

State of Texas	§	Court Order
Collin County	§	2020-719-08-10
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the July 13, 2020 minutes.

On Monday, July 13, 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

Commissioner Hale led the invocation
 Commissioner Fletcher led the Pledge of Allegiance
 Judge Hill 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 4:54 p.m. The Judge reconvened the meeting at 5:03 p.m. and recessed at 6:30 p.m. Judge Hill reconvened the meeting at 6:30 p.m. and immediately recessed into Executive Session. The meeting was reconvened at 6:44 p.m. and adjourned at 6:45 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 6:30 p.m. and adjourned the meeting at 6:30 p.m.

President Hill called to order the meeting of the Collin County Toll Road Authority at 6:30 p.m. and adjourned the meeting at 6:30 p.m.

FYI NOTIFICATION

1. **AI-48705** Intra-County transfers transmitted on June 25, 2020, Auditor.
2. **AI-48467** Change Order No. 1 to Construction, Upgrade Pneumatic to Electronic Actuators (IFB No. 2018-162) with ABM Building Services, LLC to provide various changes to the contract, Construction & Projects.

3. AI-48712 County overtime for the pay period ended June 28, 2020, Human Resources.

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

a. AI-48727 \$15,000 to establish the budget for the FY2020 US Marshals Service grant, Auditor.

2. **Public Comments**

Landee Marten, Celina, spoke against the mask mandate. Ms. Marten said there have been extensive randomized controlled studies that show masks and respirators do not work to prevent respiratory influenza type illnesses.

Andie Gonzalez, Celina, said every guideline, mandate and executive order has been predicated over the idea that germ theory has become a germ fact when germ theory has never been proven.

4. **Consent agenda to approve:** Judge Hill said Constable Wright asked the Court to delete item 4i1 from the agenda. Commissioner Webb pulled item 4l4, and Commissioner Hale pulled item 4e1. Judge Hill pulled items 4l5 and 4c1. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time 1:42 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Darrell Hale

Vote: 5 – 0 Passed

a. AI-48703 Disbursements for the period ending July 7, 2020, Auditor.

COURT ORDER NO. 2020-617-07-13

b. AI-48704 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2020-618-07-13

c. Advertisement(s):

1. **AI-48722** Host Neutral Distributed Antenna System (IFB No. 2020-321), Information Technology.

Judge Hill said this item is for the distributed antenna system that was approved under a technology request related to COVID-19. The Judge asked what the continuing or recurring costs related to this purchase will be. Bill Bilyeu, County Administrator, said the cost is unknown until the bids are received. The Judge asked, if this item is approved today as an advertisement, would it come back to the Court for approval. If so, when it comes back, it could be closer to the budget workshop in order to determine if there will be any lingering costs. Mr. Bilyeu said it will come back before the Court. (Time 1:43 p.m.)

Motion by: Judge Chris Hill

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-619-07-13

2. **AI-48719** Road Materials, Aggregate for Surface Treatment & Stone Rip Rap (IFB No. 2020-242), Public Works.

COURT ORDER NO. 2020-620-07-13

3. **AI-48720** Onsite Grinding, Mulching and Removal of Debris (IFB No. 2020-243), Public Works.

COURT ORDER NO. 2020-621-07-13

d. Award(s):

1. **AI-48648** Temporary Personnel Services (RFP No. 2020-214) to various vendors, Human Resources.

COURT ORDER NO. 2020-622-07-13

2. **AI-48723** VxRail Expansion (Coop Quote No. 2020-329) to Unique Digital Technology, Inc. dba Unique Digital, Inc., utilizing DIR Contract No. DIR-TSO-4299, Information Technology.

COURT ORDER NO. 2020-623-07-13

e. Agreement(s):

1. **AI-48700** Agreement to contribute Right-Of-Way Funds (Fixed Price) for certain highway improvements on FM 545 from FM 2933 to BS78D, and budget adjustment in the amount of \$362,731, Engineering.

Commissioner Hale said he is excited for this project which will go right through precinct 3. This is approximately a ten-mile long project to enhance FM 545. The County is participating with the State to get this done. The Commissioner said he is glad the constituents approved the bonds that allowed us the money to participate. (Time 1:43 p.m.)

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

COURT ORDER NO. 2020-624-07-13

2. **AI-48708** Scope and Fee proposal with Burns & McDonnell Engineering Company, Inc. for phase I of the Southeast Collin County Mobility Study, budget adjustment in the amount of \$1,500,000 and further authorize the Purchasing Agent to finalize and execute the Engineering Services Agreement, Engineering.

COURT ORDER NO. 2020-625-07-13

f. Amendment(s):

1. **AI-48702** Amendment to Licenses and Services Agreement (Contract No. 01318-09) with Tyler Technologies to add Tyler Supervision software for Juvenile Probation and related SaaS and professional services, budget adjustment in the amount of \$682,290 and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2020-626-07-13

g. Change Order(s):

1. **AI-48698** No. 2 to Printing, General Office Forms (IFB No. 2016-125) with Filex Systems, Inc. to extend the contract for one (1) year through and including September 30, 2021, make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2020-627-07-13

h. Contract Renewal(s):

1. AI-48651 Printing, General Office Forms (IFB No. 2016-125) with Safeguard Business Systems, Inc. to extend the contract for one (1) year through and including September 30, 2021, Purchasing.

COURT ORDER NO. 2020-628-07-13

2. AI-48652 Printing, General Office Forms (IFB No. 2016-125) with Jayden Graphics, Inc. to extend the contract for one (1) year through and including September 30, 2021, Purchasing.

COURT ORDER NO. 2020-629-07-13

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

1. AI-48699 \$4,400 for the purchase of riot/crowd control equipment, Constable, Precinct 4.

PULLED

2. AI-48693 \$1,000 for Dues and Subscriptions, County Court at Law 2.

COURT ORDER NO. 2020-630-07-13

j. Receive and File, Auditor:

1. AI-48715 Monthly financial reports for May 2020.

COURT ORDER NO. 2020-631-07-13

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

1. AI-48709 June 15, 2020.

COURT ORDER NO. 2020-632-07-13

2. AI-48725 June 22, 2020.

COURT ORDER NO. 2020-633-07-13

l. Miscellaneous

1. AI-48701 Removal of one cash drawer in the amount of \$100 for Justice of the Peace, 3-2, Auditor.

COURT ORDER NO. 2020-634-07-13

2. AI-48713 Sale of six (6) surplus book cabinets to Taylor County Clerk, County Clerk.

COURT ORDER NO. 2020-635-07-13

3. AI-48663 Hotspot services for George King, the Technical Coordinator of Facilities Systems, Facilities.

COURT ORDER NO. 2020-636-07-13

4. AI-48721 Application for participation in the Law Enforcement Support Office (LESO) 1033 Surplus Property Program with Defense Logistics Agency and approval of the State Plan of Operations with the State of Texas to allow the Sheriff's Office to utilize surplus military property at no cost to the County, Sheriff.

Commissioner Webb said normally a condition is included stating before surplus equipment is purchased it will be presented to the Court for approval. The Commissioner made the motion to approve the application subject to the same condition. (Time 1:44 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-637-07-13

5. AI-48732 Personnel Appointments, Human Resources.

Judge Hill said he meant to pull item 416 and not this item. The Judge a made a motion to approve this item. (Time 1:45 p.m.)

Motion by: Judge Chris Hill

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-638-07-13

6. AI-48733 Grant Position Appointments, Human Resources.

Judge Hill said he would like to bring this item back to the Court for reconsideration. This item is for approving appointments to grant positions. The Court had previously voted to approve amounts for these positions, and today the Court is approving individuals for these positions. The Judge said the meeting was on June 22, 2020, and he was out of town for that meeting and would now like to discuss this item. The Court approved the amounts for these positions over and above the standard pay rates. This was done with the caveat that these individuals would never be eligible for pay raises, compensation increases or PFPs (Pay for Performance). The Court does not have the authority to bind future Courts to that type of action, and there is no real mechanism to enforce a policy like this. The action the Court is prepared to take would create a special class of employees who would never receive any raises or compensation adjustments. The Human Resources Department would have to hold these employees as a special class

and treat them separately. The last and most compelling thought on this is there were no arguments as to why the County should pay these particular positions more than the standard rate of pay. The only argument for why these positions should be paid more money than standard is because the grant had money in it. This is a bad practice whether it is grant dollars or property tax dollars. It is not a conservative principle to spend all the money just because there is more money. Regardless of whether the funds come from property tax dollars or from a special grant, all of the dollars we spend are taxpayer dollars. It is not a good practice for the Court to pay 44%, 42%, and 33% over what these jobs would normally pay simply because there are more dollars in the grant. Because of this, Judge Hill does not support this.

Cynthia Jacobson, Human Resources, presented a report to the Court which included a chart with information comparing the same current positions and the positions being funded by the grant. The Judge said, if the Court were to adopt these, we would be paying the new grant individuals significantly more than other individuals who do the same jobs for the County. The Commissioners and the Court are accountable to the citizens for how we spend their dollars. The Judge moved to reject these amounts.

Commissioner Fletcher said she would like to give Judge Roach the opportunity to speak on this. The Commissioner asked if grant-funded positions were separate when salaries are reviewed, or do they affect our salary studies. Ms. Jacobson said these positions will be included in those studies. Commissioner Webb asked why HR was not opposed to these salaries when they were presented to Court previously. Ms. Jacobson said it was a grant, and it has been done before. An example would be bioterrorism, where they were paid above standard pay because of funding.

Commissioner Hale said the previous contract amount minus the self-employment taxes would give the true previous amount they were paid. The Commissioner said he would rather have these positions calculated at an appropriate salary and treat them as part of regular staff so they could receive PFPs or raises.

Judge John Roach, 296th District Court, said this is 100% funded by the Texas Veterans Commission specifically for Veteran's Court. This organization gets their funding through the sale of lottery tickets, legislation and their annual budget. Judge Roach said they had applied for this grant and, when granted, they went through a negotiation period. The Texas Veterans Commission revises all proposed salaries and compares them with the other veterans' courts in Texas. This is how a salary is determined to ensure it is consistent. This is a year-to-year grant, and we will have to apply for it again each year. If the Texas Veterans Commission believes that money could be properly allocated to raises these employees would get a raise. The raises would not depend on Collin County. Judge Roach briefly gave a history of the veteran experience each of these employees has. The Judge said nobody has experiences like these employees, and credit must be given to them.

Commissioner Webb asked if these salaries are standardized throughout the state and funded at the same level. Judge Roach said he cannot say they are standardized, but they are within the range and are consistent with other veteran's courts. These employees serve five counties, and they cannot be compared with others. The Texas Veterans Commission has allowed us to have this grant, and they agree this is a proper use of funds for veterans. A brief discussion ensued regarding the pay and experience.

Commissioner Williams said these employees have been hired under contracts and asked why they would not continue with contracts. Judge Roach said these employees have been with him for several years, and he wanted to give them the benefits offered by a full-time employee. Judge Hill said the amount paid under the contract included a figure for base pay plus a gross-up amount to cover taxes and benefits. The individuals under contract have the ability to have other jobs to cover those benefits. Judge Hill said private contractors are paid more than what a standard salary would be in recognition of the fact their employee taxes and benefits are not covered. Judge Roach said he was not prepared to justify their salaries, but he can provide the Court data as to why their salary is above five percent. Judge Hill said this item could be held so that Judge Roach can come back and have that opportunity. Judge Roach said he would like to have a vote on it now.

Judge Hill asked if there would be any reason to pay these candidates over and above the minimums. Ms. Jacobson said they would do at least the five percent for all these positions, but these are not positions that are hard to fill. Judge Hill asked, if this were not grant funded, would these increases over minimum pay be entertained. Ms. Jacobson said they would be presented to the Court for their approval. Commissioner Hale asked how typical it is to pay above normal range for grant-funded positions. Ms. Jacobson said, when the County philosophy is not being followed, it is because they are positions that are difficult to fill.

Commissioner Williams said she would be concerned about paying anybody less than what they are making under their contract. The Commissioner said this is something that will be renegotiated each year. Commissioner Webb said, if this was a major concern, it should have been handled as part of the grant application acceptance. Commissioner Williams said she would not want to be in a position where we lose these individuals who have been successful in these roles.

Judge Hill said the chart has two columns- one for five percent over minimum and the other for what their pay would have been under the contract had the similar amount for benefits and taxes been netted out. The Judge made a motion to pay these individuals the greater of the two columns. The motion failed for lack of a second.

Commissioner Fletcher said she is open to allowing additional study on this if Judge Roach would like to come back and speak. There are people who are functioning in this roll and succeeding. The fact that they are serving five different counties matters. This program has been very successful, and it is inspiring to see

what happens in that courtroom. The staff does a great job, and the Court should move forward and approve it for the next year. Commissioner Fletcher made a motion to approve the item as presented for the grant positions. Judge Hill said Judge Roach is always welcome to address the Court at any time, and he will get the opportunity to do this one year from now. For those who feel this was a wrong vote three weeks ago but don't want to correct it today, they will get the opportunity to correct it next year. Until then, we will have a year where these employees will be paid over and above what other employees in the same position are paid. We are knowingly creating an imbalance with other employees who have similar experience and similar roles. Commissioner Fletcher said she was amenable to looking at a midpoint of the salary range, but those numbers are not available today. Therefore, she would like to move forward based on the Court's previous action, and the Court can review it again in a year. The Judge said to all employees in these positions, thank you for your service to our nation and thank you for the service to the County. (Time 2:32 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 3 – 2 Passed

Nay: Judge Chris Hill and Commissioner Darrell Hale

COURT ORDER NO. 2020-639-07-13

GENERAL DISCUSSION

5. AI-48688 Acquire additional Right-of-Way for West Lucas Road, Engineering.

Judge Hill said this item is a discussion on additional ROW (Right of Way) for West Lucas Road. Jim Olk, City of Lucas Mayor, thanked the Court for their time and effort, and said their leadership is outstanding. The County desires shovel-ready projects, and they are given priority. The capacity improvements were an important part of the transportation plan which is what put West Lucas Road at the top of the list. The full 120-foot ROW would be acquired for future expansion. The current condition of West Lucas Road is a burden to transportation in the area. The City of Lucas and the Council have acted expeditiously to move forward with the reconstruction and expansion of West Lucas Road. Mayor Olk said they could commence with design and construction much faster if the Court is willing to reconsider the funding agreement with regards to ROW acquisition. The current condition in the agreement requires the City of Lucas to obtain 120-foot ROW prior to funds being awarded. It would be doubtful that this project could proceed without a partnership with the County, and the condition to hold the funding until the ROW is acquired would delay construction. The idea of the County assisting with acquisition of ROW was pushed back as the City of Lucas struggled with cost, layout, maintenance and other transportation needs. Currently, the City of Lucas has adequate ROW to construct the proposed four-lane divided roadway and could commence with designing construction without delay if the 120-foot condition could be modified. The City of Lucas had asked if the County could manage the ROW acquisition. If the funding minus the acquisition costs could

be released, construction could then commence simultaneously with ROW acquisition. This would also relieve the County's concerns with having future ROW for growth and would allow for it to be within the County's timeline.

Clarence Daugherty, Engineering, said for decades past the County would identify the funds and have an ILA (Interlocal Agreement) with the cities. From there the city would take care of the project on their own. The County has never been in the business of acquiring the ROW. This is something different for the Court to consider. The City of Lucas had \$826,000 in their proposal for the ROW. We would need to get the appraisals as soon as possible to see if the amount is over the \$826,000. If the amount is over, it would probably have it come out of the award as opposed to the County putting out more money. The engineers would have to prepare the survey documents, and this would be a six-month process. This project may not work if the County does not do this.

Commissioner Webb said there is generally one person who works on ROW for the County. Currently they are working on Frontier, US 380, the Outer Loop and Park Blvd. The Commissioner asked if they have the staff necessary to do this. Mr. Daugherty said they are through with Frontier. It will be a strain, and help might be needed. The one thing that may allow this to work is US 380 already has the parcel documents assigned, and it is moving along. The ROW for Park Blvd is already being acquired. It will take a while to get this started because of what is required, and it will fall behind current projects. Commissioner Webb said he is supportive but is concerned that, if the Court doesn't take this over, the project will not move forward. If the project goes over the budgeted amount, it should come out of the City's construction money. Another concern is priorities not getting handled he would like to ensure the staffing is there to get the project done. Mr. Daugherty said this is probably the most important project to the County as far as regional mobility.

The Judge said the City of Lucas could provide a letter stating that they are requesting the County to handle the condemnation on their behalf, and they will cover any of the costs over the \$826,000 in the budget. Mr. Daugherty said there is a letter already in place. Mayor Olk said they want to get the rest of the funding released in order to move forward with the project. The Mayor said the whole goal is to get this road done, and the Council was convinced to double the funding in order to get it done.

Commissioner Williams said the plan brought to the Court is workable and made a motion to allow them to get started on the road and the County to begin ROW acquisition. Judge Hill said the ROW acquisitions are going to be contentious since there are always some landowners willing and other who are less willing to sell their land. The Judge said he would not want to get the County into a situation where a municipality has offloaded that acquisition to the County and can disown it later. Mr. Daugherty said they would ensure the verbiage in the ILA speaks to the fact that the City of Lucas has asked the County to do this. Commissioner Williams amended her motion to accept this proposal with the ILA which will include this verbiage. (Time 2:59 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-640-07-13

6. AI-48583 2020 Elected Official Compensation, Human Resources.

Cynthia Jacobson, Human Resources Director, presented a PowerPoint presentation with the elected official salary percentage increases for each year. The salaries have been fairly consistent, however judges are impacted by state mandates so they may differ. The ranking for elected officials' base pay is consistent for all positions with the majority being three of four in comparison with the three surrounding counties. There is more variability in rankings when comparing with like counties. Ms. Jacobson reviewed the salary history for elected officials and presented information regarding the actual totals. The information is for the Court to prepare for budget and any compensation changes for elected officials. (Time 6:21 p.m.)

NO ACTION

7. AI-48584 2020 Legal Compensation, Human Resources.

Cynthia Jacobson, Human Resources Director, gave an overview of Collin County legal positions. The turnover is mainly from felony prosecutors. This is expected, and it allows for other employees to move up in their positions. The pay range quartile distribution for legal positions was reviewed. The misdemeanor prosecutor does not get out of the first quartile because they move up in position so quickly. The legal salary ranking for felony prosecutor is three out of ten on the minimum and five out of ten on the maximum. None of the positions reviewed exceeded the 10% variance from the average.

There are 12 misdemeanor prosecutor positions. These individuals move up to the next level within a year or less. Collin County's minimum is less than 1% above comparison county averages. There are eight chief misdemeanor prosecutors, and the County is above the minimum and maximum in comparison with county averages. There are 32 felony prosecutors with an average of 6.5 years of service. Collin County is 8% above the minimum and 1% below the maximum in comparison county averages. The County has

three felony appellate attorney positions. The average length of service is five years. This position is ranked five out of seven for minimum salary. The County has 15 chief felony prosecutors and their average years of service is six. The pay range maximum is 2% below the market average. There is one incumbent chief appellate attorney who has been in this positions for 13 years. The pay grade for this position is the same as the second highest position and is equivalent to the second assistant district attorney. The second assistant is 8% below market average for the maximum. The first assistant is ranked six out of ten and is 3% below the maximum county average.

The Sheriff has legal positions in his department that are not under the district attorney. The legal advisor position provides the SO (Sheriff's Office) with legal advice. The minimum pay is 1% under county average and the maximum pay is 7% under county average. The chief MHMC (Mental Health Managed Counsel) attorney was created in FY2017 and administers indigent defense programs. There were insufficient market matches to include as a benchmark. The County has one magistrate judge, and the pay is on average for this position. (Time 6:30 p.m.)

NO ACTION

8. AI-48627 2020 Law Enforcement Compensation, Human Resources.

Cynthia Jacobson, Human Resources Director, gave a presentation on Law Enforcement Compensation. Annual review of Collin County's Law Enforcement compensation and relative market competitiveness involves analysis of pay ranges, competitiveness of pay ranges, historical responses to market pay changes, turnover and supplemental pay. These areas were compared against the following organizations: Bexar County, Dallas County, Denton County, El Paso County, Fort Bend County, Montgomery County, Tarrant County, Travis County, Williamson County and the cities of Allen, Carrollton, Dallas, Frisco, Garland, McKinney, Murphy, Plano, Prosper, Richardson and Wylie. The Sheriff's organization is very fluid, and there are many changes that occur to its structure. Benchmark positions can be matched to multiple other organizations on at least 75% of the job duties. This allows us to compare ranges and to ensure individuals are paid in the correct range. The turnover percentage for Collin County had very little change. There was a brief discussion regarding their reasons for leaving. Judge Hill asked how they are able to get 100% participation. Ms. Jacobson said it is either from their letters, from HR contacting the employee or from their department.

Comparable entities were reviewed in terms of their percentages for turnover. Cities have a lower turnover percentage, but they are not dealing with detention numbers like the County. The closest neighboring county is Denton, and Collin County is close to them in terms of the SO (Sheriff's Office) turnover. The jail-only turnover in Collin County is 21.2%, and within that scope a review of when these detention officers are leaving was conducted. There were 72 detention officers that left in the last twelve months, and 79% of those had been with Collin County less than two years. From HR's perspective, these individuals are coming to Collin County for the salary but are leaving quickly after they receive the salary they are

seeking. Commissioner Fletcher said she would like to avoid hiring and training a person who will then leave Collin County in less than a year for a higher salary somewhere else. Ms. Jacobson said an officer would need to have at least one year of experience to receive the 5% pay increase related to experience or have served in the military.

Exit interview responses from law enforcement has gone down from 48% in 2018 to 30% in 2019. In response to this decrease, HR is trying to get the exit interviews done before they leave. There were 84% of respondents who either agreed or strongly agreed that compensation was adequate for their position. Ms. Jacobson gave a review of supplemental pay other groups offer versus what Collin County offers.

The salary rankings were reviewed for the minimum and maximum compensation. Wage movement adjustments totaled approximately \$1 million. Detention officer benchmark matches may not always have a match because there may not be a jail in that particular city. The Sheriff does not want part-time positions anymore, and in the FY2021 budget, 16 part-time detention officers will be moved to fulltime. Collin County was 5% over the average city/county minimum and 6% over the city/county maximum. Ms. Jacobson said the percentage of vacancies for Dallas and Denton Counties was 10% for each. Dallas has a higher compensation, and Denton has a lower compensation when compared to Collin County. Ms. Jacobson said she couldn't find that paying the highest was any different for the percentage of vacant position than the one paying less than Collin County.

There are 23 dispatcher positions with an average length of service of seven years. Collin County is ranked three out of eight for minimum salary and is 4% above the city/county average minimum. Collin County is ranked five out of eight for the maximum salary and is less than 1% under the city/county average minimum.

There are 84 licensed deputy sheriff positions, and the average length of service is 10 years. Collin County is 4% above the city/county minimum and 3% above the maximum. Collin County is the highest paying county out of all the counties for the deputy sheriff positions. Judge Hill said last time this survey was done the County was the second highest paying county in the state of Texas.

The criminal investigator position is being moved to deputy sheriff as the people leave. The County is down to two criminal investigators with an average length of service of 20 years. The reason they are being shifted is it provides flexibility within the scope of the job duties they can perform. Collin County ranked four out of eleven for both the minimum and maximum salary.

There are 9 sergeant positions with an average length of service of 13 years. Collin County is 3% percent below the city/county average for maximum salary. There are 20 lieutenant positions all in different areas. Collin County ranks six out of twelve and is 1% below the city/county maximum salary. There are 8 captain positions, and it is 2% below the city/county average salary.

There are 21 deputy constable positions with an average of eight years of service. They are 14% above average for minimum pay and 10% above average for maximum pay. Normally, when a position is at 10% for both the minimum and maximum, we would look at position reclassification. Ms. Jacobson said she is not recommending the reclassification because of the difference of opinion as to where they should be matched. Judge Hill said, if policy would be followed, it would be recommended. Ms. Jacobson said, if they were to follow the policy, they would be put in a lower level position. The Judge said this is important and would like for the Court to remember this point for the future.

There are 22 court officers with an average length of service of 19 years. They are 3% above the average city/county minimum pay and 2% below the maximum pay. Last year, Collin County was eight out of eleven on the maximum and now we are six out of eleven.

There are 2 deputy fire marshal positions and their average length of service is four years. Collin County is 8% above the city/county average minimum pay and 5% above the maximum pay. (Time 6:16 p.m.)

NO ACTION

9. AI-48410 COVID-19 Update, Administrative Services.

Bill Bilyeu, County Administrator, said there has not been much change other than responding to the Governor's order on face masks. The State's Strike Team tested all the staff and juveniles at the Juvenile Center last week, and are now waiting for their results. Test results have been coming in slower over the last three to four weeks. Mr. Bilyeu said test result delays have also caused a lag when reporting data, but this is not unique to Collin County or Texas.

Michalyn Rains, Purchasing, is continuing to acquire PPE (Personal Protection Equipment). Tomorrow is a big day for the County because there are party runoffs. The procedures Bruce Sherbet, Elections, has put in place will require more PPE. We will be able to measure the turn out against the supplies he has now and determine what he will need in November.

The contract with the temporary employment agency was on today's consent agenda, and a portion of it could be used for the COVID-19 response for staffing entrances. There is still no date on when the Court system will go fully live with people moving through the building. The big courthouse has not requested staffing for their entrances yet. The Justice of the Peace Courts have requested staff for their entrances but are not utilizing those yet.

There have been more claims in the past two to three weeks for employees who have gone out on COVID-19 leave. Commissioner Williams asked if the County will be able to recoup the costs from employees on leave due to COVID-19 through the CARES (Coronavirus Aid, Relief, and Economic Security) Act. Mr.

Bilyeu said they will be able to use CARES Act for these costs, but they will need to ensure they are not double charging.

In the next few weeks we will have hand sanitizing dispensers, and we will be able to get rid of the tables. There will be 200 of them, and they will have the County logo. Shona Navarre, Administrative Secretary, is working on a distribution plan for these. Each week there are new items in the market, and we are looking at mounted scanners or portable scanners to take temperatures.

The Treasury made a change asking the County and cities to keep records for five years for audits. They also said, if a purchase is made in good faith but because of the vendor it could not get delivered until after the December 30, 2020 deadline, the purchase would be covered. (Time 3:07 p.m.)

NO ACTION

10. AI-48414 Utilization of CARES funding, Commissioners Court.

Mr. Bilyeu said the food pantries have utilized between \$600,000-\$700,000 per month. As of now, there has been \$920,000 paid out on the housing side. Mr. Bilyeu said Judge Raleeh, Justice of the Peace, Precinct 1, did talk to the Justice of the Peace Judicial Commission and determined they are not allowed to directly distribute the CARES Act funds through their court. However, they can distribute the Collin CARES Act flyer in all of their eviction notices. There were 80 evictions on Judge Raleeh's docket last week, but 78 of them were filed before COVID-19. There are many cases open on the Zoom Grants and, according to the cities, these are ones that are pending additional information. Mr. Bilyeu said the city housing does believe they will get to the \$30 million or more. This will be brought out back to the Court for revaluation. Judge Hill said he is curious about the pace. There is no good sense of whether they have not yet been approved, or if they have been denied. Mr. Bilyeu said there is an accumulated effort, and the reason some applications are left open is because the applicant did not qualify June 1, 2020, but will qualify July 1, 2020.

Mr. Bilyeu said he reached out to the cities and asked to get their costs back. Some cities have taken the funds to reimburse for fire and police costs. Others are running small business programs. Those cities have a demand, and they could use funds for internal direct costs if the Court decides to redistribute. In the next couple of weeks we will present a more detailed update demonstrating where the County stands financially. (Time 3:17 p.m.)

NO ACTION

11. AI-48678 Utilization of CARES Act funds for wellness and leadership training in the amount of \$146,650, Sheriff.

Jim Skinner, County Sheriff, said this is a request from the SO (Sheriff's Office) for the approval of the use of \$146,650 of CARES Act funds to purchase online classes for Officer Wellness and Crisis Leadership. There is a small group of people who represent the highest risk for stress reactions during pandemics. Correctional workforce has long struggled to maintain healthy states of physical and emotional well-being. Today's challenges surrounding the Corona Virus will likely exacerbate individual's personal struggles with depression, anxiety, insomnia, and substance use. We are trying to work with our staff to give them a sense of calm, control and unity. This memorandum was submitted to the Court several weeks ago under the April 22, 2020 US Treasury Department guidelines. This training will be completed for 300 officers before December 30, 2020. The pandemic has manifested itself at the jail in ways they never thought it could. From the standpoint of Sheriff's deputies, they are certainly doing a great job, but we are worried about their well-being. They are dealing with a rise in suicides, overdoses, domestic violence and major accidents due to the virus. This is a perfect opportunity to get 2,400 hours of TCOLE (Texas Commission on Law Enforcement) accredited training. Each category was picked for the specific reason that it dealt with the issues and will teach resilience.

Commissioner Hale asked if the \$146,650 was over the original training budget. Sheriff Skinner said it is over their budget. Commissioner Hale said he wanted to ensure all of the original budget is used so that the County isn't held liable for it. If there are any unexpended training dollars in the budget, those would need to be used first before using CARES Act funds. The Sheriff said those training dollars have been designated for specific purposes already and are on target to be used. If at the end of the budget year there is a surplus of those dollars available, they could be used for this request. The distinction of this training is this is specifically for the well-being and mental wellness of the officers.

Judge Hill said the vendor is doing training for other law enforcement agencies. The Judge asked if the vendor is able to accelerate their delivery schedule. The Sheriff said they did get that assurance, and they are confident in their ability to complete this training by December 30, 2020. Judge Hill said under Option One of the presentation, in each of twelve months there would be two sessions with thirty participants. The Judge asked if those participants are unique each time, or is it first come first serve. The Sheriff said this would be a decision made between training and the shift supervisors. This would have to be done through our shifts and shift work. The intent is to get 300 different officers, and it is for deputy sheriffs and deputy officers. A discussion ensued regarding the scheduling and the training sessions.

Commissioner Webb said the topics included in the memorandum seem to all be generic topics, and he is concerned this would be a program used regardless if there was COVID-19 or not. Both the Auditor and a Budget Director have said this training does not qualify as a COVID-19 expenditure. Linda Riggs, County Auditor, said when looking at the topics she cannot defend how these directly relate to a COVID-

19 crisis or how we would not have this in another situation. The Sheriff gave a brief description of the training topics.

Commissioner Webb said he cannot approve something that the auditor and the budget director have not approved. If the feds do an audit, they will ask why this was approved when the Auditor and Budget did not approve it.

Commissioner Fletcher asked if it is possible to get a certification from the vendor stating this training could be used in response to COVID-19. The Sheriff said the vendor could probably do that. Commissioner Webb said, if the vendor would change their course description to address COVID-19, then the Auditor and the Budget office could change their mind. The Sheriff said he will be glad to ask them to draft a description for the Court. Judge Hill said the auditor's commentary on this is simply on the timing of the incursion of the expense and execution of the contract. If those can be overcome would there be any other concerns for this training. Linda Riggs, County Auditor, said allowance and the timing are the two concerns. Ms. Riggs said it has to be unbudgeted, directly related to the COVID-19, reasonable and necessary. The Judge asked if it is possible to meet those and could there be a situation where an offering could meet those standards. Ms. Riggs said it is possible if the course description shows that they are directly COVID-19 related, and a verification of every officer that attended the training to ensure their training is complete by December 30, 2020. Also, documentation stating there will be no other training needed after the December 30, 2020. A brief conversation ensued regarding training.

Commissioner Fletcher asked if it would be possible to make a vote with the stipulation that a certification stating this training is specifically COVID-19 related would be provided from the training company. Judge Hill said this is something the Court could do. Commissioner Fletcher said she is concerned with holding off. Commissioner Fletcher made a motion to approve this item as presented contingent upon the satisfactory letter is provided specifying this training is directly related to COVID-19. The Commissioner amended the motion to state the auditor must approve the letter provided and to include that this training must be completed by December 30, 2020.

Judge Hill said he would prefer to hold this item for a week and allow the auditor make an independent decision. The Judge would not like to put the auditor on a shrine that this will live or die based on her decision and it would not be fair to her. Letting the budget speak on this is also important. A discussion ensued regarding the role of the budget department in this decision. (Time 4:05 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 2-3 Failed

Nay: Judge Chris Hill, Commissioner Duncan Webb and Commissioner Darrell Hale

Judge Hill said this item will be brought back to the next Court meeting. (Time 4:05 p.m.)

HELD

12. AI-48764 Utilization of CARES Act funds to purchase MDCs and equipment in the amount of \$355,268.90, Sheriff.

Jim Skinner, Sheriff, said this request was written for \$355,268.90, but some items were deleted. This request concentrates on 19 MDC (Mobile Device Computer) terminals in the amount of \$281,947. These items were not accounted for in the most recent budget. These MDCs will strengthen the SO's ability to work remotely. The U.S. Treasury guidelines allows for an exercise of judgement.

The main priority are the posts in the jail that must be manned on a twenty-four-hour basis seven days a week. As part of the pandemic plan and if a staff member were to get sick, these posts would be staffed by licensed patrol officers. Patrol would be backfilled with our CIS (Criminal Investigation Section) personnel and command staff would answer calls. CIS and the command staff could also be used to support the closest-to-call paradigm. We need to have people in vehicles equipped with the proper equipment, so when a priority call is received, the closest to the call can be assigned by dispatch to handle it. Part of the plan was to have deputy constables fill in as patrol officers. As of today, there are 41 detention officer vacancies. Fifty officers hold a jail license, five are patrol deputies, and nine are courthouse officers that are assigned to the jail. There was a brief conversation regarding personnel out due to COVID-19 and other reasons.

Judge Hill asked how we would show the federal government that the implementation of this plan is really related to COVID-19 rather than the 41 openings related to normal operations. The Sheriff said numbers are kept, and the impact of COVID-19 is being tracked. In all bureaus we track these numbers, and when these positions are transferred to man the mandatory posts, there is a correlation between that and when people were sent out for quarantine. In one case, a detention officer tested positive and the SO ended up without five detention officers who had to quarantine for the appropriate time period. The Sheriff said this also comes down to common sense, and he is in a situation where a plan is needed. The Judge said it makes

sense, but he is unsure the federal government will allow the use of COVID-19 funds to backfill the 41 vacancies. The Sheriff said he has a job that must get done, and COVID-19 is the reason his staff is out.

This project strengthens the ability to work remotely. One concern from the County attorney is the MDCs were not necessary because CIS and command staff personnel have laptops. The problem is the laptops cannot be put in a car and be mobile. All command staff and CIS have and use unmarked cars. These cars do not have the cradle or computer that allows them to be mobile. MDCs transmit real time information from the 911 center, and they can scroll on the screen. The current policy is that MDCs move from shift to shift. The County attorney said there is nothing intrinsic about MDCs that makes them a necessary aid in responding to COVID-19. The Sheriff said he disagrees because the MDCs are the most efficient solution for deploying a deputy out on the field. This device allows people in a regular vehicle to respond to calls. The Sheriff said he is the only person that has an MDC. The IT (Information Technology) director told the Sheriff the laptops just issued with the refresh could be repurposed. Commissioner Hale asked if there would be recurring costs for the MDCs. The Sheriff said there would be a cost of \$22,000 a year for 19 MDCs. There was a discussion regarding the MDCs and laptops.

Judge Hill said the federal government is perfectly clear that the purchase of computer equipment which allows someone to work remotely is allowable. In this case, it has been established that an MDC is a piece of equipment that allows someone to work remotely with additional functionality. There are 19 employees who currently have laptops, but the Sheriff contends it is not the best remote device in their paradigm. Would he be allowed to re-task the laptops and purchase MDCs to allow them to work remotely in a more functional capacity. Linda Riggs, Auditor, said it would not be allowed because both devices allow for them to work remotely. If the Sheriff is able to reclassify those positions to include job duties that are not within their normal duties and those duties require MDCs, then it would be allowable. Commissioner Webb said the issue would be relating these 19 positions to the 9 positions affected by COVID-19 when there are currently 41 vacancies. The Court had a discussion regarding the positions and their relation to COVID-19.

Commissioner Webb said a solution may be to approve this with the condition that, if it doesn't make it through, the Sheriff instead uses forfeiture funds to pay for it. The Sheriff said the federal law prohibits him from paying for something like that after the fact, and forfeiture funds could not be used in that way. The SO provides a number of different services, and they are prioritized by necessity. If it were to come out of the budget, there is no extra money to do this purchase. Judge Hill said he is supportive of purchasing equipment that allows personnel and resources to be more remote. The issues are these 19 employees have just received laptops making them remote, and the 41 vacancies versus 9 COVID-19 related openings.

The Sheriff said all he can do is come up with a plan and be reasonable. We are in the mist of this pandemic. The reality is that he has a lot of people in his care, and he is now doing many things he hadn't done before.

The inmate population has to be protected. At the same time, he needs to do what he can to protect his employees. He also needs to be able to have deputy sheriffs who can have a piece of equipment that would allow them to work out on the street. Commissioner Fletcher said she does not understand why this purchase would not fit under the Treasury's definition if the laptops are going to be repurposed and the MDCs are to better equip the deputies in response to COVID-19. Ms. Riggs said, as long as the job duties have been enhanced or changed, then it would be allowable. Judge Hill asked if it would be a sufficient if being prepared to respond to COVID-19 was added to their job duty. Ms. Riggs said it would. Commissioner Hale said the MDCs give additional capabilities, and they are able to work at full function if they have to leave their office to fulfill other roles. This also helps mitigate the spread of COVID-19 because they will not be in the office. The Sheriff said he appreciates the Court's consideration on this. Judge Hill said the Sheriff does have the opportunity to bring this back to the Court. (Time 4:53 p.m.)

HELD

Judge Hill recessed the meeting at 4:54 p.m. for a break.

Judge Hill reconvened the meeting at 5:03 p.m. went to item 8 of the General Discussion.

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

Bill Bilyeu, County Administrator, provided the Court with Commissioner Webb's handout from the RTC (Regional Transportation Council) meeting. Mr. Bilyeu said it is interesting to see the stats about toll usage and traffic decreasing. Judge Hill said he will ask Commissioner Webb if he would like to reschedule his update since he was not able to return after the break. (Time 6:30 p.m.)

NO ACTION

Judge Hill recessed Commissioners Court into the Health Care Foundation and the Toll Road Authority meetings at 6:30 p.m.

EXECUTIVE SESSION

Judge Hill reconvened Commissioners Court at 6:30 p.m. and immediately recessed into Executive Session under chapter 555.072 to discuss Real Estate.

Judge Hill reconvened the meeting at 6:44 p.m.

AI-48687 Property acquisition along U.S. Highway 380 from Coit Road west to the County Line, Special Projects.

Commissioner Fletcher made a motion to proceed with the purchase of this property as it relates to property acquisition along U.S. 380 with the amount recommended by staff. (Time 6:44 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed
Absent: Commissioner Duncan Webb

COURT ORDER NO. 2020-641-07-13

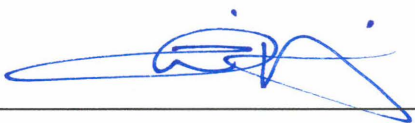
AI-48714 Right-of-Way for Frontier Parkway, Parcel 5, Special Projects.

Commissioner Fletcher made a motion to accept the settlement offer presented by the landowner as it relates to Frontier Parkway Parcel 5. (Time 6:45 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed
Absent: Commissioner Duncan Webb

COURT ORDER NO. 2020-642-07-13

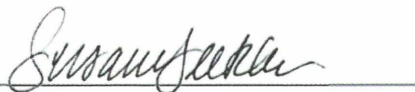
There being no further business of the Court, Judge Hill adjourned the meeting at 6:45 p.m.



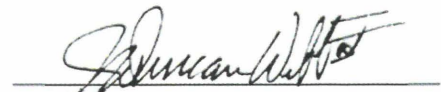
Chris Hill, County Judge



Darrell Hale, Commissioner, Pct 3



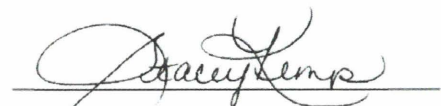
Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk