive and if they are a Collin County resident. For those cases, a medical professional from the County's Public Health Department will call every day to check on their status. The way the County finds out if an individual is hospitalized is when a positive report is received from a lab and we call to find out where the individual is. The hospital reporting includes Collin County residents that may be in various parts of the Country. Vice versa, there could be a Dallas County resident in a Collin County hospital that will only be reported to Dallas County. The national standard for reporting is always based on a resident's address. Mr. Bilyeu said, per the CDC (Centers for Disease Control) standard, an individual is counted as recovered once their quarantine period is finished and they have gone at least 72 hours without a fever.

The Dashboard will allow you to download the information used to create the reports and graphs. Hospitalization access and capacity is being collected by the Governor's office. At this time, Collin County does not have capacity issues. Many resources in the County have been focused on putting together the Epidemiological Outreach which contacts people who have tested positive. They are contacted by phone and asked what their condition is, have they traveled, and how people in their home are feeling. After the initial contact, there is a daily follow up to check on their status. There are an estimated 31 full-time employees in the Public Health Department focused on this process. They have been working seven days a week all day. These employees are stressed, and in order to help supplement them, 90 internal County employees have signed up to assist with the outreach effort. There have been numerous internal webexes handling the training. IT has built an app in a database in order to collect information. This was a big project, and several employees volunteered to test it over the weekend. It was a huge effort from the Health Care and IT departments. If our numbers climb, we will be able to turn to external people that have passed HIPAA (Health Insurance Portability and Accountability Act) standards such as city volunteers, medical reserve corps and people outside of our direct area.

Mr. Bilyeu said there have been many employees who have stepped up, and behind them there are hundreds working hard and putting in a lot of hours. Mr. Bilyeu recognized Paul Garrison, Greg Elliott, the Sheriff's Office administrative staff, investigators, Tracy Spurgin, Tiffany Bland, Lawana Downs, Abby Hasik, Julie Monge and Kerry Shulman. Within the Health Department there is Public Health Emergency Preparedness from which Mr. Bilyeu recognized Taylor Burton and Aubrey Saylor. Kerry Shulman and Julie Monge handle internal management, and Samuel Grader has been handling the data coming out of the system. The Sheriff has many procedures and

plans in place to be able to move people around if needed. There has been a lot communication with department heads and elected officials.

Supplies are still an issue. However, the Public Health Department, Sheriff's Office and Fire Marshall have enough supplies to operate. Judge Hill has put it in a request for supplies, and we will see if it comes through. The supply issue is not only with Collin County. It is a national issue. (Time 2:18 p.m.)

NO ACTION

6. **AI-48226** COVID-19 personnel staffing and compensation, Administrative Services.

Cynthia Jacobson, Human Resources, presented a PowerPoint presentation on Compensation Analysis Options. Ms. Jacobson said based on exempt personnel's higher compensation levels there is not, at this time, a recommendation to provide any additional compensation for work performed during the current emergency situation. The focus of this presentation is for the non-exempt personnel. Ms. Jacobson said there are several emergency compensation options for the Court to consider.

Ms. Jacobson explained which departments and positions are considered essential. Commissioner Fletcher asked if the Fire Marshall and his staff are included in the essential category. Ms. Jacobson said the Fire Marshall is on as an ancillary but did not include the actual arson investigators. Commissioner Fletcher said, if those employees are used in a capacity at the jail or somewhere else, she wants to make sure they get taken care of. In addition, if the bailiff's are used at the jail, they would also need to be compensated under this plan. Ms. Jacobson said who and how to compensate can be modified at any point in time. Commissioner Webb asked why the District Attorney's investigators are on this list. Ms. Jacobson said all of the attorneys are exempt. However, the investigators are not, and they are needed no matter what.

Option one would pay mandatory positions an additional \$6 per hour totaling \$193,000 per week. The slide also explained the cost if some of those positions are separated into different groups. Paying all employees not working at home an additional \$6 per hour would total \$307,000 per week if 200 of the non-exempt employees work from home.

Option two would split what individuals would be compensated. The first group would be the mandatory positions being paid an additional \$6 per hour. Every other employee not working at home would be paid an additional \$3 per hour. This would total \$251,000 a week. The cost would drop depending on adding or removing different groups.

Another option would be a percentage of payment. This would be more difficult from a payroll standpoint. The mandatory positions would get paid an additional 25% of base pay, and the employees not working at home would receive an additional 10% of base pay. The total for both groups would be \$287,000 per week. This option would be a little more expensive than on the hourly basis.

Ms. Jacobson said some exempt employees may be hurting during this time. They might have family that has been furloughed or lost their jobs. There are large PTO (Paid Time Off) balances in the County. An option, if the Court would desire, is to allow employees to sell the PTO back to the County. This would reduce the County's liability associated with the PTO while giving employees financial relief. This would allow for the County to pay the PTO at today's current dollars and not what it could be as it increases over time. The County would prefer to get rid of larger amounts of PTO. Therefore, it would be required to sell at least 40 hours of PTO. The calculations were made assuming all of the employees who are able to would sell 40 hours. There are 833 non-exempt employees eligible to sell one week of PTO. If every eligible non-exempt employee sold one week the estimated cost would be \$839,000. CTO (Compensatory Time Off) is another set of balances employees have. The employees at the Detention Center are not able to take time off at during this situation and they have compensatory time but are unable to use it. Allowing them to sell that time back to the County could be an option. Only non-exempt employees would be considered for the compensatory time.

Commissioner Williams asked how many people have volunteered to do Health Care work, and is that number satisfying the workload. Mr. Bilyeu said there are between 90 and 100 employee volunteers, and there will probably be a need for more. There was a brief discussion regarding the list of essential employees.

Commissioner Williams said she is an advocate for letting employees sell back their PTO and CTO. It would be good for the County because those are balances that at some point would need to be dealt with. Commissioner Webb said he was also supportive of both options for selling PTO and CTO and made a motion to approve both items. Judge Hill asked if the presentation was covering only April with the understanding it could be done again in May if we are still under these circumstances. Ms. Jacobson confirmed this. Commissioner Webb said, if the Disaster Order were to get extended through May, this proposal would automatically be in place as well.

There was a brief discussion regarding the number of hours of PTO or CTO that could be sold back to the County. Ms. Jacobson said there are multiple departments that have minimums in which they don't want employees to drop below a certain number of hours. Judge Hill asked if there are department directors who say their employees cannot get below eighty hours of PTO. Ms. Jacobson said there are elected officials who have these policies. Mr. Bilyeu said the reasoning for this is, if an employee is sick, they have available time to use. There was a lengthy discussion regarding elected official's policies for using PTO.

Judge Hill said he recognizes elected officials and department heads have the ability to approve or deny a request for time off. Based on Ms. Jacobson's PowerPoint, it appears that it was purposely decided not to allow the balances to go below 80 hours to respect elected officials and department heads' guidelines that have been unofficially enforced across the County. The Court has no respect for this guideline because it had no knowledge of it. Ms. Jacobson said the Court could decide which way to go.

Commissioner Webb said he understands the elected officials' concerns of not allowing employees' PTO balances going down to zero, and how that would incentivize them to work while sick. Judge Hill said he has every confidence our employees are focused on our central goal of serving the people of Collin County with excellence, and he has confidence that the elected officials are united in that same goal. The Judge asked Commissioner Webb if he is willing to amend his motion to say employees cannot go below forty hours instead of eighty. Commissioner Webb said this is an emergency situation, and if an employee needs it, they should not be capped at the artificial eighty. The Commissioner modified his motion from eighty down to forty hours.

Commissioner Fletcher asked, if an employee is out because they have COVID, will it automatically be workers' comp or would it need to be proven that it is workers' comp because of contact. Ms. Jacobson said, if it is determined to be work related, it would be workers comp. Health Care is in charge of making those determinations. If it is not work related, it would be treated as any other illness, and the employee would use their own time off. Commissioner Fletcher said if an employee is sent home and it is not determined to be workers comp, the quarantine period would require eighty hours. A discussion followed about this scenario.

Judge Hill said an employee would have to sell forty hours in a block. This could be done in April, and the employee would be eligible to do it again in May if the County is still under a disaster order at that time. However, an employee may not go below a threshold of forty hours of accumulated PTO. Ms. Jacobson said this change would increase the total cost. Judge Hill asked if this motion was for both PTO and CTO. Commissioner Webb said it was for both. The Judge said the floor for CTO would be zero hours. The Judge thanked Ms. Jacobson for thinking creatively on ways to make earned resources available. (Time 3:03 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-271-04-06

Commissioner Fletcher asked if the Court would go back to the hourly supplement discussion. Judge Hill said that is still on the presentation for discussion. Commissioner Webb said the cost of this would be approximately a million dollars a month, and he is willing to do this for this situation. He would like to see option two which entails paying the mandatory positions an additional \$6 an hour for detention employees only. Every other non-exempt employee that is not working from home would get an additional \$3 per hour. Commissioner Hale said that is what he had prepared to hand out, and the pay would be as a stipend. Judge Hill said the main jail, Sheriff's Office, detention workers, and juvenile detention workers would be paid a stipend equivalent to \$6 per hour for every hour worked. Commissioner Williams asked if the essential personnel would include Health Care employees. Ms. Jacobson said it would not include Health Care employees. Judge Hill said bullet point two of option two is missing law enforcement, health care workers, IT, and HR. Some of these employees are actively coming into contact with the public and they are not allowed to be gone. The Judge said he is leaning more towards bullet point one which would include everyone in bullet point two but it is more inclusive. The cost for bullet point two, at the \$6 per hour stipend and the remaining employees at the \$3 per hour stipend, would equate to \$195,000. Bullet point one would

cost \$251,000 and bullet point three would cost \$205,000. Commissioner Hale said there should be a distinction made to reflect that the \$6 per-hour group are mandatory employees working the front line and interfacing regularly with the public. There was a discussion regarding the different groups of employees.

Commissioner Webb amended his motion to approve bullet point one of option two. Judge Hill said this list would include 806 personnel, and it would be critical for HR to know which personnel are part of the list. Ms. Jacobson said she does have a list of who is on the list. Commissioner Webb asked if the Fire Marshall would be included in the list of mandatory personnel. Ms. Jacobson said there is enough slack on her list to add more employees if needed. Commissioner Webb said he does not want to get into a situation where elected officials and department heads start advocating and lobbying which employees will receive the \$6 per hour. These are people who are working and are at higher risk than everyone else. The Commissioner said if an employee's job has not changed at all he would be less sympathetic than if the job has changed. What he is interested in is looking at how jobs have changed. The Health Care Department has changed dramatically, and the risk to detention offices has also changed dramatically. However, for many employees it has not changed. Judge Hill said the list in place now consists of the 806 employees at the \$6 stipend. Those who are still at work physically are approximately 480 at the \$3 stipend. There are approximately 200 people working from home getting regular pay with neither stipend. The fourth group are employees who are not working and taking time off. Ms. Jacobson said there could be a mandatory position employee working from home who would not qualify for either one of the stipends. The Judge asked Commissioner Webb who would he like to empower to define and approve the positions for the stipends. Commissioner Webb said he would like HR to be in charge taking into consideration what has been discussed.

The Judge said there are two guide posts that are guiding us as elected officials. The first is there is an amazing set of employees that are working above and beyond to keep our County safe and to serve a million people. The Court wants to honor, award and respect that. The second is there are a million constituents who are struggling in their own right, and the Court has to do right by all constituents who pay the taxes to keep the government running. This is always in our minds when motions are made and voting takes place. Commissioner Webb said he would like to make it clear that this motion would be in effect only as long as the Collin County Disaster Declaration is in place. (Time 3:17 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-272-04-06

7. **AI-48278** Emergency distribution of \$55,000 in funding to LifePath Systems for support of 4 long term care facilities, Administrative Services.

Bill Bilyeu, County Administrator, said LifePath Systems reached out to the County last week. They are actively lobbying the state for a raise in salaries. They have stopped having their workers go from location to location

because it is too stressful on them. These are people who typically work 24 hours straight. The belief is, if they can pay an additional \$5 per hour, it will be enough for their employees to bide their time until the restriction is lifted. Tammy Mahan, LifePath Systems, reached out to multiple members of the Court asking for support on lobbying the state. Judge Hill came up with the idea of filling the gap, and when the money comes back from the state, it would be reimbursed to the County. This is two months' worth of \$5 per hour additional pay to their in-home staff. (Time 3:19 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2020-273-04-06

8. AI-48261 COVID-19 Executive Orders, County Judge.

Judge Hill said this item is a discussion on the possible continuation of the Third Executive Order which had two specific impacts. The first is it did rescind the Second Executive Order instead yielding to the Governor's order which supersedes all orders for the state. Secondly, it declared some subsets of employees to be critical and mandatory during this disaster declarations. Commissioner Hale moved for approval with an end date set to the Judge's Disaster Declaration. (Time 3:20 p.m.)

Motion by: Commissioner Darrell Hale
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2020-274-04-06

EXECUTIVE SESSION

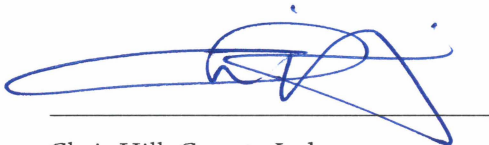
Judge Hill recessed into Executive Session at 1:34 p.m. under Chapter 551.072, Real Estate, to discuss a matter of real estate.

Real Estate (551.072)

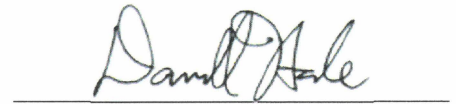
AI-48192 Right-of-way acquisition for the Dallas North Tollway, Phase 4A from US 380 North to FM 428, Parcel 41-5C, Special Projects.

NO ACTION

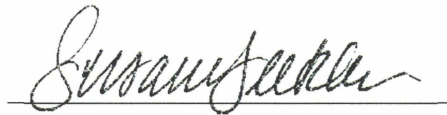
There being no further business of the Court, Judge Hill adjourned the meeting at 3:21 p.m.



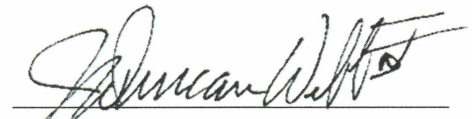
Chris Hill, County Judge



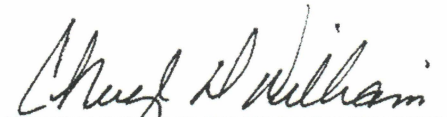
Darrell Hale, Commissioner, Pct 3



Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk